

ORDINANCE NO. 71-206

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE TOWN OF LONGBOAT KEY WATER DEPARTMENT; PROVIDING FOR PENALTIES FOR VIOLATION; PROVIDING FOR THE SEVERABILITY OF THE PARTS HEREOF AND REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Longboat Key has established water rates for the water system of the Town of Longboat Key; and

WHEREAS, the Town Commission has found and determined it necessary to adopt rules and regulations with respect to the operation of the Town of Longboat Key Water Department; now, therefore,

BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY:

Section 1. The Town of Longboat Key Water Department shall operate in accordance with the following Services Rules and Regulations:

I. TYPES OF SERVICE

- A. The Rate Schedule adopted by the Town Commission is attached hereto and made a part of these Rules and Regulations.
- B. Extraordinary circumstances, such as subdivision extensions, industrial users, etc., shall be governed by a special contract agreement.

II. APPLICATION FOR SERVICE

Each customer requesting service shall make the necessary application at the Town Hall, and at the same time pay the necessary deposits and meter charge.

III. THE TOWN'S RESPONSIBILITY AND LIABILITY

- A. The Town shall run a service line from its distribution line to the property line where the distribution line exists, or is to be constructed, and runs immediately adjacent and parallel to the property to be served.
- B. The Town may make connections to service other properties not adjacent to its lines upon payment of reasonable costs for the extensions of its distribution lines as may be required to render such service.
- C. The Town may install its meter at or near the property line or, at the Town's option, on the consumer's property within three (3) feet of the property line.
- D. The Town reserves the right to refuse service unless the consumer's lines or piping are installed in such a manner as to prevent cross-connection or backflow. A plumbing inspection by the Town will be made to insure compliance with the foregoing.

- E. Under normal conditions, the consumer will be notified of any anticipated interruption of service.

IV.

CONSUMER'S RESPONSIBILITY

- A. Where meter or meter box is placed on the premises of the consumer, a suitable place shall be provided by the consumer therefor, unobstructed and accessible at all times to the water meter reader.
- B. The consumer shall furnish and maintain a private cut-off valve on the consumer's side of the meter, the Town to provide a like valve on its side of such meter.
- C. The consumer's piping and apparatus shall be installed and maintained by the consumer at the consumer's expense, in a safe and efficient manner and in accordance with the Town's rules and regulations and in full compliance with the sanitary regulations of the state and county health authorities.
- D. Water furnished by the Town shall be used for consumption by the customer and users connected to the system, and is not for resale. Disregard for this rule shall be sufficient cause for refusal or discontinuance of service.

V. ACCESS TO PREMISES

- A. Duly authorized agents of the Town shall have access at all reasonable hours to the premises of the consumer for the purpose of installing or removing Town property, inspecting piping, reading and testing meters, or for any other purpose in connection with the Town's service and facilities.
- B. Extensions to the system shall be made only when the consumer shall grant or convey, or shall cause to be granted or conveyed, to the Town a permanent easement or right-of-way across any property traversed by the lines. Extensions may also be made subject to construction grant-in-aid contracts approved by the Town.

VI. CHANGE OF OCCUPANCY

- A. Not less than three (3) days' notice must be given in person or in writing at the Town office to discontinue service or to change occupancy.
- B. The outgoing party shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longer.
- C. The new occupant will apply for water service within

48 hours after occupying the premises and failure to do so will make him liable for the water consumed since the last meter reading.

VII. METER READING - BILLING - COLLECTING

- A. Meters will be read and bills rendered monthly, but the Town reserves the right to vary the dates or length of period covered, temporarily or permanently if necessary or desirable.
- B. Bills for water service will be figured in accordance with the Town's rate schedule and will be based on the amount consumed for the period covered by the meter reading, except where a consumer orders turn-off less than one month after turn-on, the minimum bill to such consumer for such period shall be equal to the minimum charge for one full month's service.
- C. Customers subscribing for water service will commence payment of at least a minimum water bill when water is available and a meter is installed.
- D. Readings from different meters will not be combined for billing.
- E. Bills shall be paid at the Town Hall by mail or in person.
- F. Bills are due when rendered, and are delinquent after thirty (30) days.

- G. Delinquent notices may be mailed to the customer thirty (30) days after the regular monthly billing date, but whether mailed or not, if payment is not made within sixty (60) days after the due date, service may be discontinued.
- H. Failure to receive bills or notices shall not prevent such bills from becoming delinquent, nor relieve the consumer from payment.

VIII. SUSPENSION OF SERVICES

- A. When services are discontinued and all bills paid, the service deposit will be refunded.
- B. Upon discontinuance of service for non-payment of bills, the service deposit will be applied by the Town toward settlement of the account. Any balance will be refunded to the consumer but if the service deposit is not sufficient to cover the bill, the Town may proceed to collect the balance in the usual way provided by law for collection of debts.
- C. Service discontinued for nonpayment of bills will be restored only after such bills are paid in full, such service deposit as may be required by the Town is made, and a service charge of \$10.00 is paid for each meter reconnected.

