

ARTICLE XV - Utilities

§ 152-236. Utility Ownership and Easement Rights.

(A) In any case in which a developer installs or causes the installation of water, sewer, electrical power, natural gas, telephone, cable television or other utility facilities and intends that such facilities shall be owned, operated, or maintained by a public utility or any entity other than the developer, the developer shall transfer to the utility or entity the necessary ownership or easement rights to enable the utility or entity to operate and maintain such facilities. While in most cases for a fee, the town will provide the connection to an individual dwelling or building to a water or sewer line, it is the responsibility of the developer or builder to install and pay for new or extended utility systems, including water and sewer lines.

(B) Easements for underground or above ground utilities shall be provided, where necessary, across lots or centered on rear or side lot lines and shall be at least fifteen (15) feet wide for water and sanitary sewer lines and as required by the companies involved for telephone, gas and power lines. The Land Use Administrator will determine whether one easement is sufficient or whether several easements are necessary to accommodate the various facilities, and the subdivider shall provide the required easements. Such easements shall be included and clearly indicated on all plats, site plans, construction drawings and related documents.

§ 152-237. Lots Served by Town Owned Water or Sewer Lines.

(A) Whenever it is legally possible and practicable in terms of topography to connect a lot with town water and sewer lines by running a connection line not more than 200 feet from the lot to such lines, then no use requiring water or sewage disposal service may be made of such lot unless connection is made to such line.

(B) Connection to such water or sewer line is not legally possible if, in order to make connection with such line by a connection line that does not exceed 200 feet in length, it is necessary to run the connection line over property not owned by the owner of the property to be served by the connection, and, after diligent effort, the easement necessary to run the connection line cannot reasonably be obtained.

(C) For purposes of this article, a lot is "served" by a town owned water or sewer line if connection is required by this section.

§ 152-238. Sewage Disposal System Required. (Amended 12/10/18)

(A) Every principal use and every lot within a subdivision shall be served by a sewage disposal system that is adequate to accommodate the reasonable needs of such use or subdivision and that complies with all applicable health regulations of the State of North Carolina and Moore County.

(B) Design criteria for Sanitary Sewer will comply with all state rules and regulations set by North Carolina Department of Environmental Quality. The primary method of Sanitary Sewer System collection in the Town of Aberdeen will be a gravity system. In the event that a gravity system cannot be achieved due to general topography of the service area a consolidated pump

station with gravity lines as the collection method may be designed to mitigate the topographical challenges.

- (1) Any alternate method to the two listed above will require a variance to be submitted to and approved by the Public Works Director. Possible alternate methods include but are not limited to Low-Pressure Systems, Septic Tank to Pretreat (STEP) Systems and Vacuum Sewer Systems.
- (2) Any new subdivision application or expansion thereto that will seek a variance to the sewer system requirements set forth in 152-238 (A), above, shall make such disclosure at the earliest period of the application process and must obtain approval for an alternative sewer system from the Board of Commissioners during the subdivision approval process. A request for a variance from the sewer system(s) required under 152-238 (A) for a new or extended subdivision shall be submitted to the Public Works Director and supported with design standards and sufficient detail to evaluate the proposed system.
- (3) The Town is under no obligation to allow or permit alternative sewer systems.

(C) Determination of compliance with subsection (A), above, shall be made by North Carolina Division of Water Quality, the Moore County Health Department, the Public Works Director or any combination of the above listed offices. For the purpose of issuing special use permits, conditional use permits or approving conditional zoning districts, the town may rely on the preliminary review by the permit-issuing agency of the basic design elements of the proposed sewage disposal system. However, construction of such system may not be commenced until the detailed plans and specifications have been reviewed and any appropriate permits issued by such agency. Sewer collection systems for new or extended subdivisions shall be paid for by the developer or builder before issuance of a certificate of occupancy.

(D) The type of development and relevant certifying agency are listed as follows:

USE	Certifying Agency
Uses Other Than Subdivisions	
If the use is located on a lot that is served by the town sewer system or a previously approved, privately owned package treatment plant, and the use can be served by a simple connection to the system (as in the case of a single family residence) rather than the construction of an internal collection system (as in the case of shopping center or apartment complex),	Then no further certification is necessary.

