

reasonable hour for the purpose of conducting the normal business of the public services department, such as making tests and inspections.

(g) The consumer shall not cause any plant, tree, shrub, weeds, trash, mulch, fence, vehicle, pet, or structure to grow or to be placed within three feet of the water meter box and shall not do anything which would cause the public services department any difficulty in locating, reading, or maintaining the water meter and box located on the consumer's property. The public services department shall have the right to refuse service to any premises when the contracting party of such premises, after 20 days from rendition of a written notice to the consumer specifying the problem, has failed to correct the condition causing the public services department difficulty in reading or maintaining the water meter or box.

(h) Where meters or appurtenances are broken or damaged by the negligence of the owner, tenant or occupant of the premises, the cost of repair or replacement shall be paid by the owner or occupant of the premises, and if the cost is not paid upon repair or replacement, the water supply shall be turned off and shall not be turned on again until payment of such amount due is made.

(Code 1988, § 22-42; Ord. No. 99-64, § 1, 1-13-00; Ord. No. 11-02, § VI, 1-13-11)

Sec. 78-53. Responsibility for damages by hot water heaters or steam boilers.

Persons using hot water heaters or steam boilers which take a supply of water directly from the service pipes of the public services department will do so at their own risk, as the public services department shall not be responsible for accidents or damages resulting in such cases. If the hot water backs up in the water pipes, damaging the meters or other connections, the costs of all necessary repairs to such equipment shall be paid by the consumer responsible therefor. (Code 1988, § 22-43; Ord. No. 11-02, § VI, 1-13-11)

Sec. 78-54. Private fire hydrants, sprinkler systems, hose racks.

(a) Fire hydrants, fire sprinkler systems or hose racks may be established on private property by the owner thereof at his own cost for equip-

ment, pipes, valves, fittings and connections to water mains, etc., provided such shall be done under the supervision and subject to the inspection of and in accordance with the requirements of the water and fire departments. The maintenance of such mains, valves and hydrants shall be at the cost and expense of the owner of the property. The regular established rate for such connection for such fire hydrants, fire sprinkler systems and hose racks shall be paid, and if not, such shall be disconnected from the water system by the public services department.

(b) Any person establishing fire hydrants, fire sprinkler systems or hose racks shall have the right to have such connected with the city's water system and have installed and maintained at his own cost by the public services department a water meter and to pay therefor the regularly established charge for water service as listed in the published rates, whether water has been used for fire or any other purpose. No fixture whatsoever, other than fire hydrants, sprinkler connections and hose racks, used for fire only, shall be connected on such fire lines.

(c) The city guarantees no certain water pressure and shall not in any way be liable or responsible to any person whomsoever, in case of fire, for any damage that may result from any alleged insufficiency of such fire protection, either from want of pressure or volume, accessibility or for any other cause.

(d) The service charge for fire sprinkler systems, within or without the city, not metered, is prescribed and fixed as follows: \$45.00 per year for each sprinkler connection up to four inches within the city; \$91.00 per year for each four-inch sprinkler system connection within the city; \$114.00 per year for each four-inch sprinkler system connection outside the city limits; \$136.00 per year for each six-inch sprinkler system connection within the city; \$170.00 per year for each six-inch sprinkler system connection outside the city limits; \$182.00 per year for each eight-inch sprinkler system connection inside the city limits; and \$228.00 per year for each eight-inch sprinkler system connection outside the city limits. Each of these charges shall be made payable annually in advance on August 1 to the city public services

department. No water is to be used from sprinkler systems at any point on the line except for fire, nor are any fixtures whatsoever to be connected to such fire line.

(e) The service charge for fire hydrants which are the property of the city and located on private property within or without the city, which are utilized for fire protection is prescribed and fixed as follows: Within the city, \$65.00 per year per hydrant; streets outside the city not metered, \$82.00 per year per hydrant, payable annually on or about August 1, to the public services department. No water is to be used from fire hydrants or from the service line on which they are situated, unless metered, except for fire, nor are any other fixtures whatsoever to be connected to such fire line. If the fire hydrant is metered as approved by the city, for the provision of water service, exclusive of fire, all applicable commercial rates in accordance with this ordinance shall apply.

