

RESOLUTION NO. R-02-221

A RESOLUTION AMENDING MANATEE COUNTY RESOLUTION R-01-66 ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ON MARCH 27, 2001, RELATING TO RATES, FEES, AND CHARGES FOR POTABLE WATER, RECLAIMED WATER, AND WASTEWATER SERVICES OF THE MANATEE COUNTY PUBLIC WORKS DEPARTMENT; AMENDING SECTION 13.01 OF RESOLUTION R-01-66 ENTITLED "SECURITY DEPOSITS" BY CREATING SUBSECTION 13.01 d. TO PROVIDE FOR RETURN OF INDIVIDUALLY METERED RESIDENTIAL WATER DEPOSITS; PROVIDING FOR EFFECT OF RESOLUTION R-01-66; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Manatee County, a political subdivision of the State of Florida, owns and operates the Manatee County public utilities system pursuant to Section 125.01, Florida Statutes, Chapter 153, Florida Statutes, Chapter 63-1598, Laws of Florida, as amended, Chapter 2-31, Article IV, Manatee County Code of Ordinances, and other applicable provisions of law; and

WHEREAS, Section 2-31-103, Manatee County Code of Ordinances, authorizes the county to prescribe, fix, establish and collect fees, rentals or other charges for the facilities and services furnished by the public utilities system on an equitable basis; and

WHEREAS, on March 27, 2001, the Board of County Commissioners of Manatee County adopted Resolution R-01-66 relating to rates, fees, and charges for potable water, reclaimed water, and wastewater services of the Manatee County Public Works Department; and

WHEREAS, Section 13.01 of Resolution R-01-66 entitled "Security Deposits" requires security deposits for utility accounts; and

WHEREAS, the Board of County Commissioners has determined that retention of

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security deposits for individually metered residential water utility accounts beyond a reasonable period of favorable credit history is not necessary to the financial security of the public utilities system; and

WHEREAS, the Board of County Commissioners desires to amend Section 13.01 of Resolution R-01-66 to provide for return of individually metered residential water deposits; and

WHEREAS, pursuant to Section 2-31-103, Manatee County Code of Ordinances, revision of the fees, rentals or other charges for the facilities and services of the public utilities system requires adoption of a resolution by the Board of County Commissioners at a public hearing; and

WHEREAS, Section 2-31-103, Manatee County Code of Ordinances, requires notice of public hearing for such resolution to be published at least once not less than ten (10) days prior to such public hearing in a newspaper of general circulation in the county; and

WHEREAS, notice of public hearing to consider Resolution No. R-02-221 was duly published in a newspaper of general circulation in Manatee County; and

WHEREAS, on September 3, 2002, the Board of County Commissioners held a public hearing to consider Resolution No. R-02-221 amending Resolution R-01-66; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the county and the customers of the public utilities system to amend Resolution R-01-66 relating to rates, fees, and charges for potable water, reclaimed water, and wastewater services to provide for return of individually metered residential water deposits.

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Amendment of Resolution R-01-66. Section 13.01 of Resolution R-01-66 entitled "Security Deposits" is hereby amended by the creation of subsection 13.01 d. to read as follows:

13.01 SECURITY DEPOSITS. For water and/or wastewater accounts and reclaimed water only accounts, security deposits are required.

Meter Size	Residential	Commercial	
	Residential Meter	Fire Line or Irrigation Meter	Fire Hydrant Meter Industrial Meter Irrigation Meter Master Meter
5/8" x 3/4"	\$135	\$100	\$200
3/4"	\$160	\$150	\$300
1"	\$195	\$300	\$600
1 1/2"	\$300	\$450	\$900
2"	\$425	\$600	\$1,200
3" & larger		\$300/inch	\$600/inch

For master metered accounts with 3 or more units, there will be an additional deposit of \$20.00 per unit. Landlords will be required to pay a \$75 per unit

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deposit to a maximum of \$1,800. A security bond will be accepted in lieu of cash deposits exceeding \$1,800 on residential rental units. The deposit required for a duplex or two dwelling units served by a single meter is twice the meter size deposit. Security bonds may be accepted in lieu of cash deposits exceeding \$2,000 for master metered or commercial accounts. If the irrigation meter is in addition to a regular meter, no additional deposit will be required.

- a. Retail Sewer Only Security Deposit. \$100 per dwelling unit. \$150 minimum for commercial/industrial classes 2 through 3 plus \$50 for each additional unit. \$400 minimum for classes 4 and 5 plus \$100 for each additional unit. \$42 per unit for classes 6 and 7.
- b. Retail Reclaimed Water Only Security Deposit. \$50 per dwelling unit. \$150 minimum for commercial/industrial classes 2 through 3 plus \$50 for each additional unit. \$400 minimum for classes 4 and 5 plus \$100 for each additional unit. \$42 per unit for classes 6 and 7.
- c. Interest Paid on Security Deposits. All potable water, reclaimed water, and sewer deposits shall accrue interest. The interest rate will be the bank passbook rate effective as of October 1 of each year and will remain at that rate throughout the fiscal year. Accrued interest will be credited once a year to the customer's account.
- d. Return of Individually Metered Residential Water Deposits. Security deposits shall be returned to all individually metered residential water

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customers who have not been delinquent in the payment of their county utility bills for twenty-four (24) consecutive months. This subsection shall apply to all customers with individual residential meters who have paid security deposits for water, wastewater and/or reclaimed water service. The amount to be returned shall include the original security deposit paid to the county plus accrued interest calculated in accordance with subsection 13.01 c. above. In the sole discretion of the county, the amount may be applied as a credit to the customer's account or paid by county check issued to the customer. If the individually metered residential water account is turned off for delinquency, a new security deposit shall be required before service is reinstated and the twenty-four (24) month period shall start again. The amount of the new security deposit shall be based on the utility rate resolution in effect at the time.

Section 2. Effect of Resolution R-01-66. All other provisions of Resolution R-01-66 shall remain in full force and effect to the extent not otherwise modified herein.

Section 3. Severability. In the event that any provision, portion or section of this resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining provisions, portions or sections of this resolution which shall remain in full force and effect.

Section 4. Effective Date. This resolution shall become effective October 1, 2002.

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PASSED AND ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, on the 3rd day of September, 2002.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: *Greg Stein*
Chairman

ATTEST: R. B. Shore
Clerk of the Circuit Court

By: *Susan Plomin*

