

ORDINANCE 379

AN ORDINANCE PROMULGATING THE RATES TO BE CHARGED FOR THE USE OF THE MUNICIPAL WATER SYSTEM FOR SERVICE INSIDE AND OUTSIDE THE CITY LIMITS OF MEXICO BEACH; OUTLINING THE MEANS OF ENFORCING PAYMENT FOR SUCH SERVICE, PROMULGATING THE REQUIREMENTS FOR CONNECTION, ESTABLISHING MAINTENANCE REQUIREMENTS, PROHIBITING FREE SERVICE, ESTABLISHING PENALTIES FOR VIOLATION, REPEALING ORDINANCES 341, 360, 373, 374 AND 375 AND ANY ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT WITH 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:

PART 1. USE OF THE MUNICIPAL WATER SYSTEM INSIDE THE CITY LIMITS

SECTION 1. CONNECTIONS WITH WATER/SEWER SYSTEM. Where the same shall be available, the owner of every lot or parcel of land within the City of Mexico Beach, Florida, shall connect, or cause the plumbing of any building or buildings thereon to be connected, with the municipal water/sewer system of the City of Mexico Beach, Florida. All such connections shall be made in accordance with this ordinance and all amendments to it as may 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 City 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/sewer connection.

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/sewer fees, and separate connections and meters will be required for each of such units. This ordinance shall not be construed to require the 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. SEWER CLEAN OUT (AS REQUIRED BY STANDARD PLUMBING CODE). Effective on the passage of this ordinance all new units and connections will be required to have a water cut-off valve and a sewer clean out on the property owner's side of the water and sewer lines. The owner will be responsible for installation of the water cut-off valve and the sewer clean out.

SECTION 5. LIMITATIONS ON EFFLUENT. The city shall use its best efforts to limit, by ordinance and force of law if necessary, introduction of the following into the sewer system:

A. Industrial Waste: No industrial waste shall be discharged into the system unless it meets all applicable local, state and federal requirements regarding pre-treatment and has been reviewed and approved by the appropriate authority.

B. Stormwater: Stormwater and other miscellaneous liquid flows, such as roof drain, air conditioning condensate, gasoline or oil shall not be discharged into the system.

C. Septic Tank Pump Out: Septic tank pump outs shall not be discharged into the system without the prior approval of the City. Any additional or extraordinary treatment cost of treating septic tank pump-outs shall be done by the owner prior to permitting discharge of the pump-out into the system.

D. Miscellaneous: All effluent materials and discharges into the system shall meet applicable regulations of the Florida Department of Environmental Protection, the United States Environmental Protection Agency and such reasonable pre-treatment regulations and prohibitions as may be promulgated from time to time by the City.

SECTION 6. CONNECTIONS MAY BE MADE BY THE CITY. If any such owner of any lot or parcel of land within the City of Mexico Beach shall fail and refuse to connect with the facilities of the sewer system of the City of Mexico Beach after notification by the City as provided herein, then the City shall take such other action as provided by law to enforce connection to the City Sanitary Sewer System.

SECTION 7. CHARGE OR RATE FOR WATER SERVICE.

A. Any user of the services of the water works 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	\$16.25 excess \$1.25 per M
1"	6,000 Gallons	\$ 24.55 excess \$1.25 per M
	Hydrant usage	\$ 1.25 per M

3/4"-4,000 Gallons (irrigation meter) \$ 16.25 per M excess \$1.25 per M
No sewer fees will be charged for an irrigation meter.

C. Duplex dwellings or multi-family (MDS) on the same building site serviced by one service connection, prior to the passage of this ordinance, shall pay the minimum charge of \$ 16.25 for the first unit and \$16.25 per additional unit in the dwelling. All over 4,000 gallons will be at the \$ 1.25 per thousand

D. Commercial Accounts:

	<u>Rates</u>	<u>Monthly Basis</u>
1"	6,000 Gallons	\$24.55 excess \$1.25 per M
2"	12,000 Gallons	\$45.85 excess \$1.25 per M
3"	18,000 Gallons	\$67.15 excess \$1.25 per M
4"	24,000 Gallons	\$88.45 excess \$1.25 per M

E. Commercial Buildings serviced by a ¾" meter prior to the passage of this ordinance shall pay the minimum charge of \$24.55. All usage over 4,000 gallons will be charged at \$1.25 per thousand gallons.

F. Connecting Fee's (Tap Fee, Impact Fee)

- ¾" Tap \$211.00 or actual cost (Whichever is greater)
- 1" Tap \$299.00 or actual cost (Whichever is greater)
- 2" & Over Tap \$557.00 or actual cost (Whichever is greater)

G. New Accounts impact fee: \$1,105.00

There will be an additional fee for a backflow preventer billed at the current cost to the City.

