

CHANGE OF USE POLICY

The following policy describes how Equivalent Dwelling Unit (EDU) values are determined and applied to sewer use and connection charges when a change made to a property results in an increase/decrease in EDU value. EDU determinations may be made by Water Pollution Control Facility (WPCF) Staff. If a property owner is not satisfied with the administrative decision made by WPCF Staff, the Change of Use request may be brought in front of the Water Pollution Control Authority (WPCA). The WPCA will use its discretion to interpret the proposal presented and this policy. Its decision shall be final.

1. Minimum EDU Value. A minimum of one EDU shall be assigned to each property, irrespective of the actual use of the property. The WPCA may waive this provision if a lot owner demonstrates that his or her lot may not lawfully be used for any purpose that would require a discharge of sewage.

2. Decrease in EDU Value. There are several instances which can cause a property to have a reduction in EDU value. These include, but are not limited to: a planned sewer disconnection; building use, layout, or size changes; decrease in number of dwelling units.

3. Increase in EDU Value. There are several instances which can cause a property to have an increase in EDU value. These include, but are not limited to: the installation of new structures; building use, layout, or size changes; increase in number of dwelling units.

4. Determination of Value. In all cases where a change in EDU value is required for a property to be charged correctly for sewer use and connection (not including administrative corrections), the property owner must submit a Change of Use/Capacity Review Application. The WPCA/WPCF staff will receive the application and conduct a thorough review. The proposed property information will be compared to the existing property information, and a net increase/decrease in EDU value will be determined.

5. Formula. (Proposed Total EDU Value, as determined by referencing the Resolution of Sewer Usage and Connection Charges in effect at the time) minus (Existing Total EDU Value, as determined by referencing the Resolution of Sewer Usage and Connection Charges in effect at the time) shall equal the net increase or decrease in EDU value to the property.

6. Applying Change in Value to Amounts Due or Not Due. When the above formula results in a net increase in EDU value to the property, a connection fee payment will be due to the Town of Canton for the increase in EDU value times the connection fee rate in effect. When the above formula results in a net decrease in EDU value to the property, a connection fee payment will not be due. When there is unused capacity that was paid for and the previously made payment or EDU value can be unequivocally proven, the property owner is entitled to using that purchased capacity. In either case (increase/decrease), sewer use charges will be adjusted so the correct use charge is levied.

7. Subdivisions/Consolidations. In the event of a subdivision or consolidation of property, a property owner may present evidence of the EDU value assigned/once assigned to a property and request an EDU value be transferred to the newly subdivided or consolidated property. The WPCA will determine the EDU value, if any, to be granted to the newly subdivided lot and record the decision by motion and vote.