

**REGULATIONS
FOR LAYOUT AND ASSESSMENT OF SANITARY SEWERS**

All previous regulations for the layout and/or assessment of sanitary sewers are hereby repealed and the following is substituted therefor.

PURPOSE

It is the purpose of these regulations to levy unit benefit assessments upon the land and buildings on the Town of North Branford which the Water Pollution Control Authority believes are especially benefited by the installation of sanitary sewers.

Benefits to buildings or structures constructed or expanded after the initial assessment may be assessed as if the new or expanded buildings or structures had existed at the time of the initial assessment. Such benefits and benefits to anticipated development of land zoned for other than business, commercial or industrial purposes or land classified as farm land, forest land or open spaces on the last completed grand list of the Town of North Branford, pursuant to the provisions of Sections 12-107a to 12-107e of the Connecticut General Statutes inclusive, shall not be assessed until such construction or expansion or development is approved or occurs. In the case of property so zoned or classified which exceeds the minimum lot size of the smallest lot permitted in the lowest density residential zone, by one hundred percent, the assessment of said excess land shall be deferred until such time as the excess land shall be built upon, a building permit issued thereof or a sub-division approved by the Planning and Zoning Commission.

DEFINITIONS

For the purpose of the regulations, the following terms shall be defined as follows:

1. Lateral System. The lateral system is that section of the entire sewer system that discharges into a branch or other sewer and has no other common sewer tributary to it.
2. Service Connection. The service connection is that section of the entire sewer system that lies between the lateral system, or inceptor, and the user's building connection.
3. Appurtenant Sewer Facilities. Appurtenant sewer facilities are those facilities and services that are necessary for the utilization of the entire sewer system. These facilities and services include, but are not limited to: main pumping stations, subsidiary pumping stations, treatment plants, control facilities and any and all planning necessary to complete construction of the sewer system.

4. Residential Use. A residential use is a use of any structure as the living quarters of any person or group of persons.
5. Office Use. An office use is any use of a structure as a place where a business is transacted or service is supplied.
6. Commercial Use. A commercial use is any use of a structure as a place for the exchange of commodities, services or commercial recreation activities.
7. Industrial Use. An industrial use is any use of a structure as a place to manufacture, fabricate, repair, build, package, assemble, store, demolish, process or transform the quality or state of any goods.
8. Open Space or Farm Land Use. An open space or farm land use is any use of vacant property that is covered by Section 12-107 of the Connecticut General Statutes or is designated as WS on the official zoning map of the Town of North Branford.

**RESOLUTION TO CONSTRUCT A SEWER SYSTEM
IN THE
TOWN OF NORTH BRANFORD**

At any time a member of the Water Pollution Control Authority may introduce at a meeting of said Authority a resolution to construct a sewerage system, the costs of which are to be met in whole or in part by assessment of benefits, said resolution to state briefly and intelligibly, the general character, layout, and description of the proposed system. Said resolution shall be initiated by petition of interested property owner(s) or by action of any duly constituted public agency, whether Federal, State or Local.

Following acceptance of the resolution, the Water Pollution Control Authority may direct the Town Engineer to prepare preliminary plans and cost estimates for the proposed system and/or alternatives to said system for presentation at a public hearing. Costs estimates shall include the estimated costs to design, construct, and finance said sewer system and an estimated schedule of assessments and benefits to be levied.

PRELIMINARY PUBLIC HEARING

Any resolution for acquisition, construction and/or assessment of a sewerage system, including one proposed by a private land owner or developer affecting other private or public properties, shall not be adopted until the Water Pollution Control Authority has held a public hearing on the proposed resolution, at which time the affected property owners of the municipality shall have an opportunity to be heard concerning the proposed acquisition, construction and/or assessment of said system. Notice of the time, place and purpose of such preliminary hearing shall be

published at least ten days before the date thereof in a newspaper having a general circulation in the Town in accordance with Section 7-247a of the General Statutes of the State of Connecticut and as amended. Said public hearing shall not be required when the proposed construction of a sewerage system is confined to the developer's private property.

The general character and nature of the proposed sewerage system including the estimated costs and assessment of benefits shall be presented at the public hearing to allow property evaluation by the public and interested State and Local agencies. The Water Pollution Control Authority, at its discretion, may hold additional hearings after proper notice at any time prior to the construction of the project, or prior to the final approval of construction plans and specifications in the case of a developer proposed sewage system.

