

ORDINANCE NO. 2015-17

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING APPENDIX A, AT CHAPTER 78, UTILITIES, OF THE CODE OF ORDINANCES OF THE VILLAGE OF PALM SPRINGS, FLORIDA; MODIFYING RATES AND CHARGES FOR FIRE LINE AND HYDRANT RATES WITHIN THE VILLAGE AS WELL AS OUTSIDE THE VILLAGE; MODIFYING CROSS CONNECTION CONTROL PROGRAM FEES WITHIN AS WELL AS OUTSIDE THE VILLAGE; MODIFYING THE DEPOSIT REQUIRED TO ACCOMPANY AN APPLICATION FOR WATER AND/OR WASTEWATER SERVICE; MODIFYING CERTAIN MISCELLANEOUS FEES AND CHARGES; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 180.13, Florida Statutes, provides that the municipality may establish just and equitable rates or charges to be paid to the municipality for the use of the utility by those persons, firms or corporations, whose premises are served thereby; and

WHEREAS, Chapter 180.191, Florida Statutes provides that the Village may charge outside users rates, fees and charges that are just and equitable and which are based on the same factors used in fixing the rates, fees and charges by consumers inside of the municipal boundaries, when determining the rates, fees and charges that the Village sets for such consumers outside of its boundaries; and

WHEREAS, in September of 2013 the Village Council held a workshop to discuss utility rates and reviewed the results of the 2013 Water and Wastewater Rate Study performed by the Public Resources Management Group ("PRMG"), at which time the Council was in consensus with the recommendations of the study; and

WHEREAS, the Village Council adopted Ordinance No. 2013-27 at second reading on October 10, 2013 which amended Appendix A, at Chapter 78, Utilities, of the Code of Ordinances of the Village of Palm Springs, Florida to reflect the rates proposed in the study; and

WHEREAS, PRMG's recommendations and adopted Ordinance No. 2013-27 failed to take into consideration previously adopted rate Ordinance No. 2010-27, which set fees for certain fire line sizes, cross connection control rates and certain miscellaneous fees and charges, including the customer deposit fee for small meters; and

WHEREAS, for consistency and to prevent confusion in billing the Village's customers it is necessary to amend Appendix A; and

WHEREAS, the Village Council finds that the proposed changes to the rates, charges and fees as set forth herein are just and equitably based; and

WHEREAS, the Village Council finds that the changes set forth herein to Chapter 78 of the Village Code serves a valid public purpose.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Appendix A, Chapter 78, Utilities, of the Code of Ordinances is hereby amended to read as follows:

(SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF)

Section 2. Codification. This ordinance shall be codified in the Code of Ordinances of the Village of Palm Springs, Florida.

Section 3. Repeal of Conflicting Ordinances. All ordinances, resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed.

Section 4. Severability. If any word, clause, sentence, paragraph, section of part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member Waller, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member Escalada, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DOUG GUNTHER, VICE MAYOR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN, MAYO PRO TEM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SERGIO ESCALADA, COUNCIL MEMBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the 14th day of MAY, 2015.

VILLAGE OF PALM SPRINGS, FLORIDA

BY:  for
BEV SMITH, MAYOR

First Reading: 4-9-2015

Second Reading: 5-14-2015

ATTEST:

BY: 
VIRGINIA M. WALTON, VILLAGE CLERK

REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: 
 GLEN J. TORCIVIA, VILLAGE ATTORNEY

**EXHIBIT A
SCHEDULE OF FEES**

Ch. 78 Utilities

(1) Plans and specifications required for service; expenses for review: \$1,200.00

(2) Monthly rates and charges:

a. Monthly water rates and charges for users of water from the Village system within the incorporated municipal limits shall be as follows:

1. Monthly Readiness to Serve charge by unit:

<u>Customer Class</u>	<u>Inside Village (by Unit)</u>					
	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Residential	\$10.04	\$10.49	\$10.96	\$11.45	\$11.97	\$12.27
Multi-Family	\$8.03	\$8.39	\$8.77	\$9.16	\$9.57	\$9.81
Commercial	\$35.14	\$36.72	\$38.37	\$40.10	\$41.90	\$42.95