H. 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.

I. Temporary construction meters (¾") can be purchased by customers upon request for construction purposes. The monthly rate will be \$16.75 for 0-4,000 gallons/excess \$1.25 per M, not to exceed three (3) months unless approved by the City Administrator.

J. 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.

K. 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 is authorized to have Water Department personnel correct such exceptions without cost to the property owner.

SECTION 8. CHARGE OR RATE FOR SEWER SERVICE

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

B. Residential Accounts:

Base Monthly Charge:	\$32.00*
Volumetric Charge	\$2.15 (per 1,000 gallons)

C. Commercial Accounts:

Basic Monthly Charge:	\$32.00*
Volumetric Charge	\$2.15 (per 1,000 gallons)

(*) Amount shown includes 4,000 gallons of metered water consumption per equivalent residential and commercial connection.

D. Duplex dwellings or multi-family (MDS) on the same building site serviced by one service connection; prior to the passage of this ordinance shall pay the minimum of \$32.00 for the first unit and \$32.00 per additional unit in the dwelling. All usage over the first 4,000 gallons will have a volumetric charge of \$2.15 per thousand.

E. New Accounts impact fee: \$1,800.00

SECTION 9. SECONDARY WATER METERS FOR NON-SEWER CONNECTED ACTIVITIES

A provision is hereby established providing for the installation of a second water meter by either Commercial or Residential accounts. This meter will be charged for water consumption only. This meter may only be used to provide water to the following activities: Marina's, Swimming Pools, Sprinkler Systems.

Each installation of a secondary meter will be approved on an individual basis where it is determined that water used is not capable of entering the sewer system.

Cost for the second meter will not be the normal cost for a meter installation. The municipal water department will set the meter and backflow preventer.

The customer is responsible for all plumbing installations on the customer side of the meter.

A monthly minimum fee for the secondary meter is hereby established at \$16.25 per month.

The customer will receive separate billings for each meter. The primary billing will reflect water, sewer and garbage. The secondary meter billing will reflect the monthly minimum fee (\$16.25) and water consumption billing only.

SECTION 10. UNLAWFUL CONNECTION. No person shall be allowed to connect into any water line or sewer 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/Sewer 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 11. UNLAWFUL CONSTRUCTION. No person, group of persons, firm or corporation shall build or remodel or cause to be built or remodeled any structure used for human habitation or occupancy within the City of Mexico Beach, unless it is provided with water and sanitary facilities which are connected to the associated City provided utilities.

SECTION 12. CONNECTING OLD PLUMBING. Whenever it is desirable to connect old plumbing with the City's sewer main and/or water line, the owner or plumber contemplating doing such work shall notify the Bay County Building department who will inspect said old plumbing and notify the owner or plumber what alterations will be necessary to place the old plumbing in an acceptable condition for such connection. Any owner or plumber who shall make any connection without the approval of the Bay County Building Department shall, upon conviction, be subject to the penalties hereinafter provided.

SECTION 13. SANITARY REQUIREMENTS. Every resident and building in which human beings reside are employed or congregated, shall be required to have a sanitary method of disposing of human excrement, namely a sanitary water closet that is connected with the City sewer.

SECTION 14. DISPOSAL REQUIREMENTS. It shall be unlawful for any person, persons, firm or corporation owning or leasing any premises in the City to permit the disposal of any human excrement on any property, leased or rented by any such person, firm or corporation or the agent of any such person, firm or corporation, except in approved Sanitary Facilities connected to the City Sewer System.

SECTION 15. SEPTIC TANK. No septic tanks will be installed within the corporate limits of Mexico Beach, Florida unless the City cannot service a given area. In such cases a Bay County Health Department Septic Tank Permit must be obtained. Customers will be required to have their septic tank abandoned in accordance with County requirements.

SECTION 16. FAILURE TO MAINTAIN PLUMBING SYSTEM. Failure to keep the sewer pipe that is connected to the City's Sewer main free of leaks or breaks will give the City the right to cut off the water connection, which shall not be reconnected until the sewer pipe is repaired.

SECTION 17. NO SERVICE FREE. No water nor sewage disposal service shall be furnished or rendered free of charge to any person, firm or corporation whatsoever, and the City and each and every agency or department which uses either or both such services shall pay therefor at the rates fixed by this ordinance.

SECTION 18. PAYMENT OF FEES AND BILLS REQUIRED.

1. Bills for the monthly charges and fees herein before mentioned shall be mailed by the utilities billing personnel at City Hall and shall be paid monthly by the user.

