

**ARTICLE 8
Off-site Improvements**

8.1 Off-Site Sanitary Sewer, Storm Sewer, Water and Other Facilities

8.1.1 Whenever reasonable and necessary sanitary sewer, storm sewer, water and other drainage facilities located outside the property limits of the land owned or controlled by a subdivider or developer are necessitated or required, at least in part, by the construction or improvement of such subdivider's or developer's subdivision or other development project, the Town council may require the subdivider or developer to pay a pro rata share of the cost of constructing such facilities, in accordance with the provision of § 15.2-2243, Code of Virginia, 1950, (as amended). (Amended 5/14/98)

8.1.2 Payments received pursuant to this section shall be expended only for the construction of those facilities for which payment was specifically required. Until so expended, payments shall be held in an interest-bearing account for the benefit of the subdivider or developer of the land.

8.2 Reimbursement for Off-Site Road Improvements

A subdivider or developer may be eligible for reimbursement of voluntary funding of off-site road improvements in accordance with the requirements of this section.

8.2.1. The subdivider or developer shall have made advance payments for or construction of reasonable and necessary road improvements located outside the property limits of the land owned or controlled by the subdivider or developer, the need for which is substantially generated and reasonably required by the construction or improvement of his/her subdivision or development.

8.2.2 The town council shall determine or confirm that the road improvements were substantially generated and reasonably required by the construction or improvement of the subdivision and shall determine or confirm the cost thereof, on the basis of a study conducted by qualified traffic engineers and accepted and approved by the subdivider or developer.

8.2.3. The town council shall prepare a report accepted and approved by the subdivider or developer, indicating the governmental services required to be furnished to the subdivision or development, and an estimate of the annual cost thereof for the period during which the reimbursement is to be made.

- 8.2.4. The town council may make annual reimbursements to the subdivider or developer from funds available for such purpose from time to time, including but not limited to real estate taxes assessed and collected against the land and improvements on the property included in the subdivision or development in amounts equal to the amount by which such real estate taxes exceed the annual cost of providing reasonable and necessary governmental services to such subdivision or development.