

ORDINANCE NO.: O-10-15

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE III, SEWERS, SECTION 16-59, RATES, OF THE CODE OF ORDINANCES OF THE CITY OF EAGLE LAKE, FLORIDA, PROVIDING AN INCREASE IN RESIDENTIAL AND COMMERCIAL SEWER RATES INSIDE AND OUTSIDE THE CITY; PROVIDING A CONFLICT AND SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the Florida Rural Water Association has presented to the City of Eagle Lake rate study findings and recommendations finding the City of Eagle Lake sewer revenues are inadequate to meet the projected expenditure requirements for the City of Eagle Lake's utilities system in order to maintain a financially sound utility and fund its anticipated needs; and

WHEREAS, the Florida Rural Water Association has also recommended certain rate increases be implemented to the City of Eagle Lake's sewer customers; and

WHEREAS, by virtue of this Ordinance the City of Eagle Lake desires to adopt sewer rates as recommended by the Florida Rural Water Association that will produce water and sewer system revenues needed in order to maintain a financially sound utility; and

WHEREAS, the Florida Rural Water Association's recommended rates for residential customers is \$20.70 for inside-city customers and 25 percent higher for outside-city customers, representing an increase over the current rates of \$11.12 and \$13.77, respectively; to minimize the impact on its affected residents, the City of Eagle Lake desires to stage these increases over a two year period; and

WHEREAS, the Florida Rural Water Association's recommended facility charge rate for sewerage customers within the City limits, who are not water customers, is \$65.00, representing an increase over the current rate of \$57.14; to minimize the impact on its affected residents, the City of Eagle Lake desires to stage this increase over a two year period; and

WHEREAS, the City of Eagle Lake has provided notice of the proposed sewer rate, charge or fee increase for sewer service to each water and sewer customer through the City of Eagle Lake's utility billing process pursuant to Florida Statute 180.136.

NOW, THEREFORE, be it ordained and enacted by the people of the City of Eagle Lake, Florida:

1. Chapter 16, Article III, Sewers, Section 16-59, Rates, of the Code of Ordinances of the City of Eagle Lake, Florida is hereby amended to provide an increase in residential and commercial sewer rates inside and outside the City as follows:

A. Section 16-59 is hereby amended as shown on Exhibit "A" attached hereto and made a part hereof. (Strikethrough language deleted and underlined language added.) The changes provided in Exhibit "A" shall be implemented on billing statements scheduled to be received by customers the first week of November, 2010, for usage during the immediately preceding billing cycle.

B. Section 16-59 is hereby amended as shown on Exhibit "B" attached hereto and made a part hereof. (Strikethrough language deleted and underlined language added.) The changes provided in Exhibit "B" shall be implemented on billing statements

scheduled to be received by customers the first week of November, 2011, for usage during the immediately preceding billing cycle.

2. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect.

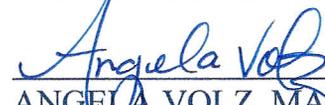
3. Should any section, paragraph, clause, sentence, item, word or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part hereof, not so declared to be invalid.

4. This ordinance shall take effect immediately upon its adoption by the City Commission of the City of Eagle Lake, Florida.

INTRODUCED on first reading this 11th day of August, 2010.

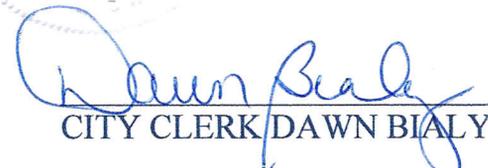
PASSED on second reading this 8th day of September, 2010.

CITY OF EAGLE LAKE, FLORIDA



ANGELA VOLZ, MAYOR
COMMISSIONER

ATTEST:



CITY CLERK DAWN BIALY

Approved as to form:



CITY ATTORNEY ROBERT G. FEGER

Ordinance 10-15
Sec. 16-59. Rates.