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<p>If the use is located on a lot that is served by the town sewer system but service to the use necessitates construction of an internal collection system (as in the case of a shopping center or apartment complex) and the internal collection system is to be transferred to and maintained by the town,</p>	<p>Then the Public Works Director must certify that the proposed internal collection system meets the town's specifications and will be accepted by the town. (An "Authorization to Construct" must be obtained from the N.C. Division of Water Quality).</p>
<p>If the use is located on a lot that is served by the town sewer system but service to the use necessitates construction of an internal collection system (as in the case of a shopping center or apartment complex) and the internal collection system is to be privately maintained,</p>	<p>Then the Public Works Director must certify that the proposed collection system is adequate for the proposed use.</p>
<p>If the use is to be served by a privately operated sewage treatment system that has not been previously approved with 3,000 gallons or less design capacity, the effluent from which does not discharge to surface waters,</p>	<p>Then the Moore County Health Department must certify to the town that the proposed system complies with all applicable State and local health regulations. The applicant must obtain a subsurface sewage disposal permit from the Moore County Health Department prior to issuance of a certificate of zoning compliance.</p>
<p>If the use is to be served by a privately operated sewage treatment system that has not been previously approved that has a design capacity of more than 3,000 gallons or that discharges effluent into surface waters,</p>	<p>Then the N.C. Division of Water Quality must certify to the town that the proposed system complies with all applicable state regulations. (An "Authorization to Construct" and a "Permit to Discharge" must be obtained from the Division.)</p>
<p>Subdivisions</p>	
<p>If the proposed use is a subdivision, and lots within the subdivision are to be served by simple connection to existing town lines or lines of a previously approved private system,</p>	<p>Then no further certification is necessary.</p>
<p>If the proposed use is a subdivision, and lots within the subdivision are to be served by the town system but the developer will be responsible for installing the necessary additions to the town system,</p>	<p>Then the Public Works Director must certify to the town that the proposed system meets the town's specifications and will be accepted by the town. (An "Authorization to Construct" must be issued from the NC Division of Water Quality.)</p>

<p>If the proposed use is a subdivision, and lots within the subdivision are to be served by a sewage treatment system that has not been previously approved, that has a design capacity of 3,000 gallons or less, and that does not discharge into surface waters,</p>	<p>Then the Moore County Health Department must certify that the proposed system complies with all applicable State and local health regulations. If each lot within the subdivision is to be served by a separate site disposal system, the County Health Department must certify that each lot shown on a major subdivision preliminary plat can probably be served, and each lot on a major or minor subdivision final plat can be served by an on-site disposal system.</p>
<p>If the proposed use is a subdivision, and lots within the subdivision are to be served by a privately operated sewage treatment system that has not been previously approved that has a design capacity in excess of 3,000 gallons or that discharges effluent into surface waters,</p>	<p>Then the N.C. Division of Water Quality must certify that the proposed system complies with all applicable state regulations. (An "Authorization to Construct" and a "Permit to Discharge" must be obtained from the Division.)</p>

§ 152-239. Water Supply Systems Required. (Amended 12/10/18)

(A) Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision and that complies with all applicable health regulations. Water supply systems for new or extended subdivisions shall be paid for by the developer or builder before issuance of a certificate of occupancy.

(B) Determination of compliance with subsection (A), above, shall be made by North Carolina Division of Water Quality, the Moore County Health Department, the Public Works Director or any combination of the above listed offices. For the purpose of issuing special use permits, conditional use permits or approving conditional zoning districts, the town may rely on the preliminary review by the permit-issuing agency of the basic design elements of the proposed water supply system. However, construction of such system may not be commenced until the detailed plans and specifications have been reviewed and any appropriate permits issued by such agency.