2. Monthly water consumption charge per 1,000 gallons of metered water:

<u>Customer Class</u>	<u>Monthly Water Consumption Charges Inside Village (\$ per 1,000 gallons)</u>					
	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
<u>Residential</u>						
<u>Volume Blocks</u>						
0-6K	\$2.50	\$2.61	\$2.73	\$2.85	\$2.98	\$3.05
7-20K	\$3.25	\$3.40	\$3.55	\$3.71	\$3.88	\$3.98
21K+	\$4.00	\$4.18	\$4.37	\$4.57	\$4.78	\$4.90
<u>Multi-Family (Volume blocks are for each apartment unit)</u>						
<u>Volume Blocks</u>						
0-4K	\$2.50	\$2.61	\$2.73	\$2.85	\$2.98	\$3.05
5-10K	\$3.25	\$3.40	\$3.55	\$3.71	\$3.88	\$3.98
11K+	\$4.00	\$4.18	\$4.37	\$4.57	\$4.78	\$4.90
<u>Commercial</u>						
(Actual Volume Used)	\$3.13	\$3.27	\$3.42	\$3.57	\$3.73	\$3.82

b. Monthly water rates and charges for users of water from the Village system, outside the incorporated municipal limits, but within the defined service area:

1. Readiness to Serve customer service unit:

**Monthly Readiness to Serve Charges
Outside Village (by Unit)**

<u>Customer Class</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Residential	\$12.55	\$13.11	\$13.70	\$14.32	\$14.96	\$15.33
Multi-Family	\$10.04	\$10.49	\$10.96	\$11.45	\$11.97	\$12.27
Commercial	\$43.93	\$45.91	\$47.98	\$50.14	\$52.40	\$53.71

1. Monthly water consumption charge per 1,000 gallons of metered water:

**Monthly Water Consumption Charge
Outside Village (\$ per 1,000 gallons)**

<u>Customer Class</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
<u>Residential</u>						
Volume Blocks						
0-6K	\$3.13	\$3.27	\$3.42	\$3.57	\$3.73	\$3.82
7-20K	\$4.06	\$4.24	\$4.43	\$4.63	\$4.84	\$4.96
21K+	\$5.00	\$5.23	\$5.47	\$5.72	\$5.98	\$6.13
<u>Multi-Family (Volume blocks are for each apartment unit)</u>						
Volume Blocks						
0-4K	\$3.13	\$3.27	\$3.42	\$3.57	\$3.73	\$3.82
5-10K	\$4.06	\$4.24	\$4.43	\$4.63	\$4.84	\$4.96
11K+	\$5.00	\$5.23	\$5.47	\$5.72	\$5.98	\$6.13
<u>Commercial</u>						
(Actual Volume Used)	\$3.91	\$4.09	\$4.27	\$4.46	\$4.66	\$4.78

- c. At the recommendation of the Village Manager and subject to Council approval, the Village may sell water to connections outside the defined service area. Such connections shall be termed large user accounts. Monthly water rates and charges for large user accounts shall be as follows:

1. Monthly Readiness to Serve by number of meters:

**Monthly Water Readiness to Serve Charges
Large Users (per meter)**

<u>Readiness to Serve Charges</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Meter Charge	\$719.29	\$751.66	\$785.48	\$820.23	\$857.77	\$879.21

2. Monthly water consumption charge per 1,000 gallons of metered water:

**Monthly Water Consumption Charges
Large Users (\$ per 1,000 gallons)**

<u>Customer Class</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Large User (Actual Volume Used)	\$3.18	\$3.32	\$3.47	\$3.63	\$3.79	3.88

- d. Monthly private fire line and fire hydrant rates and charges for users of the Village water system within the incorporated municipal limits shall be a monthly charge related to fire line size:

**Monthly Private Fire Protection Service Charges
Inside Village**

<u>Fire Line Size Inches</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
2	\$18.90	\$19.75	\$20.64	\$21.57	\$22.54	\$23.55
3	\$37.81	\$39.51	\$41.29	\$43.15	\$44.44	\$46.44
4	\$71.73	\$74.96	\$78.33	\$81.85	\$85.53	\$87.67
6	\$167.34	\$174.87	\$182.74	\$190.96	\$199.55	\$204.54
8	\$310.78	\$324.77	\$339.38	\$354.65	\$370.61	\$379.88
10	\$478.11	\$499.62	\$522.10	\$545.59	\$570.14	\$584.39
12	\$741.07	\$774.42	\$809.27	\$845.69	\$883.75	\$905.84
Private Fire Hydrants (each)	\$167.34	\$174.87	\$182.74	\$190.96	\$199.55	\$204.54

