

ORDINANCE NO. 471

AN ORDINANCE AMENDING ORDINANCE NO. 412 PROMULGATING THE RATES TO BE CHARGED FOR THE USE OF THE MUNICIPAL WATER/SEWER 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 AND 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/SEWER 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. The customer desiring connection to the Water System will comply with this ordinance and will sign an Agreement with the City of Mexico Beach.

SECTION 3. SEPARATE CONNECTIONS FOR EACH SEPARATE UNIT. Each residential and commercial unit, and units within a mixed-use development, whether occupying one or more lots and whether it shall occupy any lot or parcel jointly with any other residential or commercial 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. For purposes of this ordinance mobile home lots shall be considered as separate residential units and shall pay full water/sewer rates and impact fees for each separate lot. This ordinance shall not be construed to require existing multi-family (MDS) residential or multi-commercial units, or both, or commercial units at the time this ordinance was passed (September 12, 2000), being serviced through one meter to install a separate connection for each unit unless major alterations are made to the structure or such unit/units (real estate and/or business operations) are sold, conveyed, or transferred 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. The city will install a cut-off water valve at the meter box on the customer's side for new and replacement water meters as it deems necessary. The cost of the valve, where installed by the city,

will be added to the total installation cost of the water meter.

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 *water/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 *Water/Sanitary Sewer* System.

SECTION 7. CHARGE OR RATE FOR WATER SERVICE.

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

B. Residential Accounts:

	<u>Rates</u>	<u>Monthly</u>				<u>Basis</u>
¾"	4,000 Gallons	\$23.24	excess	\$1.80	per 1000	gallons
1"	6,000 Gallons	\$35.15	excess	\$1.80	per 1000	gallons
	Hydrant usage	\$ 1.80 per 1000 gallons				

¾"-4,000 Gallons (irrigation meter) \$ 23.24; excess at \$1.80 per 1000 gallons.

No sewer fees will be charged for an irrigation meter.

A Utility Tax will be charged on all water usage in accordance with local law.

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 \$23.24 for the first unit and \$23.24 per additional unit in the dwelling. The base allowance, however, will be 4,000 gallons for each unit in the building. All excess usage will be charged at the rate of \$1.80 per 1000 gallons.

D. Commercial Accounts:

<u>Rates</u>		<u>Monthly</u>				<u>Basis</u>	
1"	6,000 Gallons	\$35.15	excess	\$1.80	per	1000	gallons
2"	12,000 Gallons	\$65.61	excess	\$1.80	per	1000	gallons
3"	18,000 Gallons	\$96.12	excess	\$1.80	per	1000	gallons
4"	24,000 Gallons	\$128.16	excess	\$1.80	per	1000	gallons

E. All new commercial dwellings, including residential conversions, and existing commercial dwellings that are being renovated or increased in size at a construction cost at or exceeding 50% of its present pre-construction fair market value, shall be required to install a 1" or larger commercial water meter. Commercial Buildings serviced by a ¾" meter prior to the passage of this ordinance (September 12th, 2000), shall pay the 1" commercial rate including the volumetric excess charge unless and until such dwelling is renovated or enlarged as set forth above.

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 water impact fee: \$1,105.00 per unit—See Section 8. E., below, to determine impact fees.
 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 \$23.24 for 0-4,000 gallons/excess \$1.80 per 1,000 gallons, not to exceed three (3) months unless approved by the City Administrator.

J. The meter reading of a new installation between the 15th and 31st 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 within the same lot for a property owner for the cost of labor and parts, except cases that would benefit the City and/or correct previous installation errors. This section does not and is not intended to waive in any manner required water/sewer impact fees. The City Administrator is authorized to have Water Department personnel correct such exceptions without cost to the property owner.

L. Customers may pay in advance for new installations and valves for new meters and such new

installations will be sealed or locked until the customer requests service. Reconnection fees will not be charged.