(C) The type of development and relevant certifying agency are listed as follows:

USE	Certifying Agency
Uses Other Than Subdivisions	
<p>If the use is located on a lot that is served by the town water system or a previously approved, privately owned public water supply system and the use can be served by a simple connection to the system (as in the case of a single family residence) rather than the construction of an internal distribution system (as in the case of a shopping center or apartment),</p>	<p>Then no further certification is necessary.</p>

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<p>If the use is located on a lot that is served by the town water system but service to the use necessitates construction of an internal distribution system (as in the case of a shopping center or apartment complex) and the use is located on a lot that is served by the town water system but service to the use necessitates construction of an internal distribution system (as in the case of a shopping center or apartment complex),</p>	<p>Then the Public Works Director must certify to the town that the proposed internal distribution system meets town specifications and will be accepted by the town.</p>
<p>If the use is located on a lot that is served by the town water system but service to the use necessitates construction of an internal distribution system (as in the case of a shopping center or apartment complex), and the internal distribution system is to be privately maintained,</p>	<p>Then the Public Works Director must certify that the proposed collection system is adequate.</p>
<p>If the use is located on a lot not served by the town system or a previously approved, privately owned public water supply system, and the use is to be served by a privately owned public water supply system that has not previously been approved,</p>	<p>Then the NC DENR Public Water Supply Section must certify that the proposed system complies with all applicable State and Federal regulations. The Public Works Director must also approve the distribution for possible future addition to the town system.</p>
<p>If the use is located on a lot not served by the town system or a previously approved, privately owned public water supply system, and the use is to be served by some other source (such as an individual well),</p>	<p>Then the Moore County Health Department must certify that the proposed system meets all applicable state and local regulations.</p>
<p>Subdivisions</p>	
<p>If the proposed use is a subdivision, and lots within the subdivision are to be served by simple connection to existing town lines or lines of a previously approved public water supply system,</p>	<p>Then no further certification is necessary.</p>
<p>If the proposed use is a subdivision, and the lots within the subdivision are to be served by the town system but the developer will be responsible for installing the necessary additions to such system,</p>	<p>Then the Public Works Director must certify to the town that the proposed system meets town specifications and will be accepted by the town.</p>
<p>If the proposed use is a subdivision, and the lots within the subdivision are to be served by a privately owned public water supply system that has not previously been approved,</p>	<p>Then the NC DENR Public Water Supply Section must certify that the proposed system complies with all applicable State and Federal regulations. The Public Works Director must also approve the distribution lines for possible future additions to the town system.</p>

If the proposed use is a subdivision, and the lots within the subdivision are to be served by individual wells,	Then the Moore County Health Department must certify to the town that each lot intended to be served by a well can be served in accordance with applicable health regulations.
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§ 152-240. Lighting Requirements.

The “Town of Aberdeen Street Lighting Policy and Guidelines” is located at Appendix K.

§ 152-241. Excessive Illumination.

Lighting within any lot that unnecessarily illuminates any other lot and substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if it clearly exceeds the standard set forth in Appendix K or if the standards set forth in Appendix K could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.

§ 152-242. Electric Power.

Every principal use and every lot within a subdivision shall have available to it a source of electric power adequate to accommodate the reasonable needs of such use and every lot within such subdivision. Compliance with this requirement shall be determined as follows:

(A) If the use is not a subdivision and is located on a lot that is served by an existing power line and the use can be served by a simple connection to such power line (as opposed to a more complex distribution system, such as would be required in an apartment complex or shopping center), then no further certification is needed; or

(B) If the use is a subdivision or is not located on a lot served by an existing power line or a substantial internal distribution system will be necessary, then the electric utility service provider must review the proposed plans and certify to the town that it can provide service that is adequate to meet the needs of the proposed use and every lot within the proposed subdivision.

§ 152-243. Telephone Service.

Every principal use and every lot within a subdivision must have available to it a telephone service cable adequate to accommodate the reasonable needs of such use and every lot within such subdivision. Compliance with this requirement shall be determined as follows:

(A) If the use is not a subdivision and is located on a lot that is served by an existing telephone line and the use can be served by a simple connection to such telephone line (as opposed to a more complex distribution system, such as would be required in an apartment complex or shopping center), then no further certification is necessary; or

(B) If the use is a subdivision or is not located on lot a served by an existing telephone line or a substantial internal distribution system will be necessary, then the telephone utility company must review the proposed plans and certify to the town that it can provide service that is adequate to meet the needs of the proposed use and every lot within the proposed subdivision.