Following the preliminary public hearing and after receiving all written and verbal communications from the affected property owners and interested State and Local agencies requiring concurrence, the Water Pollution Control Authority may by majority vote approve said resolution. Said resolution may be amended prior to passage to reduce the general layout, character and scope of the proposed sewer system without further notice, publication or hearing, but said resolution shall not be amended to materially increase or affect the general layout, character and scope of the proposed sewer system without additional public hearings in accordance with the provisions contained herein.

PROCEDURE UPON PASSAGE OF RESOLUTION

Upon passage by the Water Pollution Control Authority of any resolution to layout and/or construct any sewerage system covered by the provisions of these Regulations, a request for funding the layout and/or construction of said sewerage system shall be forwarded to the Town Council.

Upon authorization of funding by the Town Council, the Water Pollution Control Authority shall direct the Town Engineer to proceed with said layout and/or construction in accordance with Federal, State and Local regulations, ordinances and/or guidelines to cause the completion of the design, construction and use of the proposed sewerage system. A private consultant may be retained by the Town to provide technical assistance if deemed necessary by the Water Pollution Control Authority.

PUBLIC HEARING ON ASSESSMENTS

Following the completion and final acceptance of any sewerage system adopted under this Policy by the Water Pollution Control Authority, and after the final assessments for benefits have been determined and established by said Authority, a public hearing shall be held before the Water Pollution Control Authority at which the owners of the properties to be assessed shall have an opportunity to be heard concerning the proposed assessments. Notice of the time, place and purpose of such hearing shall be

published at least ten days before the date thereof in a newspaper having a general circulation in the Town. A copy of affected thereby at such owner's address as shown in the last completed grand list of the Town or at any later address of which the Authority may have knowledge. A copy of the proposed assessment shall be on file in the Office of the Town Clerk and shall be available for inspection by the public for at least ten days before the date of such hearing.

When the Water Pollution Control Authority has determined the amount of the assessment to be levied, it shall file a copy thereof in the Office of the Town Clerk, and NOT later than five days after such filing, it shall cause a copy of such assessment to be published in a newspaper having a general circulation in the Town, and it shall mail a copy of such assessment to the owner of any property to be affected thereby at such owner's address as shown in the last-completed grand list of the municipality or at any later address of which the Water Pollution Control Authority may have knowledge. Such publication and mailing shall state the date on which such assessment was filed and that any appeals from such assessment must be taken within twenty-one days after such filing.

ACTIONS UPON APPEALS OF ASSESSMENTS

Upon receipt of a written request for an appeal for reasons of validation, hardship or otherwise, the Water Pollution Control Authority shall give their due consideration and judgment in accordance with all applicable Federal, State and Local regulations, ordinances and guidelines.

If any assessment is not valid or enforceable for any reason, a new assessment may be made. If any assessment is made which is not sufficient to cover the entire cost of the work to be paid for by such assessment, a supplementary assessment may be made by the Water Pollution Control Authority against those properties previously assessed to the end that a sum sufficient to pay the cost of such work may be obtained, provided no such supplementary assessment, together with the original assessment, shall exceed the value of the special benefit to accrue to the property against which the benefit is assessed.

FINAL LEVY OF ASSESSMENTS

The final assessments on properties shall be made due and payable upon completion of the work and acceptance by the Town of the particular portion thereof for which such assessment is to be levied in accordance with the applicable sections of the State's General Statutes. In addition, where the project has been bonded, the entire assessment shall be made due and payable provided the portion of the total work bonded which directly benefits the particular property, has been completed. Assessments shall be due and payable at such time as is fixed by the Water Pollution Control Authority following the final determinations and judgments. The Authority shall give notice of

the date when assessments are due and payable by publication at least twice within a period of fifteen days in a newspaper having a general circulation in the Town. Such notice shall list the streets and describe the area within which are located any properties against which such assessments are due. The assessment shall be due and payable in accordance with the payment policies cited herein, but not earlier than thirty days after the first publication of such notice.

Any person aggrieved by any assessment may appeal to the Superior Court for the Judicial District of New Haven wherein the property is located and shall bring any such appeal to a return day of said court not less than twelve, nor more than thirty days after service thereof. Said court may appoint a State Referee to appraise the benefits to such property and to make a report of his doings to the court. The judgment of such court, either confirming or altering such assessment, shall be final. No such appeal shall stay proceedings for the collection of the particular assessment upon which the appeal is predicated by the appellant shall be reimbursed for any overpayments made if, as a result of such appeal, his assessment is reduced.