M. Property owner(s) of commercial or residential units that are serviced by a water meter, whether such account or accounts is active or inactive, shall be responsible for any and all water usage on such account or accounts even if such usage is unauthorized or results from malfunctioning pipes or joints located on or caused by the property owner's lot.

SECTION 8. CHARGE OR RATE FOR SEWER SERVICE

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

B. Residential Accounts:

Base Monthly Charge:	\$32.00 (4,000 gallons base usage)
Volumetric Charge	\$ 2.15 excess per 1,000 gallons

C. Commercial Accounts:

Basic Monthly Charge:	\$32.00 (4,000 gallons base usage)
(Unless listed below in special category section.)	
Volumetric Charge:	\$ 2.15 excess per 1,000 gallons

All commercial accounts will be charged a separate basic commercial charge, at the appropriate commercial rate plus volumetric excess charges set forth herein, for each business activity conducted on its premises. (E.g. A restaurant with 60 seats and a gift shop will be charged a base rate of \$64.00—restaurant portion—and \$32.00—gift shop portion—for a total of \$96.00 plus any volumetric charges that may apply.)

Special Category Section

(1) Restaurants/Bars/Eateries

<u>Seating</u>	<u>Monthly Base Rate</u>	<u>Base Usage</u>
0 to 25	\$32.00	4,000 gal.
26 to 50	\$48.00	6,000 gal.
51 to 75	\$64.00	8,000 gal.
76 to 100	\$80.00	10,000 gal.
101 to 125	\$96.00	16,000 gal.
126 to 150	\$112.00	22,000 gal.
151 to 175	\$128.00	24,000 gal.
176 to 200	\$144.00	26,000 gal.
201 to 250	\$176.00	30,000 gal.
250 to 300	\$208.00	34,000 gal.
Above 300	Add \$32.00 per 50 seats/ Add 4,000 gal. per 50 seats	

All restaurants/bars/eateries shall be charged \$2.15 per 1,000 gallons processed in excess of the establishment's base usage amount.

(2) Convenience Stores/Gasoline Stations

Basic Monthly Charge	\$96.00 (12,000 gallons base usage)
Volumetric Charge	\$2.15 excess per 1,000 gallons

(3) Large Retail (12,000 Square Feet and Above) Volumetric Charge	\$128.00 (16,000 gallons base usage) \$2.15 excess per 1,000 gallons
(4) Private Recreational Facility Up to .50 acre ground coverage .51 acre to 10 acres ground coverage 10.01 acres and above	\$48.00 (6,000 gallons base usage) \$64.00 (8,000 gallons base usage) \$96.00 (12,000 gallons base usage)
(5) Hotel/Motel Rooms and Recreational Vehicle (RV) Sites	\$9.00 per each hotel/motel room and \$9.00 per each RV site (Base usage = Monthly base rate/32 x 4,000)(E.g. 10 rooms/RV sites: 10 x \$9.00= \$90.00/32=2.8125. 2.8125 x 4,000= 11,250 gal. as the base rate.

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 shall be \$1,105.00 for Water and \$1,800.00 for Sewer per Equivalent Residential Unit (ERU) as set forth below:

<u>Establishment:</u>	<u>Unit</u>	<u>Water Factor-Sewer Factor</u>	
Residential:			
ALL	Per Unit	1.000	1.000
Commercial:			
Auditorium	Seat	0.009	.0054
Barber/beauty shop	Opr. Station	0.150	.0900
Bowling Alley	Lane	0.167	.1002
Food Service:			
Restaurant/cafeteria	Seat	0.050	.0300
Restaurant (24 hour)	Seat	0.083	.0498
Restaurant (Fast food)	Seat	0.025	.0150
Bar/cocktail lounge	Seat	0.034	.0204
Hotel/Motel (not including food service banquet/meeting rooms/laundries)	Room	0.050	.0300
Industrial Building (not including food service, not including industrial waste flows):			

Without showers	Employee	0.025	.0150
With showers	Employee	0.059	.0354

NOTE: Industrial wastewater flows to be determined on fixture unit basis, see note 2, unless the City Administrator agrees to alternative flow calculation.

