

**AN ORDINANCE OF THE TOWN COUNCIL FOR THE TOWN OF CHAPIN TO IMPOSE AND COLLECT AN IMPACT FEE FOR WATER AND WASTEWATER UTILITIES PURSUANT TO TITLE 6, CHAPTER 1, ARTICLE 3 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED.**

**WHEREAS**, the Town of Chapin (Town) has experienced and expects to continue to experience population growth and development and seeks to support that growth into the future; and

**WHEREAS**, the Town has experienced impacts on public facilities resulting from this growth and development; and

**WHEREAS**, growth and development estimates for the Town over the next 10 years indicate there will be a need for system improvements to provide water and sewer services due to the growth and development; and

**WHEREAS**, the Town has defined a level of service standard for water and sewer services; and

**WHEREAS**, this defined level of service standard and the projected population growth results in an identified need for water and sewer services as set forth in the capital improvement plan (CIP) attached to this Ordinance and recommended by the Planning Commission; and

**WHEREAS**, the cost of these facility system improvement needs as identified in the CIP is significant and expensive and directly attributable to new growth and development such that the payment of an impact fee would assign these costs to those who will most directly benefit from these facility system improvements;

**WHEREAS**, the Town has received a report including an explanation of the basis, use, method of collection, and calculation of a maximum supportable impact fee, which is attached to this Ordinance; and

**WHEREAS**, pursuant to Title 6, Chapter 1, Article 3 of the S.C. Code, specifically Sections 6-1-300 and 330 of the S.C. Code, Town Council is authorized to charge and collect service or user fees, including uniform service charges. Section 6-1-300(6) of the S.C. Code, defines a “service or user fee” as a “charge required to be paid in return for a particular government service or program” and further requires that the revenue generated from the service or user fee must: (i) be used to benefit the payers, even if the general public also benefits; (ii) only be used for the specific improvement contemplated; (iii) not exceed the cost of the improvement; and (iv) be uniformly imposed on all payers.” Pursuant to Section 6-1-330 of the S.C. Code, Town Council is authorized to charge and collect service or user fees, including uniform service charges, subject to the following requirements: (i) the service or user fee must be imposed by adoption of an ordinance approved by a positive majority of Town Council; (ii) Town Council must provide public notice of the service or user fee being considered and hold a public hearing on the proposed service or user fee prior to final adoption; (iii) revenue derived from the service or user fee to finance the provision

of public services must be used to pay costs related to the provision of the service or program for which the service or user fee is paid; and (iv) a local governing body that imposes a user or service fee pursuant to S.C. Code § 6-1-300(6) must publish the amount of dollars annually collected on each fee on the County’s website.

**WHEREAS**, pursuant to Section 6-1-1080 of the S.C. Code, a town may impose a development impact fee for water or wastewater utilities under Title 6, Chapter 1, Article 3 of the S.C. Code rather than pursuant the South Carolina Development Impact Fee Act if the following conditions are met (1) the Town has a CIP; (2) a report be made before imposition of the development impact fee including an explanation of the basis, use, calculation, and method of collection; and (3) that the fee be enacted in accordance with Title 6, Chapter 1, Article 3 of the S.C. Code.

**WHEREAS**, the revenue generated by the proposed fee will be used to provide facility system improvements to provide additional capacity to support the projected growth and will therefore be used to benefit the fee payers, even if the general public also benefits, as further set forth below and in the attached *Capital Improvement Plan and Development Impact Fee Study*.

**NOW, THEREFORE**, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF CHAPIN:

SECTION I. Town Council hereby adopts and incorporates the *Capital Improvement Plan and Development Impact Fee Study* dated November 12, 2024 as prepared by Town of Chapin Staff and approved by the Planning Commission (“Study”).

SECTION II. The Code of Ordinances for the Town of Chapin is hereby amended to read as follows:

**18.401: 2025 Schedule of Rates and Fees “Exhibit 1” as amended to include:  
Proposed Development Impact Fee**

Meter Size and Type	Water <sup>1</sup>	Wastewater <sup>2</sup>	Total
0.75 Displacement	\$1,500	\$1,500	\$3,000
1.00 Displacement	\$2,506	\$2,504	\$5,010
1.50 Displacement	\$4,996	\$4,994	\$9,990
2.00 Displacement	\$7,997	\$7,994	\$15,991
3.00 Singlejet	\$16,010	\$16,002	\$32,012
3.00 Compound	\$16,010	\$16,002	\$32,012
3.00 Turbine	\$17,510	\$17,502	\$35,011
4.00 Singlejet	\$25,012	\$25,000	\$50,013
4.00 Compound	\$25,012	\$25,000	\$50,013