Exhibit "A"

(a) There are hereby established rates and the charges for the use and service of the sewerage system of the city. Such rates shall be based on the minimum charges stated or the amount of water supplied to the user by the city waterworks system as shown on the water meter readings for each month as follows:

(1) For system users who are water customers, the rate shall be:

a. *Residential rates:*

1. *Inside city:*

- i. First 1,000 gallons..... ~~\$11.12~~ \$15.91
- ii. Over 1,000 gallons, per 1,000 gallons..... \$ 3.54

2. *Outside city:*

- i. First 1,000 gallons..... ~~\$13.77~~ \$19.89
- ii. Over 1,000 gallons, per 1,000 gallons..... ~~\$ 4.90~~ \$ 4.43

b. *Commercial rates:*

1. *Inside city:*

- i. First 1,000 gallons..... ~~\$11.62~~ \$15.91
- ii. Over 1,000 gallons, per 1,000 gallons..... \$ 4.48

2. *Outside city:*

- i. First 1,000 gallons..... ~~\$14.40~~ \$19.89
- ii. Over 1,000 gallons..... ~~\$ 6.44~~ \$ 5.60

iii.

c. Amounts charged for the first 1,000 gallons are minimums regardless of the usage.

(2) For those who use the sewerage system but not water, the rate shall be as follows:

a. *Residential rate:*

1. Inside city, per month..... ~~\$57.14~~ \$61.07
2. Outside city, per month..... ~~\$77.47~~ \$76.34

b. *Commercial rate:*

1. Inside city, per month..... \$87.47
2. Outside city, per month.....~~\$107.47~~ \$109.34

(b) All potential users required by this article or by state law or regulation to connect to the system shall be charged the appropriate monthly user charge regardless of whether or not their structure is actually connected to the system.

(c) Exemptions from sewer charges shall be as follows.

- (1) Users that have a separately metered ice machine shall not be subject to sewer charges for water used in this machine.
- (2) Users that have a separately metered irrigation system shall not be subject to sewer charges for water used in this system.

(a) There are hereby established rates and the charges for the use and service of the sewerage system of the city. Such rates shall be based on the minimum charges stated or the amount of water supplied to the user by the city waterworks system as shown on the water meter readings for each month as follows:

(1) For system users who are water customers, the rate shall be:

a. *Residential rates:*

1. *Inside city:*

- i. First 1,000 gallons..... ~~\$15.91~~ \$20.70
- ii. Over 1,000 gallons, per 1,000 gallons..... \$ 3.54

2. *Outside city:*

- i. First 1,000 gallons..... ~~\$19.89~~ \$25.88
- ii. Over 1,000 gallons, per 1,000 gallons..... \$ 4.43

b. *Commercial rates:*

1. *Inside city:*

- i. First 1,000 gallons..... ~~\$15.91~~ \$20.70
- ii. Over 1,000 gallons, per 1,000 gallons..... \$ 4.48

2. *Outside city:*

- i. First 1,000 gallons..... ~~\$19.89~~ \$25.88
- ii. Over 1,000 gallons..... \$ 5.60

iii.

c. Amounts charged for the first 1,000 gallons are minimums regardless of the usage.

(2) For those who use the sewerage system but not water, the rate shall be as follows:

a. *Residential rate:*

1. Inside city, per month..... ~~\$61.07~~ \$65.00
2. Outside city, per month..... ~~\$76.34~~ \$81.25

b. *Commercial rate:*

1. Inside city, per month..... \$87.47
2. Outside city, per month..... \$109.34

(b) All potential users required by this article or by state law or regulation to connect to the system shall be charged the appropriate monthly user charge regardless of whether or not their structure is actually connected to the system.

(c) Exemptions from sewer charges shall be as follows.

- (1) Users that have a separately metered ice machine shall not be subject to sewer charges for water used in this machine.
- (2) Users that have a separately metered irrigation system shall not be subject to sewer charges for water used in this system.