

**CHAPTER III**  
**OPERATING POLICIES AND PROCEDURES**  
**ST. LUCIE WEST SERVICES DISTRICT**  
**WATER, WASTEWATER, AND IRRIGATION UTILITY SYSTEM**

**PART I. GENERAL PROVISIONS AND DEFINITIONS APPLICABLE TO THE ST. LUCIE WEST SERVICES DISTRICT WATER, WASTEWATER, AND IRRIGATION UTILITY SYSTEM:**

**SECTION 1:**

(a) Utility service shall be provided by the District in accordance with the operating policies of the District that are set forth in this Chapter, including rates applicable to the services provided for potable water treatment and distribution, wastewater collection and disposal, and irrigation quality water production and distribution.

(b) The District Manager is authorized to issue such directives and to prescribe such procedures by internal management memoranda as may be necessary to carry out the purposes of this Chapter. The District Manager may issue such administrative manuals as necessary for the effective administration of the District potable water, wastewater, and irrigation water utility system. So long as such internal management memoranda and administrative manuals are consistent with this Chapter and governing regulatory requirements, the provisions shall be binding upon all District employees and utility system customers.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised June 11, 1996; May 7, 2013

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Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised September 9, 2003; July 13, 2004; August 7, 2007; October 21, 2008; December 15, 2009; May 7, 2013

**SECTION 3: DEFINITIONS:** The following terms and phrases, when used herein, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning. Words used in the present terms shall include the future, and the singular number includes the plural, and the plural the singular.

3.1 **ST. LUCIE WEST SERVICES DISTRICT (“SLWSD”):** A governmental agency of the State of Florida, created pursuant to Chapter 190, Florida Statutes.

3.2 **ENGINEER:** The engineer licensed in the State of Florida and engaged by the District Board of Supervisors to provide professional engineering services to the utility system or his authorized representatives or consultant.

3.3 **BILL DATE:** The date a bill for utility service is generated by the District Billing Department shall be known as the bill date or the statement date.

3.4 **BILL DUE DATE:** All bills for utility service shall be due by 4:00 p.m. on the date that is twenty (20) calendar days from the Bill Date. This date shall be known as the Bill Due Date. If the Bill Due Date is a weekend or District holiday, then the Bill Due Date shall be extended to the next business day.

3.5 **CONNECTION CHARGES:** Those charges of the District required to be paid by a consumer as a condition precedent to the interconnection of District’s utility system with a consumer’s property.

3.6 **CONSUMER:** Any person, firm, association, corporation, governmental agency or similar organization with an account with the District for service, which term shall also include developers, bulk users, and dispensed water users.

3.7 **CONSUMER INSTALLATION:** All pipes, fixtures, meters, appurtenances of any kind and nature used in connection with or forming a part of an installation for utilizing water, wastewater, and/or irrigation services for any purpose, located on the consumer’s side of “point of delivery,” whether such installation is owned outright by a consumer or by contract, lease or otherwise.

3.8 **DEVELOPER:** Any person, corporation, or other legally recognized entity who engages in the business of making improvements to or upon real property located within or without the District as owner or legally constituted agent for the owner of such real property.

3.9 **DISPENSED WATER:** Water service supplied to a consumer dispensed through a District hose located on District property for a flat monthly rate.

3.10 **DISTRICT:** The St. Lucie West Services District as defined in 3.1.

3.11 **DISTRICT MANAGER:** The manager of the District or designee.

3.12 **EASEMENTS:** Rights of ingress, egress, dedications, rights of way, conveyances or other property interests necessary or incidental to the installation, extension, repair, maintenance, construction, or reconstruction of District’s utility system or any components thereof, over or upon consumer’s property.

3.13 MAIN: Shall refer to pipe, conduit or other facility installed to convey water or wastewater service from individual laterals or to other mains.

3.14 OFF-SITE FACILITIES: Those components of water distribution and sewage collection facilities located outside consumer's property connected with facilities of the District, in accordance with the size required by the District.

3.15 ON SITE FACILITIES: Those components of water distribution and sewage collection facilities located upon consumer's "property."

3.16 PAST DUE DATE or PENALTY DATE: All bills for utility service shall be past due after the Bill Due Date and shall incur a penalty charge. The date that bills are past due shall be known as the Past Due Date or Penalty Date.

3.17 POINT OF DELIVERY or POINT OF SERVICE: The point where the District pipes are connected with the pipes of the consumer. Unless otherwise designated on utility service as-built drawings or a Florida Department of Environmental Protection permit application on file with the District:

(a) The point of delivery for potable water service shall be at the discharge side of the water meter that is located at or immediately adjacent to a right-of-way or utility easement dedicated or granted to the District by an instrument ("District Easement") recorded in the public records of St. Lucie County. If the meter is not within or immediately adjacent to a District Easement, the point of delivery shall be at the intersection of the water service line that extends to such meter with the outer boundary of the District Easement in which the District's potable water main is located.

(b) The point of delivery for wastewater service shall be at the upstream connection of a wastewater lateral clean-out that is located within or immediately adjacent to a District Easement. In the absence of a clean-out located within or immediately adjacent to a District Easement, the point of delivery shall be at the intersection of the wastewater lateral with the outer boundary of the District Easement in which the District's wastewater main is located.

(c) The point of delivery for irrigation water service shall be at the intake side of the first solenoid/shut-off valve on the irrigation distribution line serving the development in which the consumer is located, so long as (1) the first such valve is located within or immediately adjacent to a District Easement and (2) the irrigation distribution line has been conveyed to and accepted by the District for operation as a part of the District's irrigation system. If the first valve is not located within or immediately adjacent to a District Easement, the point of delivery shall be at the intersection of such distribution line with the outer boundary of the District Easement in which the District's irrigation main is located. If the irrigation distribution line has not been conveyed to and accepted by the District, the point of delivery shall be the point of connection of the District's irrigation transmission main with the distribution line.

3.18 PROPERTY: The land or improvements upon land which the consumer is owner or over which consumer has control either by contract or possessory interest sufficient to author-

ize consumer to make application for service, or adjacent right of way which services the land or site being developed. District may require proof of such interest prior to the furnishing of service by copy of instrument of conveyance, warranty deed, contract or appropriate verified statement contained in the application for service.

3.19 RATE SCHEDULE: The schedule or schedules of rates or charges for the particular classification of service.

3.20 SERVICE: Shall be construed to include, in addition to all water, irrigation water and wastewater utilities required by the consumer the readiness and ability on the part of the District to furnish water, irrigation water and wastewater services to the consumer.

3.21 SERVICE OR LATERAL LINES: Those pipes of the District that connect to the consumer's lines.

3.22 AFPI (Allowance for Funds Prudently Invested): The charge representing the carrying costs associated with the excess capacity of the plant which will not be used until future customers connect for service. The AFPI charge is a one-time charge based on the number of ERC's of demand. It is applicable to all future customers prior to connection to the system.

3.23 TERMS "SHALL" AND "MAY": As used herein, the word "may" is permissive, and the word "shall" is mandatory.

3.24 UTILITIES DIRECTOR: The appointed Head of the Utility Department of the District or his authorized representative.

3.25 UTILITY SYSTEM: As used herein, refers to the District's water distribution and sewage collection systems, and any component parts thereof.

