

INTRODUCED BY:
Vice Mayor Lee



ORDINANCE NO. 2010-09

A BILL TO BE ENTITLED

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING ARTICLE IV. WATER AND SEWER CHARGES, SECTION 23-81(D) NEW CONNECTIONS; WATER AND SEWER TAP-INS, SECTION 23-83(A) SECURITY DEPOSITS AND SECTION 23-89 NOTICE OF PROPOSED TERMINATION OF SERVICE; ADMINISTRATIVE HEARING; DISCONNECTING SERVICE OF FAILURE TO PAY CHARGES; RECONNECTING FEE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Neptune Beach has determined that it is necessary to amend the following.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF NEPTUNE BEACH, FLORIDA, that:

Section 1. Sec. 23-81, New Connections; Water and Sewer Tap-ins, shall be amended as follows:

Sec. 23-81. New connections; water and sewer tap-ins.

- (a) All persons desiring new connections for the use of water service and sewer service in the city shall first submit an application for a permit on a form to be prescribed therefore by the city council. The application form must be accompanied by a complete set of building plans and specifications and such other documents as shall establish compliance with all zoning laws, rules and regulations and all setback requirements and all other municipal ordinances in effect on the date of such application, together with full payment of all charges according to the schedule as follows:

(1) *Sewer connection charge:*

TABLE INSET:

Class			
A	Single family	\$ 455.00	
B	Duplex, multiple family, condominiums and all other commercial users, except Class C and D	910.00 338.00	for first 2 units for each additional unit
C	Motel	4,485.00	for first 10 units
		227.50	for each additional unit
D	Nursing-convalescent homes	4,095.00 169.00	for first 10 beds for each additional bed
E	Shopping centers	910.00	for the first 1,000 square feet of building area and

		104.00	for each additional 1,000 square feet of building area
F	Schools	1,690.00	for 1 inch
		5,200.00	for 2 inches
		10,400.00	for 3 inches
		16,900.00	for 4 inches
		33,150.00	for 6 inches

(2) *Water connection charge:*

TABLE INSET:

Class			
A	Single family	\$ 455.00	
B	Duplex, multiple family, condominiums and all other commercial users, except Class C and D	754.00	
C	Motel	1,495.00	for first 10 units
		71.50	for each additional unit
D	Nursing-convalescent homes	1,365.00 58.50	for first 10 beds for each additional bed
E	Shopping centers	650.00	for the first 1,000 square feet of building area and
		32.50	for each additional 1,000 square feet of building area
F	Schools	975.00	for 1 inch
		3,900.00	for 2 inches
		8,450.00	for 3 inches
		15,600.00	for 4 inches
		26,000.00	for 6 inches

(b) The city will furnish all water meters and will bill each user for the actual cost of the meter. The labor for the meter installation is included in the connection charge.

(c) It shall be unlawful to tap-in to any sewer or water line without having first obtained the written permit required hereby and paid all charges in full as set forth in subsection (a) above.

(d) All units, cut-on fees. All applications for new service, before service is provided, shall be accompanied by payment of the following sums, unless the customer requests the set-up fee be billed with the first regular billing:

Deposit . . . \$ ~~75.00~~ 150.00
 Set-up fee . . . 25.00
 Total payment required for new service . . . \$ ~~400.00~~ 175.00

Section 2. Section 23-83 Security Deposits, shall be amended as follows:

Sec. 23-83. Security deposits.

- (a) As to any residential owner-occupied property account or residential tenant-occupied rental unit account in the city, a noninterest bearing security deposit in the sum of seventy-five dollars (~~\$75.00~~ 150.00) shall be required before any service from the water or sewer system shall be provided or any garbage collection service provided.
- (b) As to any residential owner-occupied property account, where no previous deposit has been made, any such owner relocating the account within the city and who has not been delinquent in payment of the prior account for twelve (12) or more consecutive months shall not be required to deposit the security required by this section.
- (c) As to any residential tenant-occupied rental unit account in the city, any change of tenant occupancy shall be deemed a new account requiring the deposit for security in accordance with this section.
- (d) At the time of the opening or the reopening or change of name of any account for water, sewer and garbage service in the city, a set-up fee of twenty-five dollars (\$25.00) shall be required and must be paid by the owner or other consumer.
- (e) As to all new construction and before any water service may be provided to the property, the builder shall pay the sum of forty dollars (\$40.00) for water consumed during construction. When the meter is read after the completion of construction or when a certificate of occupancy is issued, any water consumed in excess of the volume included in the forty-dollar fee shall be determined and paid by the builder.
- (f) Upon discontinuance of the service or after the deposit has been held for two (2) consecutive years, during which time continuous service has been received and all bills for such services have been paid in accordance with the laws and ordinances of the city, the deposit, less the amount of any unpaid bills, will be refunded.
- (g) For all nonresidential consumers and all residential units that serve more than one (1) unit through one (1) master water meter, a deposit representing two (2) months' average charges for utility services, i.e., water, sewer, stormwater and garbage will be required. For business types new to Neptune Beach an estimated deposit amount will be made based upon similar businesses in the city or will be determined by the city manager or his designee. Upon termination of the utility services, the customer's deposit will be first applied to any balances owed on his account. Any balance remaining will be refunded to the customer or transferred to another account upon request of the customer.

Section 3. Section. 23-89, Notice of proposed termination of service; administrative hearing; disconnecting service for failure to pay charges; reconnecting fee, shall be amended as follows:

Sec. 23-89. Notice of proposed termination of service; administrative hearing; disconnecting service for failure to pay charges; reconnecting fee.

If any bill for the use of the services and facilities of the water system and/or the sewer system shall be and remain due and unpaid after the twentieth day of each billing cycle in which the same shall have been submitted to the customer, a written notice shall be provided, which shall apprise such customer of the past due amount, the disconnection and the availability of an administrative hearing. Upon such request, the city manager or his designee will afford an administrative hearing at the convenience of the customer to consider any complaint of erroneous or incorrect billing and to review any disputed bill and to rectify any error. Should such customer either fail for a period of nine (9) days to seek such an administrative hearing or fail to pay any sum determined to be properly due as a result of such administrative procedures, all services to such customer so in arrears shall be immediately disconnected and shall not be reconnected until all past due bills for water and/or sewer services are paid in full,

together with a reconnection charge of twenty five dollars (\$25.00) during normal City Hall business hours and fifty dollars (~~\$50.00~~ \$75.00) during other hours.

Section 4. The Ordinance shall become effective immediately upon its passage by the City Council.

VOTE RESULTS OF FIRST READING:

Mayor Harriet Pruette	Yes
Vice Mayor Fred E. Lee	Yes
Councilor Eric Pardee	Yes
Councilor Kara Tucker	Yes
Councilor John Weldon	Yes

Passed on First Reading this 5th day of April, 2010.

VOTE RESULTS OF SECOND AND FINAL READING:

Mayor Harriet Pruette
Vice Mayor Fred E. Lee
Councilor Eric Pardee
Councilor Kara Tucker
Councilor John Weldon

Passed on Second and Final Reading this

Harriet Pruette
Mayor

ATTEST:

Lisa Volpe, CMC
City Clerk

Approved as to form and correctness:

Christopher A. White
City Attorney