(f) Hose racks on private property within or without the city, connected to city mains not metered, shall have a service charge of \$35.00 per year per hose rack located within the city and \$44.00 per year per hose rack located outside the city, payable annually in advance on August 1. No water shall be used from such hose rack or from the line upon which it is situated, unless metered, except for a fire, nor are any other fixtures whatsoever to be connected to such fire line.

(Code 1988, § 22-44; Ord. No. 99-64, § 1, 1-13-00; Ord. No. 11-02, § VI, 1-13-11)

Sec. 78-55. Basic rate schedule for water and sewer service.

(a) *Commercial water and sewer rates.* The basic rates for commercial water and sewer services shall be as set forth in the following table:

<i>Monthly Service Charge—Meter size</i>	<i>Water</i>	<i>Sewer</i>
$\frac{5}{8}$ "— $\frac{3}{4}$ "	\$7.99	\$11.43
1"	\$19.96	\$28.57
1 $\frac{1}{2}$ "	\$39.92	\$57.12
2"	\$63.87	\$91.40
3"	\$119.76	\$171.38
4"	\$199.59	\$285.62

<i>Monthly Service Charge—Meter size</i>	<i>Water</i>	<i>Sewer</i>
6"	\$399.19	\$571.25
8"	\$638.70	\$913.98
10"	\$918.13	\$1,313.86
All Usage gallons - per 1,000	\$1.5250	\$4.4804

(b) *Residential water and sewer rates.* The basic rates for residential water and sewer services shall be as set forth in the following table:

<i>Monthly Service Charge—Base</i>	<i>Water</i>	<i>Sewer</i>
Single-Family $\frac{5}{8}$ "— $\frac{3}{4}$ " meter	\$7.99	\$11.34
Consumption:		
1—10,000 gallons	\$1.3359	\$4.4804
10,001—15,000 gallons	\$1.6464	
15,001—35,000 gallons	\$2.4521	
35,001—above gallons	\$3.1816	
Multi-Family (per unit)	\$5.59	\$8.00
Consumption:		
0—7,000 gallons	\$1.3359	\$4.4804
7,001—10,000 gallons	\$1.6464	
10,001—24,500 gallons	\$2.4521	
24,501—above gallons	\$3.1816	
0—10,000 gallons		\$4.4804
Consumption billed per 1,000		

(c) *Irrigation and reclaimed water rates.* The basic rates for all irrigation and/or reclaimed water services shall be as set forth in the following table:

<i>Monthly Service Charge—Meter Size</i>	<i>Irrigation</i>
Single-Family $\frac{5}{8}$ "— $\frac{3}{4}$ " meter	\$7.99
General Service/Commercial/ Multi-Family Monthly Service Charge— Meter Size	
$\frac{5}{8}$ "— $\frac{3}{4}$ "	\$7.99
1"	\$19.96
1.5"	\$39.92
2"	\$63.87
3"	\$119.76
4"	\$199.59
6"	\$399.19
8"	\$638.70
10"	\$918.13
Consumption billed per 1,000 gallons	

<i>Monthly Service Charge— Meter Size</i>	<i>Irrigation</i>
$\frac{5}{8}$ " — $\frac{3}{4}$ " Meter	
0—5,000 gallons	\$1.6464
5,001—25,000	\$1.9788
25,001—above gallons	\$3.1816
1" Meter	
0—13,000 gallons	\$1.6464
13,001—62,000 gallons	\$1.9788
62,001—above gallons	\$3.1816
1.5" Meter	
0—25,000 gallons	\$1.6464
25,001—125,000 gallons	\$1.9788
125,001—above gallons	\$3.1816
2" Meter	
0—40,000 gallons	\$1.6464
40,001—200,000 gallons	\$1.9788
200,001—above gallons	\$3.1816
3" Meter and larger	
0—75,000 gallons	\$1.6464
75,001—375,000 gallons	\$1.9788
375,001—above gallons	\$3.1816

(d) *Outside city services.* Any water, sewer, irrigation and/or reclaimed water services provided outside the corporate limits of the city will be assessed at 125 percent of the rates provided in subsections 78-55(a)—(c).

