

ORDINANCE NO. 75-21

AN ORDINANCE PROMULGATING THE RATES TO BE CHARGED FOR USE OF MUNICIPAL WATER AND SEWER SERVICES; OUTLINING MEANS OF ENFORCING PAYMENT FOR SUCH SERVICE; PROMULGATING REQUIREMENTS FOR CONNECTION; SETTING UP MAINTENANCE REQUIREMENTS; PROHIBITING FREE SERVICE; AND PENALTIES FOR VIOLATION.

BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY:

Section 1. CONNECTIONS WITH WATERWORKS SYSTEM. Where the same shall be available, the owner of every lot or parcel of land within the Town of Longboat Key, Florida, may connect, or cause the plumbing of any building or buildings thereon to be connected, with the municipal waterworks system of the Town of Longboat Key, Florida, and use the facilities of such system. All such connections shall be made in accordance with the rules and regulations which shall be adopted from time to time by the Town Commission of the Town of Longboat Key, which rules and regulations shall provide for a charge for making any such connections in such reasonable amount as such Council may fix and determine.

Section 2. CONNECTIONS WITH SEWER REQUIRED. The owner of each lot or parcel of land within the Town of Longboat Key upon which lot or parcel of land any building, or trailer used as a dwelling, is now situated or shall hereafter be situated, for either residential, commercial or industrial use, shall connect or cause such building or buildings or trailer or trailers to be connected with the public sewer facilities of the municipal sewer system of the Town of Longboat Key and use such facilities within 90 days following notification so to do by the Town Clerk of the Town. All such connections shall be made in accordance with rules and regulations which shall be adopted from time to time by the Town Commission of said Town, which rules and regulations shall provide for a charge for making any such connections in such reasonable amount as such Council may fix and determine.

Section 3. EXCEPTIONS TO CONNECTIONS. This ordinance shall not be construed to require or entitle any person to cross the private property of another to make any such sewer or water connection.

Section 4. CONNECTIONS MAY BE MADE BY TOWN. If any such owner of any lot or parcel of land within the Town shall fail and refuse to connect with and use the facilities of the sewer system of the Town after notification by the Town Clerk, as provided herein, then the Town shall be authorized to make such connections, entering

on or upon any such lot or parcel of land for the purpose of making such connection. The Town shall thereupon be entitled to recover the cost of making such connection, together with reasonable penalties and interest and attorney's fees, by suit in any court of competent jurisdiction. In addition and as an alternative means of collecting such costs of making such connections, the Town shall have a lien on such lot or parcel of land for such cost, which lien shall be of equal dignity with the lien of state and county and municipal taxes. Such lien may be foreclosed by the Town in the same manner provided by the laws of Florida for the foreclosure of mortgages upon real estate.

Section 5. RATES.

A. The following rate schedule is hereby adopted by the Town:

(a) Classes of service:

(1) Residences, apartments, condominiums and 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

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

B. The monthly rate and charges for the services and facilities of the Town's wastewater system shall be as follows:

(a) Classes of Service:

- (1) Residences, Apartments, town houses, duplexes, condominiums and mobile homes
\$7.00 per month for each living unit.
- (2) Hotel or motel units
\$6.25 per month for each living unit.
- (3) Commercial
The rate and charges for all buildings and other establishments other than those listed above and for the commercial uses in motels-hotels shall be one hundred and twenty-five percent (125%) of the monthly charge made for the services and facilities of the Town's water system. In cases where it shall be apparent to the Town Manager that a user's water consumption does not approximately reflect such user's disposal of waste into the Town's wastewater system, the Town Manager is authorized to increase or decrease such user's monthly rate and charge so that such rate and charge shall more nearly reflect such user's disposal of waste, provided that no wastewater service shall be rendered or furnished free of charge to any person whomsoever.

C. Delinquent Bills:

Bills are due when submitted and are delinquent if not paid by the thirtieth (30th) of the month in which the bill is submitted. If not paid within said period, bills shall be subject to a ten per cent (10%) surcharge on the delinquent amount.

Once said account is delinquent, the customer will be mailed a delinquent notice stating that if the account is not paid in full by the fifteenth (15th) of that month, the Town's water service may be discontinued.

D. Billing Procedure:

Bills will be rendered monthly for wastewater service and the charges included as a separate amount on the Town's monthly utility bills.

Customers applying for wastewater service on or before the 15th of the month will be billed for the entire month in which the connection is made. Connections after the 15th will not be billed until the following month.

E. Inspection Fees:

The inspection fee for all single family units shall be a minimum of \$10.00 for two (2) inspections.

The inspection fee for all other units shall be determined by the Director of Utilities and shall be at least the cost of inspection plus ten percent (10%).