§ 152-244. Underground Utilities.

(A) All electric power lines (not to include transformers or enclosures containing electrical equipment including, but not limited to, switches, meters, or capacitors which may be pad mounted), telephone, gas distribution, and cable television lines in subdivisions constructed after the effective date of this chapter shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with Appendix C, Standard Drawing No. 6 or 7.

(B) Whenever an unsubdivided development is hereafter constructed on a lot that is undeveloped on the effective date of this chapter, then all electric power, telephone, gas distribution, and cable television lines installed to serve the development that are located on the development site outside of a previously existing public street right-of-way shall be placed underground in accordance with the specifications and policies of the respective utility companies.

§ 152-245. Utilities to Be Consistent With Internal and External Development.

(A) Whenever it can reasonably be anticipated that utility facilities constructed in one development will be extended to serve other adjacent or nearby developments, such utility facilities (i.e., water or sewer lines) shall be located and constructed so that extensions can be made conveniently and without undue burden or expense or unnecessary duplication of service.

(B) All utility facilities shall be constructed in such a manner as to minimize interference with pedestrian or vehicular traffic and to facilitate maintenance without undue damage to improvements or facilities located within the development.

§ 152-246. As-Built Drawings Required.

Whenever a developer installs or causes to be installed any utility line in any public right-of-way, the developer shall, as soon as practicable after installation is complete, and before acceptance of any water or sewer line, furnish the town with a copy of a drawing that shows the exact location of such utility lines. Such drawings must be verified as accurate by the utility service provider. Compliance with this requirement shall be a condition of the continued validity of the permit authorizing such development.

§ 152-247. Fire Hydrants.

(A) Every development (subdivided or unsubdivided) that is served by a public water system shall include a system of fire hydrants sufficient to provide adequate fire protection for the buildings located or intended to be located within such development.

(B) The presumption established by this ordinance is that to satisfy the standard set forth in subsection (A), above, fire hydrants must be located so that all parts of every building within the development may be served by a hydrant by laying not more than 500 feet of hose connected to such hydrant. However, the town Fire Chief may authorize or require a deviation from this standard if in his or her professional opinion another arrangement more satisfactorily complies with the standard set forth in subsection (A).

(C) Subject to the other provisions of this section, the town Fire Chief shall determine the precise location of all fire hydrants. In general, fire hydrants shall be placed six (6) feet behind the curb line of publicly dedicated streets that have curb and gutter.

(D) The town Fire Chief shall determine the design standards of all hydrants based on fire flow needs. Unless otherwise specified by the town Fire Chief, all hydrants shall have two (2) two and one half (2 ½) inch hose connections and one (1) four and one half (4 ½) inch connection. The two and one half (2 ½) inch hose connections shall be located at least twenty-one and a half (21 ½) inches from the ground level. All hydrant threads shall be national standard threads.

(E) Water lines that serve hydrants shall be at least six-inch lines, and, unless no other practicable alternative is available, no such lines shall be dead-end lines.

§ 152-248. Sites for and Screening of Dumpsters.

(A) Every development that, under the town's solid waste collection policies, is or will be required to provide one or more dumpsters for solid waste collection shall provide sites for such dumpsters that are:

(1) Located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way; and

(2) Constructed according to specifications established by the Public Works Director to allow for collection without damage to the development site or the collection vehicle.

(B) All such dumpsters shall be screened if and to the extent that, in the absence of screening, they would be clearly visible to:

(1) Persons located within any dwelling unit on residential property other than that where the dumpster is located; and

(2) Occupants, customers, or other invitees located within any building or nonresidential property other than that where the dumpster is located, unless such other property is used primarily for purposes permitted exclusively in the C-I or I-H zoning districts; and

(3) Persons traveling on any public street, sidewalk, or other public way.

(C) When dumpster screening is required under this section, such screening shall be constructed, installed, and located to prevent or remedy the conditions requiring the screening.

§ 152-249 through §152-250. Reserved.