3.26 WASTEWATER STANDARD and EXCESS STRENGTH SURCHARGE PARAMETERS:

(a) BOD (Biochemical Oxygen Demand): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C. (68° F.), expressed in parts per million by weight, as determined by Standard Methods.

(b) CF: The conversion factor to obtain dry weight of Pollutant in pounds.

(c) CONC: The average Pollutant concentration per utility billing cycle, as determined by the District, over and above the standard strength for wastewater (i.e., average BOD or TSS minus 250 mg/l).

(d) COST: The District's unit cost per pound for conveying, treating, and disposing of a Pollutant (BOD or TSS).

(e) LOAD: The mass of Pollutant discharged, in pounds.

(f) pH: The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution, as determined by Standard Methods.

(g) Pollutant: Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, municipal

waste, agricultural waste, industrial waste, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, toxicity, or odor).

(h) ppm or mg/L: Parts per million, a ratio by weight per volume, and interchangeable with milligrams per liter.

(i) Standard Methods: The current edition of “Standard Methods for the Examination of Water and Wastewater” as prepared and published by the American Public Health Association, American Water Works Association, and the Water Environment Federation.

(j) Standard Strength: The standard strength for wastewater discharged into Utility System wastewater lines or facilities, 250 mg/L BOD and 250 mg/L TSS.

(k) SUR: The excess strength surcharges assessed by the District for a billing cycle.

(l) Total Solids: The total weight, expressed in ppm, of all settleable, suspended, or dissolved solids in the wastewater, as determined by Standard Methods.

(m) TSS (Total Suspended Solids): The solids that either float on the surface of, or in suspension in, water, wastewater, or other liquid, and are removable by laboratory filtering, expressed in ppm, as determined by Standard Methods.

(n) VOL: The wastewater discharge volume in million gallons per utility billing cycle, as determined by the District.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised December 15, 2009; May 7, 2013; August 4, 2015

**SECTION 4: GENERAL:** In the absence of specific written agreement to the contrary entered into prior to the effective date of this Resolution, these regulations apply without modification or change to each and every consumer to whom the District renders service.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992



**SECTION 5: APPLICATION FOR SERVICE:**

(a) Service shall be furnished only upon signed application accepted by the District and the conditions of such application are binding upon the consumer as well as upon the District. To obtain service, application shall be made to the District in the manner specified by the District Manager. Applications shall be submitted to the District at least 24 hours (one business day) prior to establishing an account.

(b) Applications are accepted by the District with the understanding that there is no obligation on the part of the District to render service other than that which is then available from its existing water production and distribution equipment and service lines, and from its existing sewage treatment collection, transmission and treatment facilities.

(c) The applicant shall furnish to the District at the time of making application the name of the applicant, the legal proof of ownership or other interest in or to the property or location (such as a form of power of attorney or a lease), and the legal description or street address at which service is to be rendered. Application for service required by firms, partnerships, associations, corporations and others, shall be tendered only by duly authorized parties and identification must be rendered at the time of application.

(d) When service is rendered under agreement or agreements entered into between the District and an agent of the principal, the use of such service by the principal shall constitute full and complete ratification by the principal of the agreement or agreements entered into between the District and an agent of the principal under which such service is rendered.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised December 15, 2009; May 7, 2013

**SECTION 6: WITHHOLDING SERVICE:** The District may withhold service to a consumer who makes application for service at or upon a location for which prior service has not been paid in full to the date of such application. It shall be the responsibility of the applicant to make inquiry as to the delinquent status of the account and bring said account current as a condition precedent to continuation of service. The District shall maintain current records of outstanding accounts and shall make such information available to the public at its offices during normal business hours. Service may also be withheld for service installations which are not complete or are not in compliance with District requirements.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

**SECTION 7: LIMITATIONS OF USE:**

(a) The consumer shall not sell or otherwise dispose of utility service supplied by the District without authorization from the District to do so.

(b) Any utility service furnished by the District to the consumer through District meters may not be re-metered by the consumer for the purpose of selling or otherwise disposing of such service without the written consent of the District.

(c) In no case shall a consumer, except with the written consent of the District, extend water, wastewater, or irrigation lines across a street, alley, lane, court, property line, avenue, or other public thoroughfare or right of way in order to furnish utility service for adjacent property even though such adjacent property is owned by him.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised May 7, 2013

**SECTION 8: UNAUTHORIZED CONNECTION OR USE:**

(a) No person, without written consent of the District shall tap any pipe or main belonging to a District water, wastewater, or irrigation system for the purpose of taking or using water from the system or from such pipe or main, for connecting to the wastewater system, or for any other purpose. Connections to the District's water, wastewater, or irrigation system for any purpose whatsoever are to be made only as authorized by the District.

(b) In any case of any unauthorized interconnection, extension, re-metering, sale or disposition of utility service, consumer's utility service shall be subject to discontinuance until such unauthorized use or disposition is discontinued and full payment is made for such service, calculated on proper classification and rate schedules plus penalties and reimbursement in full made to the District for any extra expenses incurred by District as the result of such unauthorized use, including administrative costs, testing, inspections, and court costs. In addition, unauthorized use may result in appropriate criminal prosecution by District.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised December 15, 2009; May 7, 2013

**SECTION 9: CONSUMER DEPOSITS/COLLECTION AND REFUND:**

(a) Upon application for service, before the District renders service, a deposit to secure the payment of bills and any expenses incurred by the District is required from the consumer, and, upon payment, the District shall give the consumer a non-negotiable and non-transferable deposit receipt. Such deposit shall bear no interest and, except as provided in paragraph (b) of this Section 9, shall remain with the District until termination of service. Deposits shall be made in accordance with the rate Schedule E of the District in effect at the time of payment.

(b) Once each month the District shall prepare a list of all consumers who have utility service deposits with the District and who:

(1) Have been consumers of District utility services for more than twenty-four (24) consecutive calendar months, and

(2) Have not, during the immediately preceding twelve (12) month period (i) paid a bill for District utility service past the Bill Due Date, (ii) tendered to the District a payment for utility service that was subsequently returned or refused by the consumer's bank, or (iii) had District utility service disconnected for nonpayment of amounts due.

The District Manager shall direct that the deposit of any consumer meeting the criteria set forth in subparagraphs (b)(1) and (2) of this Section 9 shall be applied to (credited against charges due under) such consumer's account until the deposit is fully credited.

(c) Upon final settlement of a consumer's account, any deposit not previously credited as provided in paragraph (b) of this Section 9 and any outstanding credit on the account shall be applied by the District to any account balance due. If there is any remaining balance of the deposit and/or any outstanding credit to the account in excess of \$.50, the remaining balance will be refunded to the consumer upon rendering proper identification and legal documentation of termination of ownership or other interest in or to the property.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised January 10, 2006; May 7, 2013

## **SECTION 10: BILLING:**

(a) Bills for service shall be rendered monthly or periodically at intervals not to exceed ninety (90) days at the direction of the Board of Supervisors. The date a bill for utility service is generated by the District Billing Department shall be known as the Bill Date or the statement date. All bills for utility service shall be due by 4:00 p.m. on the date that is twenty (20) calendar days from the Bill Date. This date shall be known as the Bill Due Date. If the Bill Due Date is a weekend or District holiday, then the Bill Due Date shall be extended to the next business day.