Laundry (self-service)	Per Machine	0.667	.4002
Office Building (add food service and retail space)	1,000 sq. ft. gross	0.167	.1002
Service Station	Per Bay	0.500	.3000
Add:	Per Bay	1.600	.9600
Add:	Per Toilet Room	0.500	.3000
Theater	Per Seat	0.005	.0030
Theater (dinner)	Per Seat	0.034	.0204
Trailer Park (overnight)	Per Space	0.167	.1002
Dentist Office	Per Dentist	0.417	.2502
	Per Wet Chair	0.334	.2004
Doctor Office	Per Doctor	0.417	.2502
Church	Per Seat	0.009	.0054
Hospital	Per Bed	0.417	.2502
Nursing Home	Per Bed	0.209	.1254

Warehouse/office: Use fixture units for warehouse area and see office category for calculating ERUs in that area. Add for food service and add for retail space if applicable.

Meeting/banquet rooms (total sq. ft./15 Sq. ft./seat)	Per Seat	0.009	.0054
Automotive Repair & Maintenance	Per Bay	0.125	.0750
Retail Store/self-service gas pumps	Per Restroom (Add remaining fixture units)	0.500	.3000
Extended Care Facilities	Per Efficiency	0.250	.1500

Convenience Store without gas pumps	Per Restroom	0.500	.3000
Schools (Middle & High)	Per Student	0.034	.0204
Schools (Elementary & Nursery)	Per Student	0.013	.0078

GENERAL NOTES:

1. One (1) equivalent residential unit (ERU) shall, for the purpose of this Section, have an assigned value of 1.000. The "total equivalent residential unit value" for an establishment shall be calculated by multiplying the ERU factor listed above times the number of units.

2. For all establishments not listed above, the total ERU value shall be determined by multiplying the number of fixture units, as published in the Standard Plumbing Code, by twenty-five (25), and then dividing that numerator by three hundred fifty (350). For example:

$$\text{Total ERU Value} = \frac{\text{Number of Fixture Units} \times 25}{750 \text{ gallons water}} \quad \frac{\text{Number of Fixture Units} \times 25}{280 \text{ gallons sewer}}$$

The water/sewer impact fee shall be determined by using the following formula:

$$\begin{aligned} \text{Total ERU Value} \times \$1,105.00 &= \text{Water Impact Fee} \\ \text{Total ERU Value} \times \$1,800.00 &= \text{Sewer Impact Fee} \end{aligned}$$

In no event shall the total ERU value used to calculate a water or sewer impact fee for any separate establishment be less than 1.000.

3. If special circumstances exist creating an undue hardship for the new water or sewer account applicant based on the ERU formula set forth below, such applicant may file a written request for a reduction in the impact fee with the City Administrator. The City Administrator will make a recommendation to the City Council and the City Council will make the final determination of the impact fee within 45 days from the filing of the written request.

4. *By resolution, the City Council may establish the collection and notice procedures for any additional water or sewer impact fee(s) to be charged by Bay County for the benefit of the Bay County Water System and collected or administered by the City.*

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 and 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 preventor.

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 \$23.24 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 (\$23.24) 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.
Accounts receiving meter turn-offs between and including the 15th and the 31st of the month will be billed in full, including any additional volumetric usage charges. Accounts receiving meter turn-offs between and including the 1st and the 14th of the month will be charged one-half (1/2) the base rate, unless such account uses its base usage amount in full (e.g. 4,000 gals. for residential), and in such case then the full base rate and any and all volumetric charges will be due in full.
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 reconnection 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/SEWER SYSTEM OUTSIDE 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 adjoining the City of Mexico Beach Water/Sewer System in Gulf/Bay County, may connect, or cause the plumbing of any building or buildings thereon to be connected, with the municipal water/sewer 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. *Connections to the City Sewer system to residential or commercial units located outside the city limits shall not be required and occur only if the City is willing and able to serve such locations. Sewer rates and impact fees for such connections shall be established by the City on a case-by-case basis using the existing rates and impact fees charged to users located within the City limits as a basis.*

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 connections. The customer desiring connection to the Water/Sewer system will comply with this ordinance and will

sign an Agreement with the City of Mexico Beach.

