

RESOLUTION NO. R-03-242

A RESOLUTION AMENDING MANATEE COUNTY RESOLUTION NO. R-03-128 ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ON AUGUST 5, 2003, RELATING TO RATES, FEES, AND CHARGES FOR POTABLE WATER, RECLAIMED WATER, AND WASTEWATER FACILITIES AND SERVICES OF MANATEE COUNTY, FLORIDA; AMENDING SECTION 3.01 OF RESOLUTION NO. R-03-128 ENTITLED "INDIVIDUAL METERS REQUIRED"; AMENDING SECTION 4.05 OF RESOLUTION NO. R-03-128 ENTITLED "LINE FEES – POTABLE WATER AND RECLAIMED WATER"; AMENDING SECTION 4.06 OF RESOLUTION NO. R-03-128 ENTITLED "LINE FEES – WASTEWATER"; AMENDING SECTION 5.02 OF RESOLUTION NO. R-03-128 ENTITLED "RETAIL QUANTITY RATES"; AMENDING SECTION 11.06 OF RESOLUTION NO. R-03-128 ENTITLED "SPECIAL SERVICE CHARGES"; PROVIDING FOR EFFECT OF RESOLUTION NO. R-03-128; 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 August 5, 2003, the Board of County Commissioners of Manatee County adopted Resolution No. R-03-128 relating to rates, fees, and charges for potable water, reclaimed water, and wastewater facilities and services of Manatee County, Florida; and

WHEREAS, Section 3.01 of Resolution No. R-03-128 requires individual meters; and

WHEREAS, Section 4.05 of Resolution No. R-03-128 provides for line fees for potable water and reclaimed water; and

WHEREAS, Section 4.06 of Resolution No. R-03-128 provides for line fees for wastewater; and

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WHEREAS, the Board of County Commissioners has determined that it is necessary to clarify language in Resolution No. R-03-128 relating to individual meters and line fees for potable water, reclaimed water, and wastewater; and

WHEREAS, the Board of County Commissioners desires to amend Section 3.01, Section 4.05, and Section 4.06 of Resolution No. R-03-128 for the purpose of clarifying language; and

WHEREAS, Section 5.02 of Resolution No. R-03-128 provides for retail quantity rates; and

WHEREAS, Section 11.06 of Resolution No. R-03-128 provides for special service charges; and

WHEREAS, the Board of County Commissioners has determined that it is necessary to correct typographical errors in Resolution No. R-03-128 relating to retail quantity rates and special service charges; and

WHEREAS, the Board of County Commissioners desires to amend Section 5.02 and Section 11.06 of Resolution No. R-03-128 for the purpose of correcting typographical errors; 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-03-242 was duly published in a newspaper of general circulation in Manatee County; and

WHEREAS, on September 23, 2003, the Board of County Commissioners held a public hearing to consider Resolution No. R-03-242 amending Resolution No. R-03-128; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the

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county and the customers of the public utilities system to amend Resolution No. R-03-128 relating to rates, fees, and charges for potable water, reclaimed water, and wastewater facilities and services to provide for clarification of language and correction of typographical errors.

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

Section 1. Section 3.01 of Resolution No. R-03-128 entitled "Individual Meters Required" is hereby amended to read as follows:

3.01 INDIVIDUAL METERS REQUIRED.

- a. All facilities are required to have individual meters, unless a master meter installation is approved by the county administrator. Existing duplexes with common plumbing may apply for a master meter; all new duplex construction shall have a separate meter for each dwelling unit. Unless otherwise authorized by the county administrator, One one (1) individual meter shall not serve more than one (1) parcel. Unless otherwise authorized by the county administrator, all meters must be installed at the street property line. In some instances master meter installations may be the preferred method of supplying service. Sale of a portion of a master metered property requires that each property be separately metered. The method of supplying service shall be at the discretion of the county administrator.
- b. Parcels with more than one (1) unit connecting to the potable water system shall connect all units. Upon a determination of extenuating circumstances, an exception may be granted by the county administrator.

Section 2. Section 4.05 of Resolution No. R-03-128 entitled "Line Fees – Potable Water and Reclaimed Water" is hereby amended to read as follows:

4.05 LINE FEES – POTABLE WATER AND RECLAIMED WATER.

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- a. Authorization. The county administrator is hereby authorized to take necessary and reasonable actions to extend six (6) inch or smaller potable water and reclaimed water lines to serve existing structures when the county administrator determines that the line extension will benefit the citizens in the area or will enhance or contribute to the improvement of the potable water or reclaimed water distribution system.
- b. Before a potable water or reclaimed water line is extended, at least fifty (50) percent of the benefitted property owners shall enter into a contract with the county which shall be recorded in the public records. The contract shall provide that the property owners agree to connect to the potable water or reclaimed water line within one hundred twenty (120) days after it is installed and ready for use and to pay the costs for extension of the potable water or reclaimed water line. Upon recording of a notice in the public records at the time of connection, the costs shall constitute a lien on the property until paid.
- bc. The cost of a potable water or reclaimed water line extension shall be recovered from line fees to those served. ~~Benefited~~ Benefitted property owners shall pay the applicable line fees at the time of connection. The provisions of this subsection shall not apply to any reclaimed water line in existence or approved for extension prior to October 1, 2003.
- ed. The applicant requiring initial potable water or reclaimed water service at a location shall pay a line fee of fifteen dollars (\$15.00) per front foot or actual costs, whichever amount is less, for potable water or reclaimed water. Line fees shall not be charged if the exemption set forth in section 4.01 applies.
- i. The cost of a potable water or reclaimed water line extension shall be borne

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by all property owners and shall be allocated to each property based upon the front footage of the property, or other equitable method as determined by the county administrator. Any flag lot to be serviced by an extension shall require the payment of a footage charge that is based on seventy-five (75) percent of its footage paralleling the road.