F. The Town reserves the right to enter into contracts with large users of water and/or sewer service for the purpose of setting and determining a monthly charge or rate for the use of such services, which monthly rate or charge may be computed upon a different basis than set forth in the paragraph immediately preceding. Such contracts shall be entered into by means of resolution duly adopted by the Town Commission.

Section 6. UNLAWFUL CONNECTION. No person shall be allowed to connect into any water line or sewer line owned by the Town without the written consent of the Town, and then the connection with such line shall be made only under the direction and supervision of the Town. Any property owner or plumber who shall make any connection without such consent of the Town shall, upon conviction be subject to the penalties hereinafter provided.

Section 7. UNLAWFUL CONSTRUCTION. No person, group of persons, firm or corporation shall build or remodel or cause to be

built or remodeled any structure used for human habitation or occupancy within the Town which is within two hundred feet of a public sanitary sewer line, unless it is provided with water-carried sewerage facilities.

Section 8. CONNECTING OLD PLUMBING. Whenever it is desirable to connect old plumbing with the Town sewer main and/or water line, the owner or plumber contemplating doing such work shall notify the Town Building Inspector who will inspect said old plumbing and notify the owner or plumber what alterations will be necessary to place said old plumbing in an acceptable condition for such connection. Any owner or plumber who shall make any connection without the approval of the plumbing inspector shall, upon conviction, be subject to the penalties hereinafter provided.

Section 9. SANITARY REQUIREMENTS. Every residence and building in which human beings reside, are employed or congregated, shall be required to have a sanitary method of disposing of human excrement, namely either a sanitary water closet that is connected with the Town sewer, or an approved type of septic tank. A septic tank will be used only if the property is more than 200 feet from the sewer line.

Section 10. DISPOSAL REQUIREMENTS. It shall be unlawful for any person, persons, firm or corporation owning or leasing any premises in the Town to permit the disposal of any human excrement on any property, leased or rented by any such person, firm or corporation or the agent of any such person, firm or corporation, except in a sanitary water closet where sewage lines are available as defined above.

Section 11. SEPTIC TANK. No septic tank other than those approved by the State Department of Pollution Control shall be constructed within the corporate limits of Longboat Key, Florida. No septic tank shall be constructed within 200 feet of the sewer line.

Section 12. MAINTENANCE OF PLUMBING SYSTEM. The owner of the property shall be responsible for maintaining and keeping clean the water and sewer pipes leading and connecting from the plumbing system to the Town's distribution lines and main sewers.

Section 13. PAYMENT OF FEES AND BILLS REQUIRED.

A. Bills shall be paid at the Town Hall, or at other specific places of business as designated by the Town Commission, by mail or in person.

B. All accounts shall be due and payable on the date statements are submitted to the customer and shall become delinquent

on the thirtieth of the month in which the bill is submitted. If not paid within such period, bills shall be subject to a ten percent surcharge on the delinquent amount.

C. Once said account is delinquent the customer will be mailed a delinquent notice stating that if the account is not paid in full by the 15th of the month, the service may be discontinued.

Section 14. FAILURE TO MAINTAIN PLUMBING SYSTEM. Failure to keep the sewer pipe, i.e. the pipe leading from the plumbing system to the Town's main, clean and maintained in a proper manner will give the Town the right to cut off the water connection, which shall not be reconnected until the sewer pipe is cleaned and maintained properly. Any violation of this provision by reconnecting his private water supply or the connection from the Town's water line, until such sewer pipes are cleaned and maintained properly, shall be considered a violation of this Ordinance and subject to the penalties hereinafter provided.

Section 15. NO SERVICE FREE. No water nor sewage disposal service shall be furnished or rendered free of charge to any person, firm or corporation whatsoever, and the Town and each and every agency, department or instrumentality which uses either or both such service shall pay therefor at the rates fixed by this Ordinance.

Section 16. SEPARATE CONNECTIONS FOR EACH SEPARATE UNIT. Each residential unit whether occupying one or more lots and whether it shall occupy any lot or parcel jointly with any other residential unit shall be considered a separate unit for the payment of the water fees and the sewage disposal fees, and separate connections and meters will be required for each of such units.

Section 17. PENALTIES. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, for each such offense, be subject to a fine of not to exceed five hundred dollars (\$500.00) or imprisonment for not to exceed sixty (60) days. Any failure or refusal by an owner to connect to the Town's sewer system after notification so to do, as hereinabove provided, or any failure or refusal to pay the charges or rates hereinabove provided, shall be construed to be a violation of this Ordinance.

Section 18. All ordinances or parts of ordinances and all sections or parts of sections of the Code of Ordinances of the Town of Longboat Key in conflict herewith are hereby repealed.

Section 19. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage.

Passed on first reading this 24th day of September, 1975.

Passed and adopted by the Town Commission of the Town of Longboat Key, Florida, at a special meeting held the 21st day of October, 1975, on second reading.



Mayor

Attest:



DEPUTY Town Clerk

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