DEFERRED ASSESSMENTS FOR SEWERS

The Water Pollution Control Authority may defer the assessment and the collection of the same as defined below and in accordance with the appropriate sections of the State's General Statutes. In no case shall a deferment be granted without proper justification or cause to be determined by the Water Pollution Control Authority.

DEFERRAL OF ASSESSMENTS FOR UNDEVELOPED LANDS, ETC.

Whenever a sewer is laid out and assessed by the Town through or adjacent to undeveloped lands zoned for other than business, commercial or industrial purposes on the last grand list of the town, which land exceeds 40,000 square feet, the assessment of such excess land shall be deferred until such time as land shall be built upon or a building permit issued therefor or until approval of a subdivision plan of such excess property by the Planning and Zoning Commission, whichever event occurs first. At such time the assessment shall be made as provided herein in accordance with the General Statutes.

DEFERRAL OF ASSESSMENTS FOR HARDSHIP CASES

The Water Pollution Control Authority may also permit the deferral of benefit assessments for the following specified reasons:

- 1) Any property owner who is eligible for tax relief for elderly taxpayers under the provisions of the Connecticut General Statutes §§12-129b and 12-170a.

- 2) Any property, which has made an East Shore District Health Department mandated system repair on the said property within twenty (20) years prior to the final date that benefit assessments were levied by the Water Pollution Control Authority, with a construction cost in excess of the greater of a) \$8,000.00; or b) ½ the cost of the proposed benefit assessment.
- 3) Other, as determined by the Water Pollution Control Authority.

CONNECTION AND ASSESSMENTS IN DEFERRED AREAS

When an assessment for a sewer on any land has been deferred as provided in the foregoing sections, connections from such land to the said sewer shall not be permitted until the Water Pollution Control Authority has determined that the conditions have altered due to change in accessibility, zoning, use, or to the establishment or dedication of streets or to the approval of subdivisions by the Planning and Zoning Commission, or in some other manner sufficient for normal benefit to accrue to the land or any part thereof, and the Authority has declared that the assessment on such land is due and payable and given proper notice thereof. Payments shall be made in accordance with the applicable sections of these Regulations.

AMOUNT OF DEFERRED ASSESSMENTS

The amount of a deferred assessment shall be an amount equal to the final unit assessment rate of the original final assessment plus accumulated bond interest charges, applied to the number of units which, in the opinion of the Water Pollution Control Authority were benefited at the time of connection.

CAVEAT AND LIENS FOR DEFERRED ASSESSMENTS

To notify an owner or prospective buyer of land upon which there is an assessment for sewerage system laid, but deferred as provided hereinbefore, the benefits, though deferred, shall be a lien upon the land on account of which they were assessed, which lien shall commence and attach to such land from the time of passage by the Water Pollution Control Authority of the vote levying the final assessment of benefits for said sewerage system. The same shall remain a lien thereon until such time as such benefits the assessment of which was deferred shall be finally assessed, declared due and payable, and payment received by the Town.

DEVELOPER'S PERMIT AGREEMENTS

The Water Pollution Control Authority is authorized to enter into agreements with developers, contractors or other owners of land

for the construction of sanitary sewers by and at the expense of said developers, contractors or owners, which sewers shall become part of the Town of North Branford Sewer System and/or connection of said land to the sewer system. The terms and text of said agreements shall be approved by the Town Council and the Town Attorney, and shall be executed by the Town Manager.

Said agreements shall specify the size, location, and nature of the sanitary sewer to be installed, the properties to be connected and any special connection fees to be paid to the Town in lieu of benefit assessments for permission to connect said properties into the Town of North Branford Sanitary Sewers.

The Special Connection fees to be paid by the developer shall be equivalent to the greater of the 1) unit benefit assessment in place for the portion of sanitary sewer to which the developer proposes to connect, or 2) \$12,300.00 per unit. Allowances may be made towards the special connection charge if any of the following conditions are met:

1. If an extension of a sanitary sewer interceptor or lateral is constructed by a developer or owner at no cost to the Town; or
2. If the sanitary sewer interceptor or lateral extension either allows properties other than those owned or under the control of the developer to be served by sanitary sewers or enables the Town to extend sewer service to additional units beyond the proposed development; or
3. If the proposed sanitary sewer extension enables industrial or commercial property to be developed or if the public good, as determined by the Authority is served by the allowance.