(b) All bills for utility service shall be past due after the Bill Due Date and shall incur a penalty charge as shown on Schedule F of these policies.

(c) If an account at a service location is terminated without a new account opening at that service location, then the District shall reinstate the account of the property owner for that service location, if applicable, and bills shall accrue to the reinstated account.

(d) If a consumer payment is declined or returned to the District for insufficient funds or any other reason, then the consumer shall be responsible for a returned payment fee in accordance with Schedule F of these policies.

(e) Upon final settlement of a consumer's account, any amount owing to the District that is \$.50 or less shall be written off by the District and not collected from the consumer.

(f) Should any account balance become past due after the final settlement of that account, the outstanding account balance shall be applied to the next consumer's account for that service location and may result in service being terminated if not paid within twenty (20) calendar days of the date of the District written notice of the outstanding account balance. If this date falls on a weekend or District holiday, then the due date shall be the next business day.

(g) A consumer may request payment assistance from the District if the consumer meets the following criteria for eligibility:

(1) A consumer may request payment assistance if the amount due on the consumer's account is at least 300% of the amount of the consumer's total monthly charges for the consumer's last monthly bill. If the amount due is 300% to 599% of the amount of the consumer's total monthly charges for the consumer's last monthly bill, then the consumer is eligible for a three month payment plan. If the amount due is 600% to 899% of the amount of the consumer's total monthly charges for the consumer's last monthly bill, then the consumer is eligible for a six month payment plan. If the amount due is 900% or more than the amount of the consumer's total monthly charges for the consumer's last monthly bill, then the consumer is eligible for a twelve month payment plan.

(2) If a consumer is establishing a new account and there is an overdue balance on the account at the service location, then the consumer may request payment assistance if the overdue balance is \$600.00 or greater. The consumer must pay at least half

of the overdue amount upon application for service and the remainder within three months.

The District will provide a consumer who meets the eligibility criteria set forth in subparagraphs (g)(1) and (2) of this Section 10 a payment plan agreement. If a consumer with a payment plan agreement with the District terminates service to the account, then all amounts due on the account shall be due upon the final settlement of the account.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised December 15, 2009; May 7, 2013

**SECTION 11: DELINQUENT BILLS, LATE NOTICES, AND PROCEDURES  
FOR CONTESTING CHARGES:**

All statements and billings for utility services shall be deemed delinquent if not paid within twenty (20) days of the Bill Due Date shown thereon by 4:00 p.m. A late notice shall be created after the Bill Due Date and mailed to the consumer. If the past due amount is not received by the District within ten (10) calendar days of the date of the late notice, then service at the property location shall be terminated as provided in Section 25. Any consumer contesting any charges shall follow the following dispute procedure:

(a) The consumer shall file a written statement contesting the charges with the Billing Department within sixty (60) calendar days of the date the charges were assessed to the account. The written statement shall contain the consumer's name, service address, mailing address if different from service address, an explanation outlining the reasons why the charges are being contested, and any supporting documentation should be included.

(b) The Billing Department shall review the consumer's written statement and provide a written response to the consumer within seven (7) business days of receipt of the consumer's written statement informing the consumer either (1) that the contested charges are being corrected, or (2) the reasons why the charges are correct and informing the consumer of the opportunity to appeal the matter to the District Manager in accordance with this Section 11.

(c) If unsatisfied with the decision of the Billing Department, the consumer may appeal the decision of the Billing Department by filing a written appeal with the District Manager within seven (7) business days of receipt of the Billing Department's response. The written appeal shall contain the consumer's name, service address, mailing address if different from the service address, an explanation outlining the reasons why the charges are being contested, and any supporting documentation, which shall include at a minimum a copy of the contested charges, a copy of the consumer's written statement to the Billing Department, and a copy of the Billing Department's written response.

(d) The District Manager shall review the consumer's appeal and provide a written determination within seven (7) business days of receipt of the consumer's appeal. The written determination shall include a statement regarding the consumer's right to an appearance before the Board of Supervisors in accordance with this Section 11.

(e) If the consumer is unsatisfied with the determination of the District Manager, he/she may request an appearance before the Board of Supervisors by filing a written request with the District Manager within seven (7) business days of receipt of the District Manager's determination. The written request shall include the same information required in Section 11 (a), a copy of the contested charges, a copy of the consumer's written statement to the Billing Department, a copy of the Billing Department's written response, a copy of the consumer's appeal, and a copy of the District Manager's written determination.



(f) Within seven (7) business days of receipt of the consumer's request for appearance, the District Manager shall provide a written notice to the consumer of the date, time, and location of the meeting of the Board of Supervisors at which the consumer may appear. The meeting shall be the next regularly scheduled meeting of the Board of Supervisors that is scheduled at least ten (10) business days after receipt of the customer's request for appearance. The written notice to the consumer shall be sent at least seven (7) days prior to the date of the meeting. The consumer shall have ten (10) minutes to present his/her case to the Board of Supervisors. After the meeting, a written decision shall be provided to the consumer within seven (7) business days. The decision of the Board of Supervisors shall be final.

(g) If during the dispute procedure an adjustment to the billing is made, a refund to the consumer shall be rendered either as a credit to the consumer's active account or by check at the discretion of the District.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised December 15, 2009; May 7, 2013

**SECTION 12: ADJUSTMENT OF BILLS; METER READINGS AND METER INSPECTIONS:**

(a) When a consumer is determined by the District to have been overcharged or undercharged as a result of incorrect meter reading, defective metering, incorrect application of rate schedule fees and charges, or mistake in billing, the amount so determined may be credited or billed to the consumer, as the case may be. The adjustment shall be accomplished over a period not to exceed ninety (90) days, unless otherwise directed by the District Manager and so noted on the account.

(b) The District may read and inspect meters periodically to determine their condition and accuracy and as a basis for periodic billings. If a consumer requests an inspection or re-reading of a meter, the District may impose a service charge as provided in Section 22 and Schedule F of these policies.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised December 15, 2009; May 7, 2013

**SECTION 13: ACCESS TO PREMISES:** As a condition to providing service, the consumer shall grant to District or its authorized agents or employees access to consumer's property during all reasonable hours and, in the event of an emergency, at any time, for the purposes of reading meters or maintaining, inspecting, repairing, installing or removing District's property, and for any other purposes incident to performance under or termination of any agreement with a consumer or such consumer's predecessor in interest or use of the facilities or services made accessible to the District by the consumer or to be relocated by the District.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

**SECTION 14: INSPECTIONS OF CONSUMER'S INSTALLATION:** The District reserves the right to inspect and approve any consumer installation prior to providing service and from time to time thereafter to ensure compliance with applicable laws, rules of the District, and rules and regulations affecting such installation. No changes or increases in any consumer installation which will materially affect proper operation of District utility system shall be made by a consumer without express written consent of the District Engineer and approval of the District Utilities Director. Consumer shall be responsible for the cost of making changes or repairs resulting from any unauthorized alteration, and the District may require payment or reimbursement thereto as a condition to continued service.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

**SECTION 15: PROTECTION OF DISTRICT PROPERTY:** In the event of any damage to District property located upon consumer's property which arise out of any act of consumer or agents, employees or independent contractors upon the premises, the cost of repairs or replacement shall be the responsibility of the consumer, and full payment or reimbursement to the District therefore may be a condition imposed by the District for the continuation of service.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

**SECTION 16: TERMINATION OF SERVICE ACCOUNT:**

(a) It shall be the obligation of the consumer to notify the District of circumstances for which termination of a service account is requested, which shall include rendering proper identification and legal documentation of termination of ownership or other interest in or to the property. After proper notification, the District shall have a reasonable time not to exceed three (3) business days in which to discontinue service. The consumer shall be responsible for all service charges incurred to the final reading(s) and final billing for the property.