(e) *Charges for unoccupied structures.* Whether occupied or unoccupied, all existing structures, once connected to the city's water, sewer, and/or irrigation system will incur a minimum monthly service charge as provided in subsections 78-55(a)—(c), unless such structure is destroyed, condemned, or demolished.

(f) *Annual rate adjustment.* Commencing October 1, 2025 and each year thereafter on October 1 for four years, the rate schedules under subsections (a), (b) and (c) of section 78-55 will be increased in accordance with schedules A and B attached to and adopted by section 4 of Ordinance 24-45. Commencing on October 1, 2029 and recurring on October 1 of each fiscal year thereafter, the city shall automatically increase the basic rates for commercial and residential water, sewer, and irrigation/reclaimed water service set forth herein by the greater of: (i) the annual change in the percentage change in the Gross Domestic Product Implicit Price Deflator Index as published by the Florida Public Service Commission for the prior fiscal year (the "FPSC Index"), or (ii) two percent. Implementa-

tion of such rate increases will occur without a public hearing and not occur more than once in any fiscal year. Regardless of the foregoing, nothing herein may preclude the city from making additional changes to the applicable rates in any given year if deemed necessary by the city commission.

(g) *Changes by resolution.* If deemed necessary by the city commission, further changes to the water, sewer, and irrigation/reclaimed water rates set forth herein may be implemented by Resolution of the city commission. If such change contemplates an increase not otherwise provided for in this section, the city shall comply with F.S. § 180.136, as may be amended or transferred, in implementing such rate increase.

(h) *Users receiving sewer service but not water service from the city.* If a commercial or residential user receives sewer service from the city but does not receive water service from the city, the water meter used for such units shall be the measuring instrument, unless it is determined by a qualified representative of the city to be faulty or inaccurate:

- (1) *Commercial users.* If a commercial user's meter is determined to be faulty or inaccurate or if there is no meter, the director of the public services department shall estimate the sewage rate by using a figure of water flow at 25 gallons per day, per employee, or the city may install a meter at its option and at the expense of the consumer. All expenses incurred for the purposes of inspecting, testing, repairing, and replacing of meters is to be borne by the user. All meters so installed must be compatible with the city's system, installed in a location approved by the city, and the city, at all times, must have access to such meters for the purpose of inspecting, testing, repairing, replacing, or reading such meters.
- (2) *Residential users.* If a residential user does not have a water meter, the residential user shall pay the maximum rate for sewer service. The maximum rates will be assessed until the user installs at the user's expense a water or

sewage meter that meets with the city's approval. All expenses incurred for the purpose of inspecting, testing, repairing, and replacing of meters is to be borne by the user. All meters so installed must be compatible with the city's system, installed in a location approved by the city, and the city, at all times, must have access to such meters for the purpose of inspecting, testing, repairing, replacing, or reading such meter.

(i) *Institutional rates.* The city commission has the right to negotiate or authorize the city manager to negotiate the service charge, but not the user charge, for institutions, public agencies, nonprofit organizations and others not covered in this section, when it is deemed in the best interest of the city. In all such cases, due consideration shall be given to the number of persons using the facility, the size or purpose of the building, the number of rooms and the estimated amount of sewage discharged into the sanitary sewer system. The rates shall be established by contract entered into between the city commission and such user without amendment of this article.

(j) *Separate sewer meters.* If all water entering a user's premises will not be discharged into the city sanitary sewer system, a separate meter may be installed on the user's line which discharges into the sewer. Such meters must be installed and maintained at the expense of the user, and the city shall at all times have access to such meters for the purpose of inspecting, testing, repairing, replacing, or reading such meters.