When any of the above conditions have been met, the following provisions shall apply in determining the amount of the allowance:

1. The allowance shall be based on the greater of 1) the unit benefit assessment of the main interceptor or lateral to which the extension is connected which cost was used in determining the initial assessment for the district, or 2) \$12,300.00 per unit;
2. The Town Engineer may recommend the allowance as partial payment towards the special connection charge;
3. The total allowance so recommended shall not exceed 2/3 of the benefit assessment established in the appropriate sewer district; and
4. Full payment of the special connection charge, less the allowance, shall be made by the developer or owner prior to issuance of a building permit for each structure.

The developer or owner shall make application to the Water Pollution Control Authority for an allowance prior to obtaining the permission of the Authority to connect to the public sewer system. The Water Pollution Control Authority shall consider the request at the same time it considers the request to connect to the public sewer system.

The entire understanding regarding an allowance shall be reduced to writing, executed by both parties and recorded on the land records.

SPECIAL CONNECTIONS AND CHARGES - CONNECTIONS TO SEWERS BUILT BY DEVELOPERS OR OTHER OWNERS

Whenever a sewer has not been laid out and assessed by the Water Pollution Control Authority but has been built for the Water Pollution Control Authority under a Developer's Permit-Agreement passing land owned by others, to which others might later request a connection to the sewer, no connection shall be permitted by the authority unless:

- a) Said land owner first signs a form of agreement waiving the Water Pollution Control Authority's usual layout and assessment procedures and pays a special connection fee; or
- b) The Water Pollution Control Authority has passed a layout and assessment covering the section in question.

CONNECTION TO PROPERTY NOT PREVIOUSLY ASSESSED

Whenever a sewerage system has been laid out and constructed by the Water Pollution Control Authority to serve a particular section of highway or a particular area, no connection will be permitted thereto for any property which has not been assessed therefore or has not shared in an equitable manner in the expense thereof, unless prior to such connection, the owner of such property first enters into a special agreement, to be recorded in the land records and providing for advance payment by the owner of a special connection charge, except in that situation where the Water Pollution Control Authority shall by appropriate vote permit payment of said charge over a period to be determined by the Water Pollution Control Authority and providing that the permission granted will not affect the power of the Water Pollution Control Authority to make future sewerage system layouts, and benefit assessments thereof, against the property of said owner, in the same manner as if permission to connect has never been granted by the Water Pollution Control Authority, and agreeing to credit the said payment toward any such future assessment, without allowance for interest between the date of payment of said charge and the date of any future assessment billed to said owner.

METHODS OF APPORTIONMENT OF SEWER BENEFITS

In assessing benefits and apportioning the amount to be raised thereby among the properties benefited, the Water Pollution Control Authority may give consideration to the area, and to present or permitted use or classification of benefited properties and to any other relevant factors. Revenue from the assessment of benefits shall be used solely for the acquisition or construction of the sewerage system providing such benefits or for the payment of principal of and interest on bonds or notes issued to finance such acquisition or construction. No assessment shall be made against any property in excess of the special benefit to accrue to such property in accordance with the Connecticut General Statutes. The following rules and methods of apportionment of the cost of a sanitary sewer system, which cost is to be borne in a fair and equitable manner by the persons whose properties are benefited by such sewer system, are herein adopted by the Water Pollution Control Authority.

GENERAL RULES OF ASSESSMENT

Land Buildings And Owners Subject To The Benefit Assessment

The lands, buildings, and owners thereof, subject to these benefit assessments within each sewer district shall be all of the lands and buildings situated in said district, and the owners thereof. Each sewer district shall be defined by the Water Pollution Control Authority at the time it levies the benefit assessment.

Costs To Be Recovered

The benefit assessments levied on the lands and buildings, the owners thereof situated in each sewer district and subject to these regulations, shall be determined on the basis of recovering a percentage of the aggregate of: The cost of the sewer design and construction including the cost of preliminary studies and surveys, detailed working plans and specifications, acquiring necessary land or any interest therein, damage awards, interest, changes during construction, legal and other fees, of (a) the interceptor and lateral sewer system, (b) the individual service connections; and (c) the appurtenant sewer facilities serving said sewer district, less any State, Federal and other grants specifically applicable to said system.