(b) Consumer deposits shall be applied to balances due as provided in Section 9 of these policies. Insufficiency of deposits to cover delinquencies or final charges upon termination of service at any consumer location shall, as to any applicant for service at such location, be governed by Section 6 (Withholding Service) of these policies.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised; May 7, 2013

**SECTION 17: RESUMPTION OF SERVICE:**

(a) After termination or discontinuance of service as provided herein, the District may require as a condition precedent to service resumption payment in full and/or any reconnection fees, meter installation or removal and reinstallation costs, inspection costs, or other costs incident thereto in accordance with District's schedule of fees and costs for such services then in effect.

(b) Upon application by a property owner or a person authorized by the property owner, the District shall temporarily reconnect water service at a service location that has been shut off for a temporary reconnection fee of \$25.00 as provided in Schedule F. Temporary reconnection of water service shall be furnished only for the purpose of home inspection and only upon signed application accepted by the District, and the conditions of the application are binding upon the consumer as well as upon the District. Application must be made in the manner provided by the District Manager at least one business day prior to temporary reconnection of water service. Temporary reconnection of water service may be scheduled between the hours of 9:00 a.m. until 3:00 p.m. on a regular business day of the District.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992  
Revised May 7, 2013

**SECTION 18: CONTINUITY OF SERVICE:** The District will at all times use reasonable diligence to provide continuous service, and having used reasonable diligence, shall not be liable to the consumer for failure or interruption of continuous service. The District shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accidents, litigation, breakdowns, shutdowns for repairs or adjustments, acts of sabotage, enemies of the United States, wars, governmental interference, acts of God or other causes beyond its control.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992



**SECTION 19: MAINTENANCE AND STANDARDS:** All pipes, conduits or other component parts of service installed in or upon the premises of a utility consumer shall conform to District standards of type, quality, quantity and regulations regarding installation. Consumer shall be responsible for maintaining all on site facilities in proper repair, and shall not alter or modify any interconnection of service without first notifying District and securing approval thereto in writing or by permission from an authorized representative of District's utility department. Unauthorized alteration or modification of any on site utility service interconnection may result in immediate termination of the affected service and repair or restoration by District or at its direction at the consumer's costs.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

**SECTION 20: METERS:**

(a) Each consumer of the District receiving potable water must have a water meter which measures flow and which is the ultimate basis for water charges. All water meters shall be furnished by, installed by and remain the property of the District and shall be accessible to and subject to its control. Meters are not transferable to another residence or business site.

(b) The consumer shall provide meter space to the District at a suitable and readily accessible location and when the District considers it advisable, within the premises to be served, adequate and proper space for the installation of meters and other similar devices.

(c) Before a meter is installed, all meter fees, deposits, AFPI charges and connection fees being due must be paid.

(d) The meter to be furnished by the District shall be sized to be compatible with the existing line and main sizes according to District standards and specifications at the consumer's expense. The consumer shall be required to provide a proper service connection and service line in accordance with the District standards and specification. Meter sizes, other than those originally specified or intended, shall be as approved by the District Engineer and the District Utilities Director.

(e) Consumers shall not have separate potable water meters for permanent irrigation service. All existing potable water meters installed for permanent irrigation service shall be phased out (1) within ninety days of December 15, 2009, if a District irrigation transmission main is within two hundred feet of the Consumer's property or (2) otherwise, by January 1, 2014.

(f) Consumers may have temporary potable water meters installed and shall pay for water service according to Schedule A, a deposit fee according to Schedule E, and any applicable miscellaneous fees according to Schedule F. If the temporary meter is damaged during consumer's use, the consumer shall be responsible for the cost of the damage or replacement of the meter.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised December 15, 2009; May 7, 2013

**SECTION 21: ALL POTABLE WATER THROUGH METER; GOVERNMENT ENTITY IRRIGATION:**

(a) That portion of the consumer's installation for potable water service shall be arranged so that all water service shall pass through the meter. No person shall make or cause to be made any connection with any main, service pipe, or other pipes, appliances or appurtenance used for or in connection with the District's potable water system in such manner as to cause to be supplied water from such plant to any faucet or other outlet whatsoever without such water passing through a meter provided by the District and used for measuring and registering the quantity of water passing through the same, or make or cause to be made, without the consent of the District, any connection with any such plant or any main, pipe service pipe or other instrument or appliance connected with such plant in such manner as to take or use, without the consent of the District, any water.

(b) With regard to the District's Irrigation Utility System, public facilities such as parks, schools, or any lands owned by a governmental entity have the option of providing onsite irrigation through the withdrawal of water from the District's stormwater management system in lieu of the mandatory connection to the District's effluent/surface water management irrigation system, subject to certain permit conditions as outlined in the permit issued by the South Florida Water Management District. The governmental entity availing itself of this option shall pay all permitting costs, capital and ongoing electrical and operation and maintenance costs in lieu of any monthly charge for irrigation water provided by the District. If irrigation water is required from the District's main irrigation system as a back-up or during repair periods, the commercial charges contained within Chapter III for irrigation water will be billed based upon the number of days such use is required or the metered consumption, if available.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised June 11, 1996; December 15, 2009

**SECTION 22: METER TESTING:** The District reserves the right to remove the meter and check, repair, or replace it at any time at no cost to the consumer. Should a consumer desire the meter at the consumer's property to be checked at any time, the consumer may have this work done by submitting a request to the District. Should the meter be tested and found to be registering over five percent (5%) more than is actually used, then the last three (3) months' service bill will be adjusted accordingly (or if the account has been open a lesser period, then the service bill(s) for that period will be adjusted accordingly), the meter will be repaired or replaced, and no meter testing fee will be charged. In any other case, the District shall charge a fee for meter testing in accordance with the rate schedules of the District in effect at the time of such testing.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992  
Revised May 7, 2013

**SECTION 23: DAMAGING, TAMPERING WITH, OR ALTERING FACILITIES**

**OF UTILITY PLANT OR SYSTEM:** No person shall damage or knowingly cause to be damaged any meter or water, wastewater, or irrigation pipe or fittings connected with or belonging to a District water, wastewater, or irrigation system, or tamper or meddle with any meter or other appliance or any part of such system in such a manner as to cause loss or damage to the District; prevent any meter installed for registering water from registering the quantity which otherwise would pass through the same; alter the index or break the seal of any such meter; in any way hinder or interfere with the proper action or just registration of any such meter; fraudulently use, waste or suffer the loss of water passing through any such meter, pipe or fitting, or other appliance or appurtenance connection with or belonging to such system after such meter, pipe, fitting, appliance or appurtenance has been tampered with, injured or altered.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992  
Revised May 7, 2013

**SECTION 24: PRIVATE FIRE SERVICE CONNECTION:**

(a) A private fire service connection is to be used for fire purposes only and is to have no connection whatsoever with any service lines that may be used for other than fire purposes, and because of the danger of pollution, shall have no connection with any other source of supply with the exception in case a tank or fire pump is installed as secondary supply. There shall be a backflow preventer installed by the consumer at his expense in each District connection to prevent the water from these secondary supplies from flowing into the District mains.