(k) *Sewer invoice reduction.* If any user by use of such meters can prove to the satisfaction of the city manager that substantial amounts do not enter the sanitary sewer system, the sewer bill will be reduced in accordance with a written agreement. Copies of any such agreement shall be furnished to members of the city commission.

(l) *Damaged or destroyed meters.* If any meter is damaged, destroyed or fails to register, the consumer will be billed for the period involved on a basis of the average water consumption for the preceding six months for all water and sewer services applicable.

(m) *Refunds of installation charges.* When a consumer has made application for water service and has paid the installation or meter charges, the city shall not be required to refund these charges if the consumer later decides not to desire service after a new service has been installed to his premises, but shall retain such payments as liquidated damages.

(n) *Effluent charges.* Each commercial, industrial, business establishment or master-metered apartment user who discharges a waste with strength characteristics which exceed one or more of the strength characteristics of normal domestic waste shall pay an effluent charge. The effluent charge shall be proportional to the amount by which the waste characteristics exceed the levels for normal domestic waste. It shall be calculated by adding together the total of the following:

- (1) *BOD (biochemical oxygen demand).* Concentration in mg/l minus 204 mg/l. This quantity multiplied by the metered water flow in thousands of gallons per month multiplied by 8.34 multiplied by \$55.43.
- (2) *Suspended solids.* Concentration in mg/l minus 204 mg/l. This quantity multiplied by the metered water flow in thousands of gallons per month multiplied by 8.34 multiplied by \$65.49.
- (3) *Toted nitrogen.* Concentration in mg/l minus 30 mg/l. This quantity multiplied by the metered water flow in thousands of gallons per month multiplied by 8.34 multiplied by \$383.71.
- (4) *Total phosphorus.* Concentration in mg/l minus 10 mg/l. This quantity multiplied by the metered water flow in thousands of gallons per month multiplied by 8.34 multiplied by \$496.06.
- (5) *Toted charge.* The total of subsections (i)(1)—(4) above, equals the total effluent charge.

(Code 1988, § 22-45; Ord. No. 99-64, § 1, 1-13-00; Ord. No. 00-21, § 1, 4-13-00; Ord. No. 09-24, § 2, 6-11-09; Ord. No. 11-02, § VI, 1-13-11; Ord. No. 23-13, § 2, 6-22-23; Ord. No. 24-45, § 2, 11-14-24)

Editor's note—It should be noted that § 6 of Ord. No. 09-24 states that the reduced water, sewer and irrigation readiness to serve charges will commence July 1, 2009.

Sec. 78-56. Service charges to be paid by the city.

(a) There shall be no free services rendered by the sanitary sewer and water systems, and if the city or any department, agency or instrumentality thereof shall avail itself of the service and facilities of the sanitary sewer and water systems, it shall pay for the use of such service and facilities at the established rates.

(b) Revenues received from the services and facilities furnished by the sanitary sewer and water systems to the city shall be applied and accounted for in the same manner as other revenues derived from the operation of the sanitary sewer and water systems.

(c) The city shall pay a per-year hydrant fee of \$65.00 for city owned hydrants located inside the city limits and \$82.00 per year per hydrant for city-owned hydrants located outside the city limits to the credit of the public services department for public fire protection service. (Code 1988, § 22-46; Ord. No. 99-64, § 1, 1-13-00; Ord. No. 11-02, § VI, 1-13-11)

Sec. 78-57. Charges for water on separate meter used for irrigation only.

(a) *Application for irrigation system or irrigation meter.* All users of the city water system within the corporate limits of the city shall request a permit for the installation of an irrigation system and irrigation meter. An application must be completed and submitted to the public services department for the installation of an irrigation system and irrigation meter prior to the issuance of a permit. The public services department director may deny the issuance of a permit for an irrigation system or irrigation meter when the existing water main does not provide sufficient water volume/pressure to support the demands of an irrigation system without causing unacceptably low water pressure for other customers on the same water main.

