

## **RESOLUTION 25-193**

### **RESOLUTION TO IMPLEMENT A MORATORIUM ON SEWER CONNECTIONS AS ORDERED BY THE COMMISSIONER OF THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION CASE NO. WPC25-0093**

**WHEREAS**, the Tennessee Department of Environment and Conservation (“TDEC”) and the City entered into a Consent Order and Assessment Case No. WPC25-0093 (“Order”) on August 6, 2025; and

**WHEREAS**, the Order mandates a moratorium be placed on all new sewer connections that do not have vested sewer rights pursuant to Tenn. Code Ann. § 13-4-310 to the City’s wastewater treatment plant known as the Water Reclamation Facility (WRF” or “Plant”) located at 3893 Mahlon Moore Road, Spring Hill, TN 37174; and

**WHEREAS**, the moratorium on the Plant, as ordered by the TDEC, shall go into full effect on Friday, September 5, 2025 at 12:01 a.m. Central Standard Time.

**WHEREAS**, the moratorium hereby prohibits the City from authorizing any new sewer connections for projects that have not established vested sewer rights pursuant to Tenn. Code Ann. § 13-4-310 and the City’s Unified Development Code, until additional capacity becomes available as approved by the Division at the WRF and the TDEC, except for projects specifically exempt; and

**WHEREAS**, the moratorium hereby suspends the issuance of new sewer capacity availability letters and until additional sewer capacity becomes available as is approved by the TDEC from planned expansions of treatment facilities; and

**WHEREAS**, there shall be an exemption to the moratorium allowing connections for “critical infrastructure” which shall be approved by the TDEC, Division of Water Resources (DWR) and the Division. “Critical infrastructure” is defined as facilities vital for providing basic services to the public and protection of health, safety, and welfare. Critical infrastructure includes public and private services identified as a utility by the Federal government (water, sewer, natural gas, electricity, and telecommunications), public safety facilities (fire and police), hospitals, and other facilities necessary to remain operational in the event of extreme weather or disaster recovery; and

**WHEREAS**, the moratorium hereby prohibits extensions of building permits or other development approvals that would rely on City-provided sewer service unless associated with a vested sewer right project actively progressing toward construction; and

**WHEREAS**, the moratorium hereby limits all new development applications, proceeding by-right under existing zoning designation (i.e. no rezoning or annexation required) unless an alternative sewer treatment system is proposed that does not add effluent to the City’s WRF and all applicable permits required by the TDEC and the City are obtained as required; and

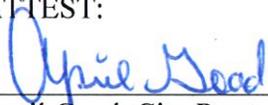
**WHEREAS**, the moratorium prohibiting new sewer connections shall be applicable to all phased projects that fail to maintain vested rights under applicable law or City ordinance.

**NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING**, the City directs the following, which the TDEC deems to be in the best interest of public health and the environment: 1) the Division of the WRF shall implement a moratorium on the WRF per the terms and conditions contained in Consent Order and Assessment Case No. WPC25-0093; 2) the moratorium is hereby implemented in compliance all provisions contained in this Resolution; 3) the moratorium is hereby implemented in compliance with the orders of the Commissioner of the TDEC; 4) there shall be an exemption to the moratorium allowing connections to critical infrastructure as approved by the TDEC and the Division of the WRF; 5) the moratorium shall go into effect on September 5, 2025 at 12:01 a.m. Central Standard Time.

Passed and adopted by the Board of Mayor and Alderman of the City of Spring Hill, Tennessee, on August 18, 2025.

  
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Matt Fitterer, Mayor

ATTEST:

  
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April Goad, City Recorder

LEGAL FORM APPROVED:

  
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Patrick M. Carter, City Attorney