



**CONNECTION RULE FOR NEW CONSTRUCTION/REDEVELOPMENT
IN ACCORDANCE WITH FAIRFAX COUNTY ORDINANCE SECTION 65-6-13**

Adopted January 12, 2012

I. Purpose and Legal Authority.

The purpose of this rule is to comply with and implement Fairfax County's ordinance Section 65-6-13, adopted December 6, 2011, which requires that Fairfax Water be the exclusive provider of retail public water service within Fairfax County for any new construction or redevelopment of any dwelling unit and any residential or non-residential structure, unless Fairfax Water determines that it cannot make water service available due to a utility-related reason ("the Connection Ordinance"). The Board of Supervisors adopted the Connection Ordinance under the authority of Code §§ 15.2-2111 and 15.1-2112. Fairfax Water adopts this rule under the authority of the Connection Ordinance and Code § 15.2-2112.

II. Connections required.

Fairfax Water will provide service to all new construction and redevelopment projects located within Fairfax County, outside of the jurisdictional limits of any city or town, unless a valid utility-related reason prevents Fairfax Water from providing service.

III. Utility-Related Reasons for Not Connecting.

The following constitute valid utility-related reasons preventing Fairfax Water from providing water service to properties covered by the Connection Ordinance. Whether a valid utility-related reason exists will be determined by Fairfax Water in its sole engineering judgment.

A. Hardship due to cost and distance from an existing Fairfax Water main. Undue burden to connect a structure to Fairfax Water's system, due to excessive distance from an existing Fairfax Water main, constitutes a valid utility-related reason not to connect, and will be determined as follows.

1. Distance from an existing Fairfax Water line must be measured from the nearest Fairfax Water main, capable of serving the property, to the nearest portion of the property on which the structure to be served is located, measured along a street, alley, right-of-way, or easement.
2. Undue burden to connect does not exist if the structure to be connected to Fairfax Water's system, or any part of the property on which the structure is located, is within the following distances from a Fairfax Water main with the capacity to serve the structure:

- (a) 500 feet;

- (b) 1,500 feet, when the floor-area ratio exceeds 1.0 for the structure and the property on which it is located, or when such structure and the property on which it is located are a part or phase of a larger development that has an overall approved intensity for the development greater than a floor-area ratio of 1.0; or
 - (c) 3,000 feet, when the floor-area ratio exceeds 2.5 for such structure and the property on which it is located, or when such structure and the property on which it is located are a part or phase of a larger development that has an overall approved intensity for the development greater than a floor-area ratio of 2.5.
- 3. No structure is required to connect to Fairfax Water's system if the connection would require the extension of a water main across an interstate highway, the Dulles International Airport Access Highway, or the combined Dulles International Airport Access Highway and Dulles Toll Road.
- 4. No new or replacement single family detached dwelling unit is required to connect to Fairfax Water's system as long as such unit is not part of a larger development of new and/or approved but unbuilt dwelling units, and as long as one of the following conditions is met:
 - (a) such unit is located on a parcel of record, the closest point of which is greater than 300 feet from an existing Fairfax Water main; or
 - (b) a water main from another public water service provider abuts the parcel of record; or
 - (c) a water main extension from another public water service provider located within Fairfax County would be a shorter distance than a water main extension from the Fairfax Water system.
- B. Localized system constraints. Insufficient localized pumping or pipeline capacity by Fairfax Water to supply water at the required system pressures, or insufficient local demand to maintain water quality, may constitute a valid utility-related reason not to connect. Fairfax Water does not anticipate encountering problems with insufficient capacity.

IV. Exemptions.

An owner or developer whose property or structure would require connection to Fairfax Water's system under the terms of the Connection Ordinance and this Rule may request a waiver by submitting a written request to:



Director, Planning and Engineering
Fairfax Water
8570 Executive Park Avenue
Fairfax, Virginia 22030

The written request must provide a compelling engineering or economic justification, together with sufficient supporting documentation, to show a valid utility-related reason why service from Fairfax Water should not be required. Fairfax Water staff may require the applicant to provide additional documentation and support. Within 30 days after Fairfax Water staff has determined that sufficient information has been provided to evaluate the waiver request, a staff report and recommendation will be forwarded to the Fairfax Water Board for its consideration. The Fairfax Water Board will decide whether or not to approve the waiver.