2. The date of receipt at the Mexico Beach City Hall shall be considered as the date of payment. Water/Sewer Department-maintenance personnel are not authorized to receive money for the payment of bills. If any water/sewer bill for water/sewer service shall be and remain unpaid after 4:30PM 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 4:30PM the next regular work day for payment; delinquent after 4:30PM; and if said bill is not paid by the 2nd Tuesday of the following month at close of business (4:30PM), the water will be turned off without further notice and will not be re-connected until all current charges shall have been fully paid plus a reconnection charge.

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

3. A meter reader is required to read each active water meter 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/Sewer Department Superintendent and a customer disputes the reliability of the meter functioning properly, meter will be sent (at customer's 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/sewer 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 for permission to be written off.

6. All "Other Billings and Emergency provision of water" will be approved and signed by the City administrator on a case-by-case basis. Emergency provision of water will not exceed three (3) working days.

SECTION 19. RECONNECTION AND SERVICE CHARGES.

1. A re-connection charge of \$15.00 shall be paid for restoring all voluntary or involuntary disconnections if the service is restored within thirty (30) days. Users moving from one location to another within the water/sewer service area will be charged a re-connection fee of

\$15.00 if the service is restored at the new location within thirty (30) days. Service not restored within thirty (30) days of disconnection will be charged \$40.00 for reconnection. 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/Sewer Department personnel will be charged a service fee of \$30.00 in addition to the re-connection charge above.

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

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

4. The person or agent signing the Agreement Form for Water Service is responsible for the water/sewer bill. Landlords wanting their tenants responsible for water/sewer bills should have their tenants sign the Agreement Form for Water/Sewer 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/Sewer Department will not refuse water/sewer 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.

PART 2. USE OF THE MUNICIPAL WATER SYSTEM OUTSIDE THE CITY LIMITS

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	\$21.65 Excess \$1.87 per M
1"	6,000 gallons	\$35.20 Excess \$1.87 per M
	Hydrant Usage	\$1.87 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 \$21.65 for the first unit and \$21.65 per additional unit in the dwelling. All over 4,000 gallons will be at \$1.87 per thousand.

D. Commercial Accounts:

	<u>Rates</u>	<u>Monthly Basis</u>
1"	6,000 gallons	\$35.20 Excess \$1.87 per M
2"	12,000 gallons	\$67.15 Excess \$1.87 per M
3"	18,000 gallons	\$96.20 Excess \$1.87 per M
4"	24,000 gallons	\$126.50 Excess \$1.87 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.

F. Impact Fee: \$1,105.00

G. 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 service, 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 a resolution duly adopted by the City Council.

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

I. 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.

J. 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.

K. Commercial buildings serviced by a $\frac{3}{4}$ inch meter prior to the passage of this ordinance shall pay the minimum charge of \$35.20. All usage over 6,000 gallons will be charged at per thousand gallons.

L. All other commercial buildings requiring water service must be supplied by a one inch meter or larger. The following current situations are unique and require special consideration as follows:

1. Any existing business complex serviced by a $\frac{3}{4}$ inch or larger meter will be charged the business rate times the number of business units in the complex.
2. Any existing combination of business and residential units serviced by a $\frac{3}{4}$ inch or larger meter will be charged the basic commercial rate times the number of businesses plus the basic residential rate times the number of residential units.
3. If there is more than one business within a business facility and they have the same owner. the business will be charged the single basic commercial rate.
4. If one or more of the businesses in a business complex is seasonal it will be charged the basic commercial rate only while the business is in operation. It will be the responsibility of the owner or lessor

of the complex to notify the City Water Department when the seasonal business begins and ends.

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 makes 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 invoiced and added to said bill; if the 20th day of the month falls on a weekend, the 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 reconnected until all past due charges shall have been fully paid plus a reconnection charge.
2. Meter turn-off s after monthly meter readings and before the 1st of the following month will be charged for water use only. Meter turn-off s on and after the 1st of the following month will be treated as a normal bill (minimum plus use.).
3. The 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, a meter will be sent (at the customers request) to the manufacturer for certification. If the manufacturer certifies that the meter is functioning properly, costs for shipping, handling, and meter testing will be billed to and paid in full by the customer. The 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 the 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 the 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 reconnection 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 the 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 the 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.

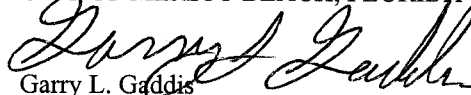
SECTION 12. With the exception of the Agreement with Sudduth Development referred to in the 7/12/83 minutes, all ordinances, resolutions, or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

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.

INTRODUCED at a Regular meeting of the City Council on August 8, 2000 and ADOPTED at a Regular meeting of the City Council on September 12, 2000.

CITY OF MEXICO BEACH, FLORIDA


Garry L. Gaddis
Mayor-Councilman

ATTEST:


City Clerk