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 existing multi-family (MDS) units, at the time this ordinance is passed, being serviced through one City 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 valve on a case by case basis 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. The City will install a cut-off water valve at the meter box on the customer's side for new and replacement water meters as it deems necessary. The cost of the valve, where installed by the City, will be added to the total installation cost of the water meter.

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 for time to time by the City.*

SECTION 6. CHARGE OR RATE FOR WATER SERVICE.

A. Any user of the services of the waterworks system shall pay therefore 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	\$30.97 Excess \$2.68 per 1,000gal.
1"	6,000 gallons	\$50.38 Excess \$2.68 per 1,000 gal.
Hydrant Usage		\$2.68 per 1,000 gal.

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 \$30.97 for the first unit and \$30.97 per additional unit in the dwelling. The base allowance, however, will be 4,000

gallons for each unit in the dwelling. All usage per unit exceeding 4,000 gallons will be charged at the rate of \$2.68 per 1,000 gallons.

D. Commercial Accounts:

<u>Rates</u>	<u>Monthly Basis</u>
1"-6,000 gallons	\$50.28 Excess \$2.68 per 1,000 gal.
2"-12,000 gallons	\$96.12 Excess \$2.68 per 1,000 gal.
3"-18,000 gallons	\$137.69 Excess \$2.68 per 1,000 gal.
4"-24,000 gallons	\$184.58 Excess \$2.68 per 1,000 gal.

E. Connection Fees:

¾" 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 per unit-- See Section 7. E., below, to determine impact fee(s).

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 and such new installations 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 31st 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 within the same lot for a property owner for the cost of labor and parts, except cases which would benefit the City and/or correct previous installation errors. This section does not and is not intended to waive in any manner required water/sewer impact fees. 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 ¾ inch meter prior to the passage of this ordinance shall pay the minimum charge of \$50.28. All usage over 6,000 gallons will be charged at \$2.68 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 ¾ 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 ¾ 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.

M. A property owner possessing a water meter or sewer system shall be responsible for any and all water and sewer usage on such property including unauthorized water or sewer usage through a meter or account that has been inactivated.

SECTION 7. CHARGE OR RATE FOR SEWER SERVICE

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

B. Residential Accounts:

Base Monthly Charge:	\$38.00 (4,000 gallons base usage)
Volumetric Charge	\$ 2.50 excess per 1,000 gallons

C. Commercial Accounts:

Basic Monthly Charge:	\$38.00 (4,000 gallons base usage)
<i>(Unless listed below in special category section.)</i>	
Volumetric Charge:	\$ 2.50 excess per 1,000 gallons

All commercial accounts will be charged a separate basic commercial charge, at the appropriate commercial rate plus volumetric excess charges set forth herein, for each business activity conducted on its premises. (E.g. A restaurant with 60 seats and a gift shop will be charged a base rate of \$70.00—restaurant portion—and \$38.00—gift shop portion—for a total of \$108.00 plus any volumetric charges that may apply.)

Special Category Section

(1) Restaurants/Bars/Eateries

<u>Seating</u>	<u>Monthly Base Rate</u>	<u>Base Usage</u>
0 to 25	\$38.00	4,000 gal.
26 to 50	\$54.00	6,000 gal.
51 to 75	\$70.00	8,000 gal.
76 to 100	\$86.00	10,000 gal.
101 to 125	\$102.00	16,000 gal.
126 to 150	\$118.00	22,000 gal.
151 to 175	\$134.00	24,000 gal.
176 to 200	\$150.00	26,000 gal.
201 to 250	\$182.00	30,000 gal.
250 to 300	\$214.00	34,000 gal.
Above 300	Add \$38.00 per 50 seats/ Add 4,000 gal. per 50 seats	

All restaurants/bars/eateries shall be charged \$2.50 per 1,000 gallons processed in excess of the establishment's base usage amount.