(b) *Basic rate for separate meter, used for irrigation only.* The monthly charges for a separate meter, used for irrigation only, shall be as follows:

- (1) A minimum monthly service charge per month for those billings where an irrigation meter is the only water meter installed shall apply in addition to the consumption charge indicated below. Outside the city limits, customers will be charged the monthly service charge at 125 percent.

Bills rendered on or after October 1, 2008:

Monthly Service Charge by Rate Class and Meter Size

Residential single family	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter	\$ 6.18
Residential multifamily	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter	6.18
General service or commercial	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter	6.18
General service or commercial	1" meter	\$15.43
General service or commercial	2" meter	\$49.39
General service or commercial	3" meter	\$92.60

Usage Volume Charges by Meter Size and Consumption

Residential single family	$\frac{5}{8}$ " \times $\frac{3}{4}$ " and 1" meters
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Usage per 1,000 Gallons

0—5,000	\$ 1.2730
5,001—25,000	\$ 1.5339
25,001 and above	\$ 1.8840
Residential Multi-Family	
General Service or Commercial	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter

Usage per 1,000 Gallons

0—5,000	\$ 1.2730
5,001—25,000	\$ 1.5339
25,001 and above	\$ 1.8840
Residential multifamily	
General service or commercial	1" meter

Usage per 1,000 Gallons

0—12,500	\$ 1.2730
12,501—62,500	\$ 1.5339

62,501 and above	\$ 1.8840
Residential multifamily	
General Service or Commercial	2" meter

Usage per 1,000 Gallons

0—40,000	\$ 1.2730
40,001—200,000	\$ 1.5339
201,000 and above	\$ 1.8840
Residential multifamily	
General service or commercial	3" meter

Usage per 1,000 Gallons

0—75,000	\$ 1.2730
75,001—375,000	\$ 1.5339
375,001 and above	\$ 1.8840

Effective, October 1, 2008 the rates shall be indexed by the Consumer Price Index, or two percent, whichever is greater, annually for the next three years.

- (1) *Users not within corporate limits.* Any irrigation meters installed for users who are not within the corporate limits of the city shall be assessed at 125 percent of the rates in this subsection.
- (2) *Readiness to serve charge.* For any month that a metered account has zero water consumption, such account will not be charged a readiness to serve charge.
- (3) *Charges for unoccupied structures.* Whether occupied or unoccupied, all existing structures, once connected to the city's water system by a meter shall incur a monthly water charge, unless such structure is destroyed, condemned or demolished.

(c) *Residential use of irrigation meter installation.* Only three-quarter-inch size irrigation meters are authorized for installation on residential lots for irrigation purposes for those customers which receive both individually metered domestic and irrigation service from a single service connection.

(Code 1988, § 22-47; Ord. No. 98-88, § 1, 12-10-98; Ord. No. 99-64, § 1, 1-13-00; Ord. No. 00-21, § 1, 4-13-00; Ord. No. 01-23, § 1, 5-10-01; Ord.

No. 08-38, § 2, 10-9-08; Ord. No. 09-24, § 3, 6-11-09; Ord. No. 11-02, § VI, 1-13-11; Ord. No. 11-09, § 2, 5-12-11)

Editor's note—It should be noted that § 6 of Ord. No. 09-24 states that the reduced water, sewer and irrigation readiness to serve charges will commence July 1, 2009.

Sec. 78-58. Billing; payment; delinquent bills; transfer of delinquent bills from one location to another.

(a) In all cases where water is furnished by the city water system, the sewer service charge shall be included in the bills for water rendered by the city; provided, however, that each such bill shall show separately the amount of the bill for water.

(b) Utility bills shall be sent to consumers or when the use of a multiple or master meter is employed by the owner, regularly each month, and the fact that a consumer or owner does not receive a bill shall not constitute grounds for discount or adjustment.

(c) A utility bill shall not be considered paid until remittance for the bill has been received by the city, and the public services department shall not be responsible for delays or losses in the transportation in the mail or otherwise.