(b) The consumer shall not draw any water whatsoever through this connection for any purpose except the extinguishing of fires, or for periodic tests of the fire system, which tests shall be made in the presence of a representative of the District. Any authorized representative of the District shall have free access to the building at any reasonable time for the purpose of inspecting any of the equipment.

(c) The consumer shall set in this connection at the point of delivery, a weighted check valve fitted with a by-pass on which shall be set a meter, installed by District at consumer's expense, the purpose of which shall be to indicate whether or not water is being used through this connection and for the further purpose of showing any leakage, if same exists. All meters shall become the property of the District.

(d) Violation by the consumer of any of the regulations in this section shall justify the District to disconnect said pipe or pipes, or stop the flow of water through same.

(e) The right is reserved by the District to shut off the supply at any time in case of accident, or to make alterations, extensions, connections, or repairs and if possible, the District agrees to give due and ample notice of such shut-off.

(f) The District does not make any guarantee as to a certain pressure in the pipe or in the main supplying same, and shall not be, under any circumstances held liable for loss or damage to the owner for a deficiency or failure in the supply of water, whether occasioned by shutting off of water in case of accident or alteration, extensions, connections or repairs, or for any cause whatsoever.

(g) When fire line valves or connections are used in case of fire or for any other reason whatsoever, the consumer shall immediately notify the District and the District shall forthwith reseal the used valves or connections.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised May 7, 2013

## **SECTION 25: TERMINATION OF SERVICE:**

(a) All utility service shall be pursuant to proper permit or application, which procedure accords the District the opportunity to provide for orderly expansion of facilities and regulation thereof in a manner calculated to ensure continuous service to all consumers. Inherent in this obligation is the governmental prerogative of necessity to terminate consumption which is adverse to the continuous, orderly and uninterrupted operation and maintenance of its utility service. Accordingly, the District reserves the right by unilateral act in its sole discretion to refuse service, or to terminate service temporarily, or to discontinue service in all instances when conditions exist which would constitute an emergency of public concern, or when the providing of any service would constitute a threat to the safety, health or welfare of consumers generally or a significant portion of the consumer population.

(b) When discontinuance or termination of service can be remedied by an act of the consumer, the District shall provide notice of remedial action to the consumer in order that service may be continued uninterrupted. Acts considered to be remedial by the consumer, and for which service may be temporarily terminated, discontinued or interrupted are the following:

- (i) Failure to pay a bill for utility service that is past the Past Due Date.
- (ii) Failure of consumer to meet provisions of agreements with the District.
- (iii) Failure to correct deficiencies in piping or other components upon consumer's property after reasonable notice thereof.
- (iv) Use of service for any other property or purpose than described in the permit or application.

(c) The District reserves the right by unilateral act in its sole discretion to refuse service, terminate service temporarily, or to discontinue service without notice under the following circumstances:

- (i) Causing, or allowing to exist, a hazardous condition with respect to the location, use of, or access to any utility service or component.
- (ii) Alteration or modification of any transmission or metering component or device used in providing any utility service to the consumer. Any such unauthorized use, if fraudulent, may result in criminal prosecution and may result in restitution of revenue lost to the District as a condition to restoration of service, including costs of repair or restoration of any meters or components to normal service condition, as shall be determined by the District.
- (iii) Total or partial destruction of, or abandonment of, any structure, including any vacancy for a duration which, in the District's opinion, may create a hazardous or unsafe condition or constitute a nuisance.

(d) If service is terminated, resumption of service shall be accomplished in accordance with District policy upon the consumer making a request for resumption of service after having cured the action that caused the District to terminate service and having paid all applicable penalties or other fees due and owing to the District.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.  
Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.  
History: Adopted 1992  
Revised December 15, 2009, May 7, 2013



**SECTION 26: AMENDMENTS TO RATE SCHEDULES:** Rate schedules are attached to these policies as exhibits, being identified as: Schedule “A,” Water and Wastewater Rates and Charges; Schedule “B,” Water and Wastewater Service Availability Fees and Calculations; Schedule “C,” Water and Wastewater Meter and Inspection Fees; Schedule “D,” Irrigation Water Rates and Charges; Schedule “E,” Water, Wastewater, and Irrigation Service Deposits; Schedule “F,” Miscellaneous Service Charges; and Schedule “G,” BOD and TSS COSTs for Calculating Excess Strength Surcharges. These rate schedules and charges may be amended from time to time by rule of the Board of Supervisors adopted in compliance with the procedures set forth in Section 120.54, Florida Statutes. When enacted, such Rules amending the rate schedules shall become exhibits to these policies.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised July 13, 2004; August 7, 2007; October 21, 2008; May 7, 2013

**PART II. WATER, WASTEWATER, AND IRRIGATION UTILITY  
SERVICE**

**SECTION 27: GENERAL; DECLARATION OF POLICY:**

(a) The District owns, operates and maintains water treatment and distribution and sewage collection, also treatment and disposal systems which serve residents within the District.

(b) New development may require the extension of mains to provide service, as well as expansion of facilities to accommodate new development. In some instances, the District in anticipation of expansion of its system due to growth and development has already provided mains for services thereof.

(c) The cost of providing extensions, modifications, and expansions of facilities is to be borne by property owners, builders, or developers within the District's area to defray the costs of these extensions, modifications, and expansions. The allocable share of each is to be charged as described herein.

(d) It is the declared policy of the District by this Rule to establish a uniform method of determining charges for availability of services so that all such contributions shall be non-discriminatory among the various consumers served by the District's systems and shall be applied as nearly as possible with uniformity to all consumers and prospective consumers within the District's service areas.

(e) The District specifically reserves its rights to fix and determine rates, fees, charges and contributions required for the provisions, consumption, operation, maintenance, extension, and expansion of its utility services as provided herein and as authorized by law.

(f) Each consumer is hereby notified that the District, in the exercise of its governmental responsibility to provide for the welfare of all consumers of its utility service, has the authority and responsibility to amend its schedules of rates, fees, charges, and contributions from time to time to ensure the perpetuation of service.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992  
Revised May 7, 2013

**SECTION 28: EASEMENTS AND RIGHTS-OF-WAY:**

(a) As a prerequisite to the construction of any water distribution or sewage collection system proposed to be connected to the facilities of the District, the developer shall agree to grant to the District such easements or rights of way corresponding with the installation of the proposed facilities. Such grant or conveyance shall be in the form satisfactory to the District. Such conveyances, when located on the property of developer, shall be made without cost to the District. The District reserves the right to require such easement or right of way to the point at which the meter is proposed to be installed or at the point of delivery of service, being the point at which the facilities of the District joins with the consumers. Such easements and right of way shall be conveyed and accepted upon completion, approval, and acceptance of the work done by the developer.