(2) Convenience Stores/Gasoline Stations

Basic Monthly Charge \$102.00 (12,000 gallons base usage)
 Volumetric Charge \$2.50 excess per 1,000 gallons

(3) Large Retail (12,000 Square Feet and Above)

\$134.00 (16,000 gallons base usage)
 Volumetric Charge \$2.50 excess per 1,000 gallons

(4) Private Recreational Facility

Up to .50 acre ground coverage \$54.00 (6,000 gallons base usage)
 .51 acre to 10 acres ground coverage \$70.00 (8,000 gallons base usage)
 10.01 acres and above \$102.00 (12,000 gallons base usage)

(5) Hotel/Motel Rooms and Recreational Vehicle (RV) Sites

\$11.00 per each hotel/motel room and \$11.00 per each RV site (Base usage = Monthly base rate/38 x 4,000)(E.g. 10 rooms/RV sites: 10 x \$11.00 = \$110.00/38 = 2.89. 2.89 x 4,000 = 11,560 gal. as the base rate.

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 \$38.00 for the first unit and \$38.00 per additional unit in the dwelling. All usage over the first 4,000 gallons will have a volumetric charge of \$2.50 per thousand.

E. New Accounts impact fee shall be \$1,105.00 for Water and \$1,800.00 for Sewer per Equivalent Residential Unit (ERU) as set forth below:

<u>Establishment:</u>	<u>Unit</u>	<u>Water Factor-Sewer Factor</u>	
<i>Residential:</i>			
ALL	Per Unit	1.000	1.000
<i>Commercial:</i>			
Auditorium	Seat	0.009	.0054
Barber/beauty shop	Opr. Station	0.150	.0900
Bowling Alley	Lane	0.167	.1002
<i>Food Service:</i>			
Restaurant/cafeteria	Seat	0.050	.0300
Restaurant (24 hour)	Seat	0.083	.0498
Restaurant (Fast food)	Seat	0.025	.0150
Bar/cocktail lounge	Seat	0.034	.0204
<i>Hotel/Motel (not including food service)</i>			

banquet/meeting rooms/laundries)	Room	0.050	.0300
<i>Industrial Building (not including food service, not including industrial waste flows):</i>			
Without showers	Employee	0.025	.0150
With showers	Employee	0.059	.0354
<i>NOTE: Industrial wastewater flows to be determined on fixture unit basis, see note 2, unless the City Administrator agrees to alternative flow calculation.</i>			
Laundry (self-service)	Per Machine	0.667	.4002
Office Building (add food service and retail space)	1,000 sq. ft. gross	0.167	.1002
Service Station	Per Bay	0.500	.3000
Add:	Per Bay	1.600	.9600
Add:	Per Toilet Room	0.500	.3000
Theater	Per Seat	0.005	.0030
Theater (dinner)	Per Seat	0.034	.0204
Trailer Park (overnight)	Per Space	0.167	.1002
Dentist Office	Per Dentist	0.417	.2502
	Per Wet Chair	0.334	.2004
Doctor Office	Per Doctor	0.417	.2502
Church	Per Seat	0.009	.0054
Hospital	Per Bed	0.417	.2502
Nursing Home	Per Bed	0.209	.1254
<i>Warehouse/office: Use fixture units for warehouse area and see office category for calculating ERUs in that area. Add for food service and add for retail space if applicable.</i>			
Meeting/banquet rooms (total sq. ft./15 Sq. ft./seat)	Per Seat	0.009	.0054
Automotive Repair & Maintenance	Per Bay	0.125	.0750

Retail Store/self-service gas pumps	Per Restroom (Add remaining fixture units)	0.500	.3000
Extended Care Facilities	Per Efficiency	0.250	.1500
Convenience Store without gas pumps	Per Restroom	0.500	.3000
Schools (Middle & High)	Per Student	0.034	.0204
Schools (Elementary & Nursery)	Per Student	0.013	.0078

GENERAL NOTES:

1. One (1) equivalent residential unit (ERU) shall, for the purpose of this Section, have an assigned value of 1.000. The "total equivalent residential unit value" for an establishment shall be calculated by multiplying the ERU factor listed above times the number of units.