D. The Town reserves the right to discontinue its service without notice for the following additional reasons:

1. To prevent fraud or abuse.
2. Consumer's willful disregard for the Town's rules.
3. Emergency repairs.
4. Legal processes.
5. Direction of public authorities.
6. Strike, riot, fire, flood, accident or any unavoidable cause.

E. The Town may, in addition to prosecution by law, permanently refuse service to any consumer who tampers with a meter or other measuring device.

IX. COMPLAINTS - ADJUSTMENTS

- A. If the consumer believes his bill to be in error, he shall present his claim at the Town office before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The consumer may pay such bill under protest, and said payment shall not prejudice his claim.
- B. The Town will make a special meter reading at the request of a consumer for a fee of \$2.00, provided,

however, that if such special reading discloses that the meter was over-read, no charge will be made.

- C. Meters will be tested at the request of the consumer upon payment to the Town of the actual cost of making the test, provided, however, that if the meter is found to over-register beyond three (3) percent of the correct volume, no charge will be made.
- D. If the seal of a meter is broken by other than the Town's representative, or if the meter fails to register correctly or is stopped for any cause, the consumer shall pay an amount estimated by the Town from the record of his previous bills and/or from other proper data.

Section 2. Any person, firm, company, corporation or association or the managing agent of any person, firm, company, corporation or association who violates this Ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not more than Five Hundred Dollars (\$500.00), or shall be imprisoned for no more than sixty (60) days, with each day of such violation constituting a separate offense.

Section 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

Section 4. All Ordinances and parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

Section 5. This Ordinance shall take effect in accordance with law, and the Charter of the Town of Longboat Key.

PASSED on first reading this 6th day of October, 1971.

PASSED AND ADOPTED finally on second reading this 20th day of October, 1971.

James G. Lipton
Mayor

Attest;

Town Clerk

I HEREBY CERTIFY that the foregoing Ordinance was published in accordance with the Charter and Ordinances of the Town of Longboat Key and has been posted in at least three (3) public places for a period of four (4) weeks after the passage thereof, on this _____ day of _____, 1971.

Town Clerk

TOWN OF LONGBOAT KEY - WATER RATE SCHEDULE

A. CLASSES OF SERVICE:

1. Residences, Apartments, Condominiums, Mobile Homes:

\$6.25 per month - First 5,000 gallons
 \$0.75 per 1,000 gallons - 5,000 to 10,000 gallons
 \$0.65 per 1,000 gallons - Over 10,000 gallons

Minimum Monthly charge is \$6.25 for each living unit with a 5,000-gallon allowance per unit.

Separate meter for irrigation use:

\$0.65 per 1,000 gallons, with the following minimum:

<u>Meter Size</u>	<u>Minimum Charge</u>
1"	\$3.25
1-1/2"	\$6.50

2. Hotel or Motel Units:

\$5.50 per month - First 4,000 gallons
 \$0.75 per 1,000 gallons - 4,000 to 10,000 gallons
 \$0.65 per 1,000 gallons - Over 10,000 gallons

Minimum monthly charge is \$5.50 for each living unit with a 4,000-gallon allowance per unit.

3. Commercial:

\$6.25 per month - First 5,000 gallons
 \$0.75 per 1,000 gallons - 5,000 to 10,000 gallons
 \$0.65 per 1,000 gallons - Over 10,000 gallons

Minimum monthly charge (except where minimum charge is based on apartments, condominiums, mobile homes, hotel or motel units is larger):

<u>Meter Size</u>	<u>Minimum Charge</u>	<u>Allowance</u>
5/8" x 3/4"	\$6.25	5,000 gallons
3/4"	\$19.75	25,000 gallons
1"	\$29.50	40,000 gallons
1-1/2"	\$49.00	75,000 gallons
2"	\$84.75	130,000 gallons
3"	\$149.75	230,000 gallons

B. INSTALLATION AND SERVICE CHARGES:

1. Installation Charges and Service Deposits:

<u>Meter Required</u>	<u>Meter Installation Charge</u>	<u>Service Deposit</u>
5/8" x 3/4"	\$75.00	\$20.00
3/4"	\$100.00	\$20.00
1"	\$150.00	\$50.00
1-1/2"	\$250.00	\$75.00
2"	\$400.00	\$100.00
3"	\$1,000.00	\$300.00
4"	Cost + 10%	\$400.00

2. Service Charges:

Disconnect	\$25.00	Service Call	\$10.00
Reconnect	\$10.00	Inspection Fee	\$2.00

Bills are due when rendered and are delinquent after 30 days - If not paid within the next 10 days will be subject to a 10 Percent Surcharge.