

AN ORDINANCE PROMULGATING THE RATES TO BE CHARGED FOR THE USE OF THE MUNICIPAL WATER SYSTEM FOR SERVICE OUTSIDE THE CITY LIMITS OF MEXICO BEACH; OUTLINING MEANS OF ENFORCING PAYMENT FOR SUCH SERVICE, PROMULGATING REQUIREMENTS FOR CONNECTION, ESTABLISHING MAINTENANCE REQUIREMENTS. PROHIBITING FREE SERVICE, PENALTIES FOR VIOLATION, REPEALING ORDINANCES 294 AND 317 AND ANY ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE.

Whereas, the City of Mexico Beach has determined that it is in the best interest of the City that this ordinance be enacted; therefore, be it ordained by the City Council of Mexico Beach, Florida that:

SECTION 1. CONNECTIONS WITH WATERWORKS SYSTEM. Where the same shall be available, the owner of every lot or parcel of land adjoining the City of Mexico Beach Water System in Gulf/ Bay County, may connect, or cause the plumbing of any building or buildings thereon to be connected, with the municipal water works system of the City of Mexico Beach, Florida, and use the facilities of such system. All such connections shall be made in accordance with the rules and regulations which shall be adopted from time to time by the City Council of the City of Mexico Beach, these rules and regulations shall provide for a charge for making any such connections in such reasonable amount as such Council may fix and determine.

SECTION 2. EXCEPTIONS TO CONNECTIONS. This ordinance shall not be construed to require or entitle any person to cross the private property of another to make any such water connections. An Agreement with the City of Mexico Beach will be signed by the customer desiring connection to the Water System that they comply with this ordinance.

SECTION 3. SEPARATE CONNECTIONS FOR EACH SEPARATE UNIT. Each residential unit whether occupying one or more lots and whether it shall occupy any lot or parcel jointly with any other residential unit shall be considered a separate unit for the payment of the water fees, and separate connections and meters will be required for each of such units. This ordinance shall not be construed to require existing multi-family (MDS) units, at the time this ordinance is passed, being serviced through one meter to install a separate connection for each unit unless major alterations are made to the structure or unit/units are sold to a new owner.

SECTION 4. WATER CUT-OFF VALVE. Effective on the passage of this ordinance all new units and connections will be required to have a water cut-off valve on the property owner's side of the water line.

SECTION 5. CHARGE OR RATE FOR WATER SERVICE.

A. Any user of the services of the waterworks system shall pay therefor a monthly charge or rate as indicated by the appropriate category of this section.

B. Residential Accounts:

| | <u>Rates</u> | <u>Monthly Basis</u> |
|------|---------------|-----------------------------|
| 3/4" | 4,000 gallons | \$15.75 Excess \$1.50 per M |
| 1" | 6,000 gallons | \$25.50 Excess \$1.50 per M |

C. Duplex dwelling or multi-family dwelling (MDS) on the same building site serviced by one service connection, prior to the passage of this ordinance, shall pay the minimum charge of \$15.75 for the first unit and \$15.75 per additional unit in the dwelling. All over 4,000 gallons will be at \$1.50 per thousand.

D. Commercial Accounts:

| | <u>Rates</u> | <u>Monthly Basis</u> |
|----|----------------|-----------------------------|
| 1" | 6,000 gallons | \$25.50 Excess \$1.50 per M |
| 2" | 12,000 gallons | \$48.75 Excess \$1.50 per M |
| 3" | 18,000 gallons | \$72.00 Excess \$1.50 per M |
| 4" | 24,000 gallons | \$95.25 Excess \$1.50 per M |

E. Connection Fees:

| | |
|-----------|--|
| 3/4" | Tap \$316.00 or actual cost (whichever is greater) |
| 1" | Tap \$448.00 or actual cost (whichever is greater) |
| 2" & Over | Tap \$885.00 or actual cost (whichever is greater) |

In addition to Tap Fees, Backflow Preventers will be installed on all new connections.

IMPACT FEES: \$1,085.00

F. The City reserves the right to enter into contracts with large users of water for the purpose of setting and determining a monthly charge or rate for the use of such services, which monthly rate or charge may be computed upon a different basis than set forth in the paragraph immediately preceding. Such contracts shall be entered into by means of resolution duly adopted by the City Council.

G. Customers may pay in advance for new installations and valves for new meters will be sealed or locked until the customer requests service. Reconnections fees will not be charged.

H. The meter reading of a new installation between the 15th and 21st of the month will not be entered into the computer until the meter reading in the following month, at which time one month's minimum plus charges for total consumption will be charged.

I. The Water Department will move a meter from one location to another for a property owner for the cost of labor and parts, except cases which would benefit the City and/or correct previous installation errors. The City Administrator/Public Works Director is authorized to have Water Department personnel correct such exceptions without cost to the property owner.

SECTION 6. UNLAWFUL CONNECTION. No person shall be allowed to connect into any water line owned by the City without the written consent of the City, and then the connection with such line shall be made only under the direction and supervision of the Water Superintendent. Any property owner or plumber who shall make any connection without such consent of the City, shall upon conviction be subject to the penalties hereinafter provided.

SECTION 7. SEPTIC TANK. Septic tank or drain field installation shall not be located within 10 feet of water lines.