DETERMINATION OF SEWER ASSESSMENT RATES

The cost of the sewerage system or any portion thereof which is to be borne by the persons whose properties are benefited by such sewerage system construction shall be borne by the properties so benefited in accordance with the unit assessment method hereinafter set forth.

For the purpose of applying the unit assessment method, properties presently so benefited shall be divided into units as hereinafter set forth. The cost of the sanitary sewer construction to be borne by the properties benefited shall be divided by the total number of units so benefited to determine the unit assessment rate. Thereafter that portion of the assessment chargeable to a particular property under the unit assessment method shall be determined by multiplying the unit assessment rate by the number of units allocated to the subject premises.

Units To Be Charged

Subject to reasonable allowances by the Water Pollution Control Authority for particular situations, the number of units to be recovered from each piece or parcel of land, within said sewer district, shall be determined as follows:

1. Residential Zones
 - a) One unit shall be recovered from each dwelling unit on each piece or parcel of land utilized for residential purposes.
 - b) Unimproved property abutting a street in which a sewer has been laid shall be assigned one unit for each existing building lot (if the lot is smaller than permitted by the Zoning Regulations)
 - c) In residential zones, where a dwelling is so situated on property of an owner that on either side of the area constituting the lot for the dwelling there is insufficient area and width of the same owner to constitute an additional lot under the zoning Regulations and the provisions hereof for the zone in which the property is located, such property shall be considered benefited to the extent of only one unit, even though there would be two lots if the dwelling were not actually there or if differently situated.
 - d) In any residential zone where a non-conforming business, commercial or industrial use exists, a business, commercial or industrial zone for the purpose of determining the extent to which the property is benefited, and a commercial or industrial zone unit of measurement of assessment shall be applied even though the property is located in a residential zone.
2. Commercial and Industrial Zones
 - a) Office Uses. A minimum of one unit shall be recovered from each office structure. An additional unit shall be recovered for each additional increment of 650 square feet, or portion thereof, of office floor space located in that structure.

- b) Commercial Uses. A minimum of one unit shall be recovered from each commercial structure. An additional unit shall be recovered for each additional increment of 1,000 square feet, or portion thereof, of commercial floor space located in that structure.
- c) Industrial Uses. A minimum of one unit shall be recovered from each industrial unit located in a structure utilized for industrial uses. An additional unit shall be recovered for each additional increment of 3,000 square feet, or portion thereof, of industrial floor space located in any individual industrial structure.

3. Multiple Family Buildings

Multiple family buildings in any zones shall be assigned one unit for each apartment designed or used for one family.

4. Churches And Places Of Worship

A minimum of one unit shall be recovered from each church or place of worship. An additional unit shall be recovered for each additional increment of 5,000 square feet, or portion thereof of church or place of worship floor space located in that structure. Rectories, or other places of residence shall be assessed in accordance with the applicable section entitled, "Residential Zones".

5. In all zones, no property shall be considered presently benefited except property abutting a street in which a sewer has been laid.

Whenever in the opinion of the Water Pollution Control Authority the sewer size, condition, or the location, size, topography, improvements thereon or use of any property subject to assessment hereunder do not reflect the extent of the benefit which the number of front feet and/or the number of units as computed and plotted for such property would otherwise indicate the property to be benefited, or whenever for any reason the particular situation of any property requires an allowance, a factor or percentage of such units or any other reasonable adjustment thereof may be used for determining the benefits to such property which the Water Pollution Control Authority believes fairly measures the extent to which said property is specifically benefited.

If the use of the property is changed subsequent to the initial assessment of any given property, then the Water Pollution Control Authority shall review

said use change, and if the new or additional use results in a larger number of units to be assessed for said property, then the Water Pollution Control Authority shall assess the property for the number of additional units resulting from said new or additional use. In no event shall said use change result in a previous assessment being reduced or rescinded on any given property.