(b) The District has the right to enter any and all District utility easements and rights of way to install, maintain, operate, repair, replace, or renew District utility facilities (collectively, "District Utility Work"). All landscaping and improvements planted or constructed within the boundaries of any District utility easement or right of way are the responsibility and liability of the property owner. Any damage caused to a District utility facility by such landscaping or improvement shall be the responsibility and liability of the property owner.

(c) All landscaping and improvements in District utility easements or rights of way are subject to removal, at the expense of the property owner, if and when such landscaping or improvements interfere with District Utility Work. Except as provided in paragraph (d) of this Section 28, the District shall in no way be liable for damage to landscaping or improvements as a result of District Utility Work within a District utility easement or right of way.

(d) If District Utility Work within a District utility easement or right of way results in the removal of or damage to landscaping or improvements, the District will make reasonable effort to restore such landscaping or improvements if and only if all of the following conditions apply:

(i) Restoration of such landscaping or improvements will not create any unnecessary risk of future damage to District utility facilities;

(ii) The District Utility Work was not the result of damage to a District utility facility caused, directly or indirectly, by either (A) such landscaping or improvements or (B) the act or conduct of any person or entity not affiliated with the District; and

(iii) The plat, easement, or other instrument by which the District received

such utility easement expressly limited the District's right to perform District Utility Work upon the specific condition that such landscaping or improvements be restored.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised August 18, 2009; May 7, 2013

**SECTION 29: INSPECTION:**

(a) The District shall inspect the installation of all water distribution or sewage collection facilities installed by developer or developer's contractors, which facilities are proposed to be transferred to District ownership, operation and control.

(b) In the event that gravity wastewater facilities are to remain under ownership, operation and control of the developer as a private system, the District reserves the right to inspect the installation of the gravity sewage collection facilities for the purpose of determining if the system has excessive infiltration. These systems must meet the same infiltration criteria as that of District owned systems. Such inspections are intended to assure that water and wastewater lines and/or lift stations are installed in accordance with approved designs and are further consistent with the criteria and specifications governing the kind and quality of such installation.

(c) Representatives of the District may be present at tests of component parts of water distribution or sewage collections systems for the purpose of determining that the system, as constructed, conforms to District's criteria for exfiltration, infiltration, pressure testing, line and grade. Such tests will be performed by developer or developer's contractor, but only under the direct supervision of the engineer of record or his authorized inspector. The results of such testing shall be certified by the engineer of record. The District shall be notified at least 48 hours prior to any inspections or testing performed in accordance with these regulations.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992  
Revised May 7, 2013

**SECTION 30: TRANSFER OF CONTRIBUTED PROPERTY; BILLS-OF-SALE:**

(a) Each developer who has constructed portions of the water distribution and sewage collection system prior to interconnection with the District's existing facilities, shall convey such component parts of water distribution and sewage collection system to the District by bill of sale in form satisfactory to the District, together with such evidence as may be required by the District that the water distribution and sewage collection system proposed to be transferred to the District is free of all liens and encumbrances.

(b) Any facilities in the category of consumer's lines, plumber's lines or consumer's installation, located on the discharge side of the water meter or on the consumer's side of the point of delivery of service shall not be transferred to the District and shall remain the property of the developer, a subsequent owner-occupant, or their successors and assigns. Such consumer's lines, plumber's lines, or consumer's installation shall remain the maintenance responsibility of the developer or subsequent consumers.

(c) The District shall not be required to accept title to any component part of the water distribution or sewage collection system as constructed by the developer until the District Engineer has approved the construction of such lines and accepted the tests to determine that such construction is in accordance with the criteria established by District, and the Board of Supervisors has approved acceptance of such lines for the District's ownership, operation, and maintenance.

(d) The developer shall maintain accurate cost records establishing the construction costs of all utility facilities constructed by the developer and proposed to be transferred to the District. Such cost information shall be furnished to the District concurrently with the bill-of-sale and such cost information shall be a prerequisite to the acceptance by the District of any portion of the water distribution, sewage collection, and irrigation distribution system constructed by the developer.

(e) The District may refuse connection and deny the commencement of service to any consumer seeking to be connected to portions of the water distribution, sewage collection, and irrigation distribution system installed by the developer until such time as the provisions of this section have been fully met by the developer or the developer's successors or assigns.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992  
Revised May 7, 2013

**SECTION 31: IMPROVEMENTS AND EXTENSIONS TO WATER DISTRIBUTION, SEWAGE COLLECTION, AND IRRIGATION DISTRIBUTION SYSTEM:**

(a) The location, size, or proposed density of a developer's property may make utility service to the property dependent upon extension of water distribution, sewage collection, and irrigation distribution facilities as defined in these policies.

(b) A developer may advance funds to the District pursuant to a developer's agreement with the District; or in the alternative the developer may contribute funds to the District that will be non-reimbursable so that the District may design, construct, inspect, and thereafter operate and maintain such improvements and extensions.

(c) If the developer chooses the latter method, the facilities will be designed, at the sole expense of the developer, in accordance with an engineering design agreement with the District. Upon the completion of the design and approval by the District, the District will solicit competitive bids, again at the sole expense of the developer. Upon receipt from the developer of the bid amount plus twenty percent (20%) for engineering, legal, and contingencies, the District will award a contract to the lowest responsible bidder and proceed to construct the improvements as identified in the approved plans and specifications.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992  
Revised May 7, 2013

**SECTION 32: UTILITY INSPECTION FEES:** The cost of engineering inspection of any improvements required as provided in Section 31 of these policies shall be paid by the developer at the time the Florida Department of Environmental Protection (“DEP”) application is executed by the District, the amount of the fee to be computed as shown in Schedule “C.” Charges shall be due and payable at time of execution of the DEP construction permit or as specified in a Developer Agreement entered as provided in Section 31 of these policies.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992  
Revised May 7 2013



**SECTION 33: REFUNDABLE ADVANCES:**

(a) The District may require, in addition to the contribution provisions set forth herein, a refundable advance by developer to further temporarily defray the cost of any off-site extension of water and/or wastewater mains and pumping stations necessary to connect the developer's property with the terminus of the District's water and wastewater facilities adequate in size to provide service to the subject property. However, this Rule recognizes instances in which a developer may be required to advance the hydraulic share applicable to other undeveloped property in order that off-site facilities may be constructed to serve developer's property and at the same time be sized in accordance with the District's master plan.

(b) All amounts expended by developer, over and above developer's hydraulic share for off-site facilities and shall be refunded to developer in accordance with the terms and conditions of a refunding agreement which the District will execute with developer. The refunding agreement shall provide for a plan of refund based upon the connection of other properties, to the extent of their hydraulic share, which properties will be served by the off-site facilities installed by developer.

(c) Notwithstanding the provisions of this section, the District will limit the life of such refund agreement to a term of not more than five (5) years or until such time as the utility system is sold to another entity, after which time any portion of the refund not made to the developer by the terms and conditions of the refund agreement will have lapsed and thereafter, such refund agreement will be canceled.