- e. Monthly private fire line and hydrant rates and charges for users of the Village water system outside the incorporated municipal limits, but within the defined service area and related to fire line size:

**Monthly Private Fire Protection Service Charges
Outside Village**

<u>Fire Line Size</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
2	\$23.63	\$24.69	\$25.80	\$26.96	\$28.17	\$29.44
3	\$47.26	\$49.39	\$51.61	\$53.93	\$56.36	\$58.90
4	\$89.64	\$93.67	\$97.89	\$102.30	\$106.90	\$109.57
6	\$209.18	\$218.59	\$228.43	\$238.71	\$249.45	\$255.69
8	\$388.48	\$405.96	\$424.23	\$443.32	\$463.27	\$474.85
10	\$597.63	\$624.52	\$652.62	\$681.99	\$712.68	\$730.50
12	\$926.32	\$968.00	\$1,011.56	\$1,057.08	\$1,104.65	\$1,132.27
Private Fire Hydrants (each)	\$209.18	\$218.59	\$228.43	\$238.71	\$249.45	\$255.69

- f. Wastewater rates and charges within the Village limits:

1. A monthly Readiness to Serve charge by unit.

**Monthly Wastewater Readiness to Serve
Charges Inside Village (by Unit)**

<u>Customer Class</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Residential	\$9.06	\$9.47	\$9.90	\$10.35	\$10.82	\$11.09
Multi-Family	\$7.25	\$7.58	\$7.92	\$8.28	\$8.65	\$8.87
Commercial	\$31.71	\$33.14	\$34.63	\$36.19	\$37.82	\$38.77

2. Monthly wastewater charge per 1,000 gallons of metered water:

**Monthly Wastewater Consumption Charges
Inside Village (\$ per 1,000 gallons)**

<u>Customer Class</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Residential	\$5.88	\$6.14	\$6.42	\$6.71	\$7.01	\$7.19
Multi-Family	\$5.88	\$6.14	\$6.42	\$6.71	\$7.01	\$7.19
Commercial	\$5.88	\$6.14	\$6.42	\$6.71	\$7.01	\$7.19

Residential and multifamily accounts shall not be charged for more than 8,000 gallons per dwelling unit per month.

- g. Monthly wastewater rates and charges outside the incorporated municipal limits:

1. Monthly Readiness to Serve charge by unit:

**Monthly Wastewater Customer Service Charges
Outside Village (by unit)**

<u>Customer Class</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Residential	\$11.33	\$11.84	\$12.37	\$12.93	\$13.51	\$13.85
Multi-Family	\$9.06	\$9.47	\$9.90	\$10.35	\$10.82	\$11.09
Commercial	\$39.64	\$41.42	\$43.28	\$45.23	\$47.27	\$48.45

2. Monthly wastewater charge per 1,000 gallons of metered water:

**Monthly Wastewater Consumption Charge
Outside Village (\$ per 1,000 gallons)**

<u>Customer Class</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Residential	\$7.35	\$7.68	\$8.03	\$8.39	\$8.77	\$8.99
Multi-Family	\$7.35	\$7.68	\$8.03	\$8.39	\$8.77	\$8.99
Commercial	\$7.35	\$7.68	\$8.03	\$8.39	\$8.77	\$8.99

Residential and multifamily accounts shall not be charged for more than 8,000 gallons per dwelling unit per month.

**Monthly Wastewater Readiness to Serve Charges
Large Users Inside**

<u>Readiness to</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
	\$31.71	\$33.14	\$34.63	\$36.19	\$37.82	\$38.77

**Monthly Wastewater Readiness to Serve Charges
Large Users Outside**

<u>Readiness to</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
	\$39.64	\$41.42	\$43.28	\$45.23	\$47.27	\$48.45

The monthly Cross Connection Control Program Fee for users of the water from the Village system within the incorporated municipal limits and the outside the incorporated municipal limits, but within the defined village service area, shall be as follows:

Inside Village (per assembly unit)

<u>Commercial</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
	\$5.45	\$5.61	\$5.78	\$5.95	\$6.13	\$6.31

The aforementioned Monthly Cross Connection Control Program Fee for commercial users of water from the Village system within the incorporated municipal limits shall be in addition to any rate or charge otherwise assessed under Chapter 78 of the Village Code of Ordinances, including, but not limited to, the Monthly Readiness to Serve charge assessed per unit. The Monthly Cross Connection Control Program Fee is only applicable to those commercial users who have or are required to have a backflow assembly installation at their property.

