

**Resolution No. 22-33**


**A Resolution Amending the Residential Water/Sanitary Sewer Materials Policy**

WHEREAS, by Resolution 17-116, adopted on October 3, 2017, City Council adopted a Residential Water/Sanitary Sewer Materials Policy (the "Policy"); and

WHEREAS, City Council desires to amend the Residential Water/Sanitary Sewer Materials Policy to expand the materials that are covered under the Policy.

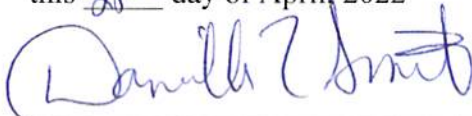
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bristol, Tennessee that the Residential Water/Sanitary Sewer Materials Policy adopted on October 3, 2017, is updated as shown on the attached Exhibit A.

WHEREUPON, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed that the same be recorded.

  
\_\_\_\_\_  
Mahlon Luttrell, Mayor  
Date: 5/3/22

  
\_\_\_\_\_  
Mary Lee Williams, City Recorder

Approved as to Form and Legality  
this 28<sup>th</sup> day of April, 2022

  
\_\_\_\_\_  
Danielle L. Smith, City Attorney

**EXHIBIT A**

**City of Bristol, Tennessee**  
**Residential Water/Sanitary Sewer Materials Policy**  
Adopted October 3, 2017  
Amended May 3, 2022

Under the conditions set out in this Policy, the City of Bristol, Tennessee will provide Materials for a residential land developer's use within a proposed major subdivision for the construction of water and sanitary sewer infrastructure. The Materials would be provided in accordance with a Materials Agreement between the City and the developer, and only upon the approval of City Council.

1. In order to qualify for a Materials Agreement, the property on which the Materials will be used must:
  - a. be a Major Subdivision as defined by the Bristol, Tennessee Planning Commission's Subdivision Regulations; and
  - b. be within the corporate limits of the City of Bristol, Tennessee; and
2. Sewer and water must be available to the subdivision.
3. Only the following Materials will be provided pursuant to a Materials Agreement:
  - a. Water pipes and valves (6" in diameter or larger) and fire hydrants.
  - b. Sanitary Sewer pipes (8" in diameter or larger) and sanitary sewer manholes.
  - c. Water and sanitary sewer pump stations. Pump stations must be approved in advance by the City of Bristol, Tennessee Engineering Department.
  - d. Water service lines (3/4" in diameter) and sanitary sewer service lines (4" in diameter). Limits of service lines shall be from the water or sewer tap to the right-of-way line, five (5) feet behind the curb, or eighteen (18) inches behind the sidewalk.
  - e. Stone backfill for water line trenches. Stone shall be limited to a width of three (3) feet wide by two (2) feet deep along the centerline of the trench for water lines.
  - f. Stone backfill for sanitary sewer line trenches. Stone shall be limited to a width of five (5) feet wide by three (3) feet deep along the centerline of the trench for sanitary sewer lines.
  - g. Water meters and AMR (automated meter reading) transmitters.
4. The City will not provide or reimburse the developer for any labor, equipment, or other materials necessary for the installation of the Materials, including electrical components, asphalt, or erosion and sediment control materials.
5. The Materials Agreement will provide the following, at a minimum:
  - a. Title to the Materials will remain in the City at all times.
  - b. All construction will be performed per City standards and specifications.
  - c. Upon completion of construction of the infrastructure and acceptance by the City, the infrastructure will belong to the City and the developer will execute appropriate instruments to transfer all necessary easements to the City.

- d. The developer shall post a surety, either in the form of cash or an irrevocable letter of credit, in the amount of the City's cost of the materials (which does not include sales tax). This surety shall be returned to the developer upon completion of the infrastructure according to the Materials Agreement. If the developer does not complete the infrastructure, the surety shall be forfeited to the City.
  - e. At the time of executing the Materials Agreement, the developer shall pay the City the sales tax that would have been paid if the developer had purchased the Materials from a non-tax-exempt entity. The City will disburse this tax money to the appropriate taxing authorities.
  - f. Infrastructure installation must be performed by a contractor licensed in the state of Tennessee to perform utility construction.
6. The Bristol Regional Planning Commission must have granted preliminary plat approval of the subject property before City Council will consider and approve a Materials Agreement.
  7. The upfront cost of the Materials (except for sales and use tax) shall be borne by the City, but the Tap Fee for lots in the development shall be the greater of the standard City Tap Fee or the actual per lot cost of the Materials used in the development.
  8. The City will not enter into any Materials Agreements unless the Finance Director certified that the appropriate funds can support the expenditures.