SECTION 8. PAYMENT OF FEES AND BILLS REQUIRED.

1. Bills for the monthly charges and fees hereinbefore mentioned shall be submitted by the Water Department and shall be paid monthly by the user. The date of receipt at the Mexico Beach City Hall shall be considered as the date of payment. Water Department personnel are not authorized to receive money for the payment of water bills. If any water bill for water service shall be and remain unpaid after 4:30 PM on the 20th day of each month, a 10% penalty shall be imposed and added to said bill; if the 20th day of the month falls on a weekend, customer will be given until 4:30 PM the next regular work day for payment; delinquent after 4:30 PM ; and if said bill is not paid by the 2nd Wednesday of the following month the water will be turned off without further notice and will not be re-connected until all past due charges shall have been fully paid plus a re-connection charge.

2. Meter turn-offs after monthly meter readings and before the 1st of the following month will be charged for water use only. Meter turn-offs on and after the 1st of the following month will be treated as a normal bill (minimum plus use.).

3. Meter reader is required to read each active account monthly. If it has been

determined that a meter was not read and the next meter reading is above the minimum, the Water Department Clerk will determine an average monthly consumption and is authorized to adjust and give credit if appropriate.

4. When a meter reading has been certified correct by the Water Department Superintendent and a customer disputes the reliability of the meter functioning properly, meter will be sent (at the customers request) to the manufacturer for certification. If the manufacturer certifies the meter is functioning properly, costs for shipping, handling, and meter testing will be billed to and paid in full by the customer. Customer will also be responsible for the water usage existing on the water meter. If a meter is certified as faulty, the Water Department will pay all shipping, handling and testing fees and water usage will be written off.

5. When a water customer has failed to pay a water bill and two (2) additional billings for the past due amount have been sent to the customer and bill remains unpaid, the total amount due will be referred to a collection agency if the amount due is \$25.00 or more. Upon collection of the bill, the percentage fee retained by the collection agency will be written off. Past due bills of less than \$25.00 and six (6) months old or older will be referred to the City Administrator/Public Works Director for permission to be written off.

6. All "Other Billings and Emergencies" will be approved and signed by the City Administrator/Public Works Director on a case-by-case basis. Emergencies normally will not exceed three (3) working days.

SECTION 9. RECONNECTION AND SERVICE CHARGES.

1. A re-connection charge of \$15.00 shall be paid for restoring all voluntary or involuntary disconnections if service is restored within thirty days. Users moving from one location to another within the water service area will be charged a re-connection fee of \$15.00 if the service is restored at the new location within 30 days. Service not restored within 30 days of a disconnection will be charged \$60.00 for re-connection. User requested disconnections or re-connections or other user problems requiring a service call by Water Department personnel at times other than the normal working hours of Water Department personnel will be charged a service fee of \$30.00 in addition to the re-connection charge as stated above.

2. For record purposes, Water Department personnel are required to fill out the "Work Report" section of work order clearly explaining the nature and extent of the problem and action taken.

3. Upon disconnections, Water Department personnel will lock or seal the valve or remove the water meter.

4. The person/Agent signing the agreement Form for Water Service is responsible for the water bill. Landlords wanting their tenants responsible for water bills should have their tenants sign the Agreement Form for Water Service and pay a re-connection fee.

5. Money must be paid in full for re-connections or new installations. The City Administrator is authorized to make adjustments in these provisions for a justifiable hardship case.

6. The Water Department will not refuse water service to a renter if another renter defaults; however, if an owner defaults, a renter will be denied water service until any unpaid balance and re-connection fees are paid in full.

SECTION 10. NO SERVICE FREE. No water service shall be furnished or rendered free of charge to any person, firm or corporation whatsoever, and the City and each and every agency, department or instrumentality which uses the water service shall pay therefor at the rates fixed by this ordinance.

SECTION 11. PENALTIES. Any person, firm or corporation violating any of the provisions

of this ordinance shall, upon conviction thereof, for each such offense, be subject to a fine of not to exceed five hundred dollars (\$500.00) or imprisonment for not to exceed sixty (60) days, or by both such fine and imprisonment in the discretion of the Court.

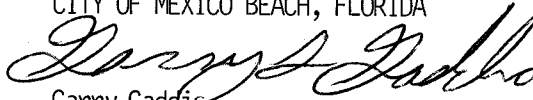
SECTION 12. With the exception of the Agreement with Sudduth Development referred to in 7/12/83 minutes, all ordinances, resolutions, or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

SECTION 13. SEVERABILITY. In the event that any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a Court of Competent jurisdiction to be invalid, such a decision shall not effect the validity of the remainder hereof as a whole or part thereof other than the part declared invalid.

SECTION 14. EFFECTIVE DATE. This ordinance shall become effective as provided by law.

PASSED and ADOPTED by the City Council of the City of Mexico Beach, Florida, at its regular meeting held the 8th day of April, 1997.

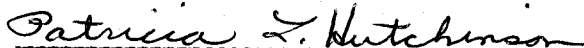
CITY OF MEXICO BEACH, FLORIDA



Garry Gaddis

Mayor-Councilman

ATTEST:


Patricia L. Hutchinson
City Clerk