4.00 Turbine	\$31,509	\$31,494	\$63,003
6.00 Singlejet	\$50,009	\$49,985	\$99,994
6.00 Compound	\$50,009	\$49,985	\$99,994
6.00 Turbine	\$65,013	\$64,983	\$129,996
8.00 Compound	\$80,017	\$79,980	\$159,997
8.00 Turbine	\$140,035	\$139,969	\$280,004
10.00 Turbine	\$210,060	\$209,962	\$420,021
12.00 Turbine	\$265,080	\$264,956	\$530,036

<sup>1</sup> 90.2% of the Maximum Supportable Development Impact Fee for Water -  
Rounded to the nearest dollar

<sup>2</sup> 76.4% of the Maximum Supportable Development Impact Fee for  
Wastewater - Rounded to the nearest dollar

#### **18.411 Connections. Impact Fees Required.**

- a. The Town shall impose a uniform impact fee upon all development which shall include any residential property, real estate development, commercial, industrial, or institutional complex which shall be connected to the water and/or sewerage system.
- b. Impact fees collected under this article are to be specifically used for the upgrading and/or expansion or improvement of the transmission system and treatment facilities, to supply additional capacity to serve development of vacant property or redevelopment of properties served by the system. Revenues generated from the fee may only be used for these purposes and may not exceed the cost of upgrading and/or expansion or improvement of the transmission system and treatment facilities, to supply additional capacity to serve development of vacant property or redevelopment of properties served by the system.
- c. The revenues from the impact fee shall be kept in a separate and segregated fund from the general fund.
- d. The Town shall publish the amount of dollars annually collected on each fee on the Town's website.
- e. Impact fees shall be paid prior to the issuance of a permit to operate. Any fees due will be paid to the Town of Chapin Utility Department before any services are rendered.

#### **18.412 Rate of water impact fee assessment; when charged.**

- a. The impact fee shall be charged at the rate specified in the Schedule of Rates and Fees. The rate is uniformly assessed per ERU (equivalent residential unit).
  1. A single-family residential unit shall be one ERU. Non-residential users shall be based on the expected flow but will not be less than one ERU. One ERU for non-residential users throughout the Town shall be equal to 228 gallons per day.
  2. Requests for a reduced flow calculation may be reviewed upon petition with accompanying flow determinations acceptable to the control authority and SCDHEC.

- b. An impact fee will be charged when a parcel has a change in use that will result in additional water usage and/or additional wastewater entering the department's water and/or sewerage system.
  - 1. The fee will be based on the new use's additional ERUs beyond the previous use's ERUs, and will be assessed at the impact fee rate in effect at the time of application for the new use.
  - 2. No credits will be issued for a reduction in ERUs for an existing development or a new development which has passed final inspection, except in a case where the impact fee can be applied to further development within the parcel or subdivision.

**18.413 Rate of sewer impact fee assessment; when charged.**

- a. The impact fee shall be charged at the rate specified in the Schedule of Rates and Fees. The rate is uniformly assessed per ERU (equivalent residential unit).
  - 1. A single-family residential unit shall be one ERU. Non-residential users shall be based on the expected flow. One ERU for non-residential users throughout the Town shall be equal to 171 gallons per day.
  - 2. Requests for a reduced flow calculation may be reviewed upon petition with accompanying flow determinations acceptable to the control authority and SCDHEC.
- b. An impact fee will be charged when a parcel has a change in use that will result in additional water usage and/or additional wastewater entering the department's water and/or sewerage system.
  - 1. The fee will be based on the new use's additional ERUs beyond the previous use's ERUs, and will be assessed at the impact fee rate in effect at the time of application for the new use.
  - 2. No credits will be issued for a reduction in ERUs for an existing development or a new development which has passed final inspection, except in a case where the impact fee can be applied to further development within the parcel or subdivision.

SECTION III. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court, such section, subsection, sentence, clause, phrase or portion of this ordinance shall be deemed to be a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of this ordinance nor impair or nullify the remainder of these provisions which shall continue in full force and effect.

If the application of any provision of this ordinance to any new development is declared to be invalid by a decision of any court, the intent of Town Council is that such decision shall be limited only to the specific new development expressly involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify this ordinance as a whole or the application of any provision of this ordinance to any other new development.

SECTION IV. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION V. Effective Date. This ordinance shall be effective from and after February 18, 2025.

ATTEST:

Shannon Bowers  
Shannon Bowers, Town Clerk

Albert R. Koon, Jr.  
Albert R Koon, Jr., Mayor  
Town of Chapin, South Carolina



First Reading: December 17, 2024  
Second Reading: February 18, 2025  
Public Hearing: February 18, 2025