(d) In no event shall developer recover an amount greater than the difference between the capitalized cost of such off-site improvements and developer's own hydraulic share of such improvements. The District shall not include any interest upon the refund of developer's advance.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992  
Revised May 7, 2013

**SECTION 34: REQUIREMENTS FOR PRIVATELY MAINTAINED LIFT STA-**

**TIONS**: Privately maintained lift stations within the boundaries of the District, if approved by the District Board of Supervisors through its work authorization process, shall be required to meet the following conditions:

(a) Applicants requesting approval of privately maintained lift stations within the District shall submit a signed one (1) year maintenance agreement with a qualified contractor. The maintenance agreement shall provide for monthly inspections to include written reports detailing hours of pump operation during the month as well as the inspection of electrical connections, float operation, and grease buildup.

(b) Not less than forty-five (45) days prior to expiration of the maintenance agreement, the applicant shall provide the District with a renewed maintenance agreement for each subsequent year that the station will remain in operation.

(c) Copies of the monthly inspection reports shall be submitted to the District for its records.

(d) Notwithstanding the District's right to make unannounced inspection throughout the year at no charge to the applicant, the District will make one (1) yearly inspection of the station and bill the customer a charge of \$100.00.

(e) Should the District be required to perform maintenance on a privately maintained lift station due to the failure of the owner's or applicant's contractor to respond to a request for service, or due to a lift station condition that the District, in its sole discretion, deems potentially hazardous, the owner will be invoiced service time equivalent to the time and material expended by the District staff or District contractors. Charges for such work will be invoiced on the monthly District water and wastewater services invoice.

Specific Authority: 120.54, F.S., 190.011(5), F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S.

History: Adopted September 9, 2003

Revised May 7, 2013

**SECTION 35: IRRIGATION WATER SERVICE USAGE REQUIREMENTS; PENALTIES FOR VIOLATIONS:** All consumers of irrigation water shall comply with and be subject to the following requirements:

(a) Each consumer shall be required to maintain an operable timer and valve control (“Irrigation Timer”), at a point on the consumer’s irrigation water service line located upstream of the point of any irrigation fixture, that is capable of activating and deactivating irrigation water service at the consumer’s service address in accordance with the requirements of this section.

(b) Each consumer shall be permitted to activate irrigation water service two (2) days per week (each an “Irrigation Day”) during a specific time period assigned to the consumer (“Irrigation Hours”).

(c) For each consumer the Irrigation Days shall be according to the Irrigation Schedule.

(d) Each consumer shall be assigned and receive a schedule setting forth the Irrigation Days and Irrigation Hours for the consumer’s service address (“Irrigation Schedule”). Each Irrigation Schedule shall be printed on a waterproof label and shall be affixed to the Irrigation Timer at the consumer’s service address.

(e) The consumer’s Irrigation Schedule may be restricted during periods of water shortage. Ten (10) days advance notice of such restriction will be provided on the consumer’s bill and posted on the District’s website.

(f) No consumer shall be permitted to access irrigation water service during any period except those periods specifically set forth on the Irrigation Schedule affixed to the Irrigation Timer at the consumer’s service address. Any consumer who accesses irrigation water service during any period outside the Irrigation Schedule for the consumer’s service address shall be subject to:

(i) A warning notice for a single offense within any twenty-four (24) month period.

(ii) If a second offense occurs within twenty-four (24) months of issuance of a warning notice for a first offense, a penalty charge of \$50.00 will be assessed.

(iii) If a third or subsequent offense occurs within any twenty-four (24) month period, a penalty charge of \$100.00 per offense will be assessed.

(g) Penalty charges assessed in accordance with this section shall be billed and collected in the same manner as other utility fees and charges provided for in these operating policies.

Specific Authority: 120.54, F.S., 190.011(5), F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S.

History: Adopted July 13, 2004

Revised December 15, 2009, May 7, 2013

**SECTION 36: WATER AND WASTEWATER SERVICE AVAILABILITY FEES;**

**CALCULATION:** Water and wastewater service availability fees, which include the sum of the connection charges and the AFPI fees, are adopted and established as provided in Schedule B, subject to periodic amendment, for the purpose of financing capital expenditures and the payment of District indebtedness associated with the expansion of the District’s water supply, treatment, and distribution and wastewater collection, treatment, and disposal System.

(a) All service availability fees shall be determined as provided in Schedule B at the time of initially connecting the System to the property of a consumer.

(b) The Board of Supervisors, in its discretion, may grant to any consumer a credit against all or a portion of the service availability fees due from such consumer if and to the extent that the Board determines to accept a permanent contribution in aid of construction of the System. To be considered for credit, any such contribution must be (i) related to the System and (ii) have a value to the System not less than the amount of the credit being granted. Any such credit against service availability fees due from a consumer shall be set forth in a written developer’s agreement between the District and the consumer as approved by the Board.

(c) The District reserves the right to review and monitor at any time actual flows in comparison to the flows expected to be generated by the ERC value calculated as provided in Schedule B and upon which service availability fees were calculated and paid to the District. For purposes of this section, “actual flows” shall be the maximum average daily flows generated during three (3) consecutive months during any twelve (12) month period following the date that the consumer has connected to the System. If actual flows exceed the expected flows by more than five percent (5%) and by at least two (2) ERCs, then the consumer shall promptly pay additional service availability fees for the excess flow, calculated as provided in Schedule B. If additional service availability fees are not paid when due, such charges shall be subject to penalty late charges and collection procedures for delinquent bills. Review and monitoring of actual flows may be conducted on more than one occasion at any utility service location, and in particular when a change of use has occurred at such location.

Specific Authority: 120.54, F.S., 190.011(5), F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S.

History: Adopted August 7, 2007  
Revised October 21, 2008

### **SECTION 37: IDENTITY THEFT PREVENTION PROGRAM**

(a) **PROGRAM ADOPTION.** The District developed this Identity Theft Prevention Program (“Program”) pursuant to the Federal Trade Commission's Red Flag Rule (“Rule”), which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. 16 C. F. R. § 681.2. After consideration of the size and complexity of the Utility's operations and account systems, and the nature and scope of the Utility's activities, the Board of Supervisors determined that this Program was appropriate for the District, and therefore adopted this Program on April 21, 2009, in accordance with the rule-making provisions in Chapter 120, Florida Statutes.

(b) **PROGRAM PURPOSE AND DEFINITIONS.**

(i) **Fulfilling requirements of the Red Flag Rule.** Under the Rule, every financial institution and creditor is required to establish an “Identity Theft Prevention Program” tailored to the size, complexity and nature of its operation. Each program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically, to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.

(ii) **Red Flag Rule definitions used in this Program.** The Rule defines “Identity Theft” as “fraud committed using the identifying information of another person” and a “Red Flag” as “a pattern, practice, or specific activity that indicates the possible existence of Identity Theft.” A municipal utility is a creditor subject to the Rule’s requirements. The Rule defines creditors “to include finance companies, automobile dealers, mortgage brokers, utility companies, and telecommunications companies, and when a non-profit or government entity defers payment for goods or services, it, too, is considered a creditor.” All of the District’s accounts that are individual utility service accounts held by customers of the utility, whether residential, commercial, or industrial, are covered by the Rule. Under the Rule, a “covered account” is:

1. Any account the District offers or maintains primarily for personal, family, or household purposes, that involves multiple payments or transactions; and

2. Any other account the District offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the District from Identity Theft.

“Identifying information” is defined under the Rule as “any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,” including: name, address, telephone number, social security number, date of birth, government-issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer’s Internet Protocol address, or routing code.