- ii. The cost of any "oversizing" of the line (i.e., the difference between the cost of installing a six (6) inch line and the cost of the line actually installed) shall be borne by the county subject to future recovery as provided by contract.

Section 3. Section 4.06 of Resolution No. R-03-128 entitled "Line Fees – Wastewater" is hereby amended to read as follows:

4.06 LINE FEES – WASTEWATER.

- a. Authorization. The county administrator is hereby authorized to take necessary and reasonable actions to extend wastewater lines to serve existing structures when the county administrator determines that the line extension will benefit the citizens in the area or will enhance or contribute to the improvement of the wastewater collection system. Cost recovery shall be a major consideration in determining the feasibility of an extension. Wastewater lines may also be extended by special assessment project, as provided by Chapter 2-2, Article IV, Manatee County Code of Ordinances, and other applicable provisions of law. Non-assessment wastewater line extensions shall be confined to gravity service, shall not exceed one-quarter (1/4) mile (one thousand three hundred twenty (1,320) feet) in length, and shall not be of a size larger than eight (8) inches in diameter.
- b. Before a non-assessment wastewater line is extended, one hundred (100) percent of the benefitted property owners shall enter into a contract with the county which

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shall be recorded in the public records. The contract shall provide that the property owners agree to connect to the wastewater line within one hundred twenty (120) days after it is installed and ready for use and to pay the costs for extension of the wastewater line. Upon recording of a notice in the public records at the time of connection, the costs shall constitute a lien on the property until paid.

- bc. The owner of a non-developed parcel at the time of the wastewater line extension will be required to pay the applicable line fees in effect at the time the parcel is developed.
- ed. The applicant requiring initial wastewater service at a location shall pay a line fee of three thousand five hundred dollars (\$3,500.00) per dwelling unit for wastewater. The line fee for nonresidential wastewater service will be based on meter size as established in the schedule below. Owners of split parcels (assessed and non-assessed) shall pay wastewater line fees at the time of connection in accordance with the schedule below. Line fees shall not be charged if the exemption set forth in section 4.01 applies.
 - i. The owners of all developed properties ~~benefited~~ benefitted under a non-assessment wastewater line extension project will be required to pay the following line fees at the time of connection to the wastewater system:

Meter Size (in inches)	Line Fee
Residential	\$3,500.00 per dwelling unit
5/8 x 3/4	3,500.00 per meter
3/4 x 3/4	4,000.00 per meter
1	6,000.00 per meter

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1 1/2	11,000.00 per meter
2	17,000.00 per meter
3	22,000.00 per meter
4	34,000.00 per meter
6	44,000.00 per meter
8	68,000.00 per meter
10	78,000.00 per meter

- ii. Developed lots connecting to the county's wastewater system which do not have metered potable water service will be subject to the following charges:

Residential	\$3,500.00 per dwelling unit
Class 1 Commercial (based on 6,000 gallons/month)	3,500.00 per service
Class 2 Commercial (greater than 6,000 gallons to 10,000 gallons/month)	4,000.00 per service
Class 3 Commercial (greater than 10,000 gallons to 25,000 gallons/month)	6,000.00 per service
Class 4 Commercial (greater than 25,000 gallons to 75,000 gallons/month)	11,000.00 per service
Class 5 Commercial (greater than 75,000 gallons/month)	22,000.00 per service
Class 6 Residential Mobile Home (based on 3,600 gallons/month)	34,000.00 per service
Class 7 Residential Condominium (based on 4,500 gallons/month)	44,000.00 per service

- iii. Upon a determination that a financial hardship will be imposed upon a property owner or that other special circumstances exist, the county administrator may modify the per unit charge. When possible, such

modification shall take into account the demand placed on the system.

- iv. The cost of any "oversizing" of the line (i.e., the difference between the cost of installing the size line needed to serve the properties that might benefit immediately from extension of the line and the cost of the line actually installed) shall be borne by the county subject to future recovery as provided by contract.
- v. Individual assessments for a special assessment wastewater line extension project shall be as adopted by the board during a duly advertised public hearing.

Section 4. Section 5.02 of Resolution No. R-03-128 entitled "Retail Quantity Rates" is hereby amended to read as follows:

5.02 RETAIL QUANTITY RATES.

- a. Potable water.
 - i. Residential individual meters.