(d) If the amount of such water and sewer charges shall not be paid within 20 days from the rendition of such bill, the public services department shall, after written notice to the customer, discontinue furnishing water to such premises and shall discontinue the premises from the city water system and shall proceed forthwith to recover the amount of such water and sewer service charges in such lawful manner as may be required.

(e) The public services department shall have the right to refuse service to any premises, when the contracting party of such premises has an unpaid utilities bill under his contract, until such time as the bill is paid. The public services department shall also have the right to refuse service to premises when the owner of such premises has an unpaid bill for services or for

material or labor rendered or expended by the public services department in connection with rendering service to the premises.

(f) The public services department shall have the right to transfer a delinquent water bill at one address to the account of the same consumer at another address, provided the consumer is receiving service at the latter address, and shall have the right to discontinue service at the latter address for nonpayment of the transferred bill, regardless of the fact that the current bills are being paid.

(g) Charges included in utility bills shall be a lien upon the real property. Whenever a bill remains unpaid 60 days after it has been rendered, the city clerk may file with the county recorder a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the city claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. If the consumer of services whose bill is unpaid is not the owner of the premises and the clerk has notice of this, notice shall be mailed to the owner of the premises, if his address is known to the clerk, whenever such bill remains unpaid for a period of 60 days after it has been rendered. The failure of the clerk to record such lien claim and to mail such notice or the failure of the owner to receive such notice shall not affect the right to foreclose the lien for unpaid bills as mentioned in subsection (h) of this section. The owner shall be responsible for the payment of all administrative expenses and costs, including attorney's fees, incurred by the city in the collection of charges, filing of liens or actions to foreclose such liens.

(h) Property subject to a lien for unpaid utility charges shall be sold for nonpayment of the charges, and the proceeds of such sale shall be applied to pay the charges and attorney's fees after deducting costs.

(i) The city attorney is authorized and directed to institute such proceedings, in the name of the city, in any court having jurisdiction over such matters, against any property for which a utility bill has remained unpaid for 60 days after it has been rendered.

(j) The city is authorized to create a residential customer utility bill payment assistance program whereby utility customers may be asked to consider rounding up their utility bills or to donate funds to assist other utility customers experiencing financial hardship to pay their utility bills. The city manager is authorized to create and enforce policies to implement a residential customer utility bill payment assistance program.

(Code 1988, § 22-48; Ord. No. 11-02, § VI, 1-13-11; Ord. No. 24-45, § 2, 11-14-24)

Sec. 78-59. Water and wastewater impact fees.

(a) *Imposition.* A water and wastewater impact fee is hereby imposed and levied on all development requesting capacity from the city's water system and/or wastewater system to provide service to their properties and on all properties presently connected to the city's water system or wastewater collection system when structural changes, additions, or changes in permitted use result in an additional impact to the city's water system or wastewater system. The water and wastewater impact fee will be charged based on water meter size to be installed in accordance with the fee schedule adopted in this section. A water and wastewater impact fee shall be paid for each individual water meter to be installed. When an existing development increases its water meter size, the development shall pay an additional water and wastewater impact fee equal to the difference between the current impact fee charged for the desired increased water meter size and the existing water meter size. The impact fee will be charged over and above any service connection fee, lateral charge, inspection fee, monthly user charge, and monthly service charge as may be established by city from time to time.

(b) *Impact fees.* Water and wastewater impact fees shall be paid in accordance with this subsection.

(1) *Impact fee schedule.* The following water and wastewater impact fees shall be paid based on water meter size for each water meter to be connected to the city's system:

Impact Fees for Water and Wastewater Service—
Water Meter Based

Water Meter Size	ERUs	Water Impact Fees	Wastewater Impact Fees
$\frac{3}{4}$ " meter	1.00	\$1,086	\$1,767
1" meter	2.50	\$2,715	\$4,418
2" meter	8.00	\$8,688	\$14,136