2. For all establishments not listed above, the total ERU value shall be determined by multiplying the number of fixture units, as published in the Standard Plumbing Code, by twenty-five (25), and then dividing that numerator by three hundred fifty (350). For example:

$$\text{Total ERU Value} = \frac{\text{Number of Fixture Units} \times 25}{750 \text{ gallons water}} \quad \frac{\text{Number of Fixture Units} \times 25}{280 \text{ gallons sewer}}$$

The water/sewer impact fee shall be determined by using the following formula:

$$\begin{aligned} \text{Total ERU Value} \times \$1,105.00 &= \text{Water Impact Fee} \\ \text{Total ERU Value} \times \$1,800.00 &= \text{Sewer Impact Fee} \end{aligned}$$

In no event shall the total ERU value used to calculate a water or sewer impact fee for any separate establishment be less than 1.000.

3. If special circumstances exist creating an undue hardship for the new water or sewer account applicant based on the ERU formula set forth below, such applicant may file a written request for a reduction in the impact fee with the City Administrator. The City Administrator will make a recommendation to the City Council and the City Council will make the final determination of the impact fee within 45 days from the filing of the written request.

4. By resolution, the City Council may establish the collection and notice procedures for any additional water or sewer impact fee(s) to be charged by Bay County for the benefit of the Bay County Water System and collected or administered by the City.

SECTION 8. 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: Non-sanitary or consumption such as Marina's, Swimming Pools and 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 be the normal cost for a meter installation without impact fees plus backflow preventor fee. The municipal water department will set the meter and backflow preventor.

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 \$30.97 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 (\$30.97) and water consumption billing only.

SECTION 9. 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 10. 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 and other jurisdictions using the City's Water/Sewer System unless it is provided with water and sanitary facilities which are connected to the associated City provided utilities.

SECTION 11. 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 City 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 City Building Department shall, upon conviction, be subject to the penalties hereinafter provided.

SECTION 12. SANITARY REQUIREMENTS. Every residence 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 13. 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 14. 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/Sewer connection, which shall not be reconnected until the sewer pipe is repaired.

SECTION 15. 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 16. SEPTIC TANK. Septic tank or drain field installation shall not be located within 10 feet of water lines.

SECTION 17. 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. Accounts receiving meter turn-offs between and including the 15th and the 31st of the month will be billed in full, including any additional volumetric usage charges. Accounts receiving meter turn-offs between and including the 1st and the 14th of the month will be charged one-half (1/2) the base rate, unless such account uses its base usage amount in full (e.g. 4,000 gals. for residential), and in such case then the full base rate and any and all volumetric charges will be due in full.

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 for permission to be written off.

6. All "Other Billings and Emergencies" will be approved and signed by the City Administrator—on

a case-by-case basis. Emergencies normally will not exceed three (3) working days.

SECTION 18. 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 reconnection 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 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 the Water Department personnel will be charged a service fee of \$30.00 in addition to the reconnection 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 19. 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.

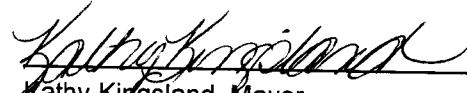
SECTION 20. With the exception of the Agreement with Sudduth Development referred to in the 7/12/83 minutes, all ordinances, resolutions, or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

SECTION 21. 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 22. EFFECTIVE DATE. This ordinance shall become effective as provided by law.


INTRODUCED at a Regular meeting of the City Council on March 11, 2004 and ADOPTED at a Regular meeting of the City Council on April 13, 2004.

CITY OF MEXICO BEACH, FLORIDA



Kathy Kingsland, Mayor

ATTEST:



City Clerk