First 6,000 gallons:	\$1.24 per 1,000 gallons
Next 9,000 gallons:	\$1.53 per 1,000 gallons
Over 15,000 gallons:	\$4.35 per 1,000 gallons
 - ii. Nonresidential.

\$1.24 per 1,000 gallons (all meter sizes)
 - iii. Industrial bulk service.

\$1.24 per 1,000 gallons (all meter sizes)
 - iv. Master metered condominiums/apartments/hotels/motels.

\$1.24 per 1,000 gallons up to 4,500 gallons
multiplied by the number of units

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\$1.53 per 1,000 gallons for the total in excess of 4,500 gallons
multiplied by the number of units

- v. Master metered mobile home parks and travel trailer parks.

\$1.24 per 1,000 gallons up to 3,600 gallons
multiplied by the number of units

\$1.53 per 1,000 gallons for the total in excess of ~~36,000~~ 3,600 gallons
multiplied by the number of units

- vi. Irrigation 3/4 inch and smaller meters.

First 5,000 gallons: \$1.24 per 1,000 gallons

Over 5,000 gallons: \$4.35 per ~~4000~~ 1,000 gallons

- vii. Irrigation 1 inch and larger meters.

First 5,000 gallons: \$1.24 per 1,000 gallons

Next 10,000 gallons: \$1.53 per 1,000 gallons

Next 15,000 gallons: \$2.00 per 1,000 gallons

Next 30,000 gallons: \$2.50 per 1,000 gallons

Next 40,000 gallons: \$3.35 per 1,000 gallons

Over 100,000 gallons: \$4.35 per 1,000 gallons

- b. Wastewater.

- i. Metered customers.

\$2.95 per one thousand (1,000) gallons at eighty-five (85) percent of potable
water consumption

Maximum monthly wastewater charge for residential individually metered
customers is based on 12,000 gallons of water consumption.

- ii. Unmetered customers.

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Residential	\$28.80/month
Class 1 Commercial (based on 6,000 gallons/month)	28.80/month
Class 2 Commercial (greater than 6,000 gallons to 10,000 gallons/month)	39.44/month
Class 3 Commercial (greater than 10,000 gallons to 25,000 gallons/month)	60.98/month
Class 4 Commercial (greater than 25,000 gallons to 75,000 gallons/month)	144.73/month
Class 5 Commercial (greater than 75,000 gallons/month)	282.09/month
Class 6 Residential Mobile Home (based on 3,600 gallons/month)	15.88/month/unit
Class 7 Residential Condominium (based on 4,500 gallons/month)	19.87/month/unit

dc. Reclaimed water.

- i. Quantity rates for retail customers. \$0.50/1,000 gallons
Retail customers who average in excess of one million (1,000,000) gallons per month will be required to enter into a contract with the county approved by the board which will include quantity rates.
- ii. Quantity rates for well credit transferors.
For historical use under 1 MGD \$0.50/1,000 gallons
of historical use
For consumption over historical use .20/1,000 gallons
Well credit transferor customers whose historical use exceeds one million (1,000,000) gallons per day will be required to enter into a contract with the county approved by the board which will include quantity rates.

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- iii. Reclaimed water used for the purpose of training fire fighters will not require a consumption charge.
- ed. Adjustments to rates.
 - i. Upon proof of a repair or filling of a new pool, wastewater charges may be adjusted in accordance with approved county rules and regulations.
 - ii. Upon proof of a leak repair, potable water and wastewater charges may be adjusted in accordance with approved county rules and regulations. In cases of extenuating circumstances, such as a slab leak, the time period for adjustments may be extended by the county administrator. Potable water adjustments shall not be approved for commercial accounts.

Section 5. Section 11.06 of Resolution No. R-03-128 entitled "Special Service Charges"

is hereby amended to read as follows:

11.06 SPECIAL SERVICE CHARGES.

a.	Decrease in meter size	\$30.00
b.	Pulled meter - reinstallation	30.00
c.	Install or move hydrant meter	30.00
d.	Meter bench test if meter meets standards	30.00
e.	Broken assembly/lock/tag	20.00
f.	Broken or damaged meter	Actual cost plus 30.00
g.	Removal of obstruction in order to read meter	Actual cost plus 30.00
h.	Unauthorized usage	30.00
i.	Delinquency/dishonored payment, collected in field	15.00
j.	Maintenance or repair of private system	Actual cost plus 20%
k.	Late payment fee (failure to pay current bill by due date)	2% of current bill

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l.	Repair of damages to public utilities system caused by other parties	Actual cost plus 20%
m.	Research	15.00/hour
n.	Field trip - customer problem	15.00
o.	No read charge (temporary use meters)	100.00
p.	Account activation fee	20.00
qp.	Administrative fee (<u>account activation</u>)	20.00

Section 6. Effect of Resolution No. R-03-128. All other provisions of Resolution No. R-03-128 shall remain in full force and effect to the extent not otherwise modified herein.

Section 7. 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 8. Effective Date. This resolution shall become effective October 1, 2003, at 12:01 a.m.

PASSED AND ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, on the 23rd day of Sept., 2003.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA



By: [Signature]
Jane W. von Hahmann

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

By: [Signature]