- h. All applications for water and/or wastewater service shall be accompanied by a deposit based upon the meter size:

Each deposit can be increased based upon the average monthly bill for water and wastewater service times a factor of three, plus an administrative fee of \$10.00.

<u>Meter Size (inches)</u>	<u>Amount</u>
5/8 or 3/4	\$150.00
1	\$250.00
1-1/2	\$490.00
2	\$980.00
3	\$1,840.00
4	\$2,710.00
6	\$5,420.00
8	\$8,130.00
Administrative fee added to each deposit	\$10.00

Each deposit can be increased based upon the average monthly bill for water and wastewater service times a factor of three, plus an administrative fee of \$10.00.

4. Meter connection fees are as follows:

a. Water meter connection fees:

<u>Meter Size (inches)</u>	<u>Amount</u>
5/8 or 3/4	\$650.00
1	\$800.00
1-1/2	\$1,000.00
2	\$1,250.00
3	*
4	*
6	*

*Connection fees will be determined for each installation by the Village Manager. Fees will be based on actual costs for meter, related equipment and installation.

- b. Water main connections \$17.00 per front foot of abutting property.
- c. Wastewater line connections \$28.00 per front foot of abutting property.

5. Capital Contributions for connection to the water and wastewater systems shall be as follows:

a. Water System capital contribution fees for connecting to the Village's water system shall be:
Equivalent Residential

<u>Meter Size (inches)</u>	<u>Units (ERUs)</u>	<u>Fiscal Year 2014 - 2019</u>
5/8 or 3/4	1	\$2,080
1	2.5	\$5,200
1-1/2	5	\$10,400
2	10	\$20,800
3	20	\$41,600
4	30	\$62,400
6	60	\$124,800
8	90	\$187,200

- b. Wastewater system capital contribution fees for wastewater service for connections to the portion of the Village's wastewater system receiving wholesale wastewater transmission and treatment service from Palm Beach County:

Equivalent Residential		
<u>Meter Size (Inches)</u>	<u>Units (ERUs)</u>	<u>Fiscal Year 2014 - 2019</u>
5/8 or 3/4	1	\$2,500
1	2.5	\$6,250
1-1/2	5	\$12,500
2	10	\$25,000
3	20	\$50,000
4	30	\$75,000
6	60	\$150,000
8	90	\$225,000

- c. Wastewater system capital contribution fees for wastewater service for connection to the portion of the Village's wastewater system receiving wholesale wastewater transmission and treatment service from Lake Worth Utilities Authority.

Equivalent Residential		
<u>Meter Size (Inches)</u>	<u>Units (ERUs)</u>	<u>Fiscal Year 2014 - 2019</u>
5/8 or 3/4	1	\$2,650
1	2.5	\$6,625
1-1/2	5	\$13,250
2	10	\$26,500
3	20	\$53,000
4	30	\$79,500
6	60	\$159,000
8	90	\$238,500

6. Miscellaneous fees for the utility system shall be as follows:

1.	Temporary Turn Off	\$60.00
2.	Reconnect Fee	\$60.00
3.	Recheck Meter Reading	\$30.00
4.	Meter Calibration Fee	\$50.00
5.	Cut Lock Fee	\$55.00
6.	Pulled Meter Fee	\$75.00
7.	Permit Fee	\$20.00
8.	Late Payment Charge	\$15.00
9.	Admin Charge on Deposit	\$10.00
10.	Transfer Fee	\$20.00
11.	Service Charge	\$20.00

12.	Tampering/Prohibited Connections Fee	\$250.00
13.	Returned Check Fee:	
	Florida Statute Minimum:	\$25.00
	Checks \$50 - 300	\$30.00
	Checks >\$300	\$40.00
	Checks >\$801	5% Face Value
14.	Broken Curb Stop	\$50.00