DETERMINATION OF SPECIAL CONNECTION CHARGES

- a) General: In general, the following rule or method for determining a special connection charge shall be used as the basis for determining charges for properties previously deferred or unassessed for their share of benefits derived from the construction of local sewers, and for apportionment of sanitary sewers built by developers and for properties previously assessed which have or will have a greater intensity of use in accordance with the General Statutes.
- b) Determination of Charges for Properties Not Previously Assessed: The special connection charge provided for herein shall be determined by appropriate action by the Water Pollution Control Authority, and shall be based on the greater of 1) the unit benefit assessment in place for the portion of sanitary sewer to which the developer proposes to connect, or 2) \$12,300.00 per unit.
- c) Supplemental Assessment for increased Intensity of Use: Wherever an assessment has been levied against a property and an increased intensity of use has taken or will take place, such as construction or new or expanded buildings or structures, after the initial assessment has been levied, a supplemental assessment may be imposed as if the new or expanded buildings or structures had existed at the time of the initial assessment. Such supplemental benefit assessments shall be based on the unit assessment in effect for that particular area at the time of initial assessment.
- d) Sewers Built By Developers Or Other Owners: Whenever a developer has installed a local sewer passing land owned by others in accordance with the provisions contained herein, a special connection fee shall be determined by appropriate action by the Water Pollution Control Authority, and shall be based on the greater of 1) the unit benefit assessment in place for the portion of sanitary sewer to which the developer proposes to connect, or 2) \$12,300.00 per unit, shall be paid prior to connection of said property to the sanitary sewer.

COLLECTION AND PAYMENT OF ASSESSMENTS - NOTIFICATION OF ASSESSMENTS

After the final layout, construction and acceptance of the construction of any public sewer work under the supervision of the Water Pollution Control Authority, when said Authority is ready to give notice thereof by publication and that benefits assessed therefor are due and payable, it shall deliver to the Tax Collector of the Town the description of the properties assessed, with the names of the owners and the amounts of such assessments in advance of the publication and the Tax Collector shall prepare and send notices to each of the owners whose properties have been so assessed, stating the amount of the assessment and when the same is due and payable.

METHODS OF COLLECTION

All assessments established by the unit assessment rates shall be paid in full within a period of thirty (30) days after same is due and payable unless the property owner elects to pay such assessment through an installment plan as defined below. All connection charges and special connection charges shall be paid as provided in the application sections of these Regulations.

INSTALLMENT PAYMENT FOR ASSESSMENT

Any property owner who elects to utilize the installment plan as defined herein shall notify the Tax Collector of such request within thirty (30) days after the established due date. In general, the Water Pollution Control Authority may provide for the payment of an assessment in substantially equal annual installments, for a period of time as established by the Water Pollution Control Authority.

The first installment shall be paid within thirty days after the same is declared by publication to be due and payable and if so paid, said installment shall be without the addition of any interest charge. Each installment thereafter for the period of years established shall be due and payable on the dates stipulated by the Tax Collector and notice thereof shall be made annually by the Office of the Tax Collector.

DELINQUENT ASSESSMENTS & LIENS

Any assessment of benefits or any installment thereof not paid within thirty days after the due date, shall be delinquent and shall be subject to interest from such due date at the interest rate and in the manner provided by the General Statutes for delinquent property taxes. Each addition of interest shall be collectable as part of such assessment.

Any unpaid assessment and any interest due thereon shall constitute a lien upon the real estate against which the assessment was levied from the date of such levy. Each such lien

may be continued, recorded and released in the manner provided by the General Statutes for continuing, recording and releasing property tax liens and encumbrances except taxes and may be foreclosed in the same manner as property tax lines. The tax collector of the Town may collect such assessments in accordance with any mandatory provision of the General Statutes for the collection of property taxes and the Town may recover any such assessment in a civil action against any person liable therefor.

COLLECTION OF DEFERRED ASSESSMENTS

When, under the provisions contained herein, a deferred assessment is declared due and payable, it shall be collectable in the same manner and in the same amount as would be established and collected under the schedule of standard assessments, prevailing at the time the assessment is declared due and payable. The owner may elect to extend the payment of the assessment over a period of years as provided above; however, during the period of deferment, said property owner shall be billed annually the cost of financing his assessment based on the current interest rates being charged on the installment payments.

COLLECTION OF SPECIAL CONNECTION CHARGES WHEN NO ASSESSMENT HAS BEEN MADE

In all cases in which the Town or the Water Pollution Control Authority has constructed or caused to be constructed (i.e., developer's permit) a public sanitary sewer or sewers through any public highway or highways within the Town of North Branford, for which no assessment of benefits and damages has been made, the Water Pollution Control Authority may establish special connection charges as defined herein, to be payable prior to issuance of a sewer connection permit or building permit, as directed, for said property for the use of such sewer, as the fair and proportionate cost of the benefit and the use of such sewer.