(c) **IDENTIFICATION OF RED FLAGS.** In order to identify relevant Red Flags, the District considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts, and its previous experiences with Identity Theft. The District identifies the following Red Flags and will train appropriate staff to recognize these Red Flags as they are encountered in the ordinary course of the District’s utility system operations:

(i) Alerts, Notifications and Warnings From Credit Reporting Agencies—Red Flags.

1. Report of fraud accompanying a credit report;
2. Notice or report from a credit agency of a credit freeze on a customer or applicant;
3. Notice or report from a credit agency of an active duty alert for an applicant;
4. Notice or report from a credit agency of an address discrepancy; and
5. Indication from a credit report of activity that is inconsistent with a customer’s usual pattern or activity, such as an unusual increase in the volume of credit inquiries, unusual increase in the number of established credit relationships, or a material change in the use of credit.

(ii) Suspicious Documents—Red Flags.

1. Identification document or card that appears to be forged, altered or inauthentic;
2. Identification document or card on which a person’s photograph or physical description is not consistent with the person presenting the document;
3. Other information on identification document is not consistent with information provided by the person opening a new covered account, by the customer presenting the identification, or with

existing customer information on file with the creditor (such as a signature card or recent check); and

4. Application for service that appears to have been altered or forged.

(iii) Suspicious Personal Identifying Information—Red Flags.

1. Identifying information presented that is inconsistent with other information the customer provides, for instance, where there is a lack of correlation between the social security number range and the date of birth;

2. Identifying information presented that is inconsistent with external sources of information, for instance, an address does not match a consumer report or a social security number is listed in the Social Security Administration's Death Master File;

3. Identifying information presented is associated with common types of fraudulent activity, such as use of a fictitious billing address or phone number;

4. Identifying information presented that is consistent with known fraudulent activity, such as presentation of an invalid phone number or fictitious billing address used in previous fraudulent activity;

5. Social security number presented that is the same as one given by another customer;

6. An address or phone number presented that is the same as that of another person;

7. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law, social security numbers must not be required); and

8. A person's identifying information is not consistent with the information that is on file for the customer.

(iv) Suspicious Account Activity or Unusual Use of Account—Red Flags.

1. Change of address for an account followed by a request to change the account holder's name;

2. Payments stop on an otherwise consistently up-to-date account;

3. Account used in a way that is not consistent with prior use (example: very high activity);

4. Mail sent to the account holder is repeatedly returned as undeliverable;

5. Notice to the Utility that a customer is not receiving mail sent by the Utility;

6. Notice to the Utility that an account has unauthorized activity;
7. Breach in the Utility's computer system security; and
8. Unauthorized access to or use of customer account information.

(v) Alerts from Others—Red Flag. Notice to the District from a customer, identity theft victim, law enforcement, or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

(d) PREVENTING AND MITIGATING IDENTITY THEFT. In the event District utility system personnel detect any identified Red Flags, such personnel must contact the District Manager or designee. The District Manager or designee will then decide which of the following steps should be taken:

1. Continue to monitor an account for evidence of Identity Theft;
2. Contact the customer;
3. Change any passwords or other security devices that permit access to accounts;
4. Not open a new account;
5. Close an existing account;
6. Reopen an account with a new number;
7. Notify law enforcement; or
8. Determine that no response is warranted under the particular circumstances.

(e) PROGRAM UPDATES. The District Manager shall serve as Program Administrator. The Program Administrator will periodically review and update this Program to reflect changes in risks to customers and the soundness of the District's utility system operations from Identity Theft. In doing so, the Program Administrator will consider the District's experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, and changes in the District's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the District Manager as Program Administrator will present the District Board of Supervisors with the recommended changes and the Board of Supervisors will make a determination of whether to accept, modify, or reject those changes to the Program. Amendments to the Program will be made in accordance with the rulemaking procedures in Chapter 120, Florida Statutes.

(f) PROGRAM ADMINISTRATION.

(i) Oversight. Responsibility for developing, implementing, and updating this Program lies with the District Manager as Program Administrator. The Program Administrator will be responsible for the Program's administration, for ensuring appropriate training of the District's utility system staff, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity



Theft, for determining which steps of prevention and mitigation should be taken in particular circumstances, and for considering periodic changes to the Program.

(ii) Staff Training and Reports. District utility system staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags and the responsive steps to be taken when a Red Flag is detected. Staff should prepare a report at least annually for the Program Administrator, including an evaluation of the effectiveness of the Program with respect to opening accounts, existing covered accounts, service provider arrangements, significant incidents involving identity theft and responses, and recommendations for changes to the Program.

(iii) Service Provider Arrangements. In the event the Utility engages a service provider to perform an activity in connection with one or more accounts, the District shall take all reasonable following steps to ensure that the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft, including by not limited to the following:

1. If credit card payments made over the internet are processed through a third party service provider, such provider shall certify that it has an adequate Identity Theft Program in place that is applicable to such payments;
2. All credit card payments made by telephone or via the District's website shall be entered directly into the customer's account file maintained within the District's electronic database; and
3. Account statements and receipts for covered accounts shall include only the last four digits of the credit or debit card or bank account used for payment of the covered amount.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035,F.S.

Law Implemented: 16 C.F.R. § 681.2

History Adopted December 15, 2009

Revised May 7, 2013

**SECTION 38: WATER CONSERVATION REBATE PROGRAM:**

(a) To encourage the conservation of water, the District shall provide rebates for District customers replacing existing, higher consumption toilets and shower heads with new, standard low consumption toilets and shower heads in their households or places of business, as provided herein.

(b) Rebate amounts shall be as follows:

- (i) \$100.00 per new, standard low consumption toilet, and
- (ii) \$10.00 per new, standard low consumption shower head.

Notwithstanding the foregoing, rebate payments shall be limited to the actual purchase price if that price is less. The District will mail the rebate check within (6) weeks from the date of application subject to funding availability.

(c) In order to receive a rebate, the customer must complete an application (available at the District Office and on-line on the District's website), attach the original sales receipt or itemized plumber's invoice showing the date of purchase, and return to the District Office by U.S. Mail or in person. Applications will be date and time stamped when received.

(d) The following eligibility requirements shall apply to this rebate offer:

(i) The toilets and/or shower heads must be installed in a location served by the District.

(ii) A representative of the District must be permitted to inspect the property to verify installation.

(iii) New construction projects and remodeling projects requiring a building permit do not qualify for rebates.

(iv) Rebates for toilets are only available for replacing higher consumption, existing toilets that use 3.5 gallons of flush or more with new, standard low consumption toilets that use 1.6 gallons of flush or less. Rebates for shower heads are only available for replacing higher consumption, existing shower heads that use 5 gallons per minute or more with new, standard low consumption shower heads that use 1.5 gallons per minute or less. Rebates are not available for the replacement of another low consumption toilet or low consumption shower head.

(v) Rebates are limited to two (2) toilets and two (2) showers per household or business for the lifetime of the service location (regardless of a change in ownership of the service location).

(vi) The rebate application must be received by the District within ninety (90) days of the date of purchase, as shown on the sales receipt or itemized plumber's invoice; however, this restriction shall not apply to purchases made between July 1, 2009 and December 15, 2009.

(e) The following restrictions shall apply to this rebate offer:

- (i) The rebate does not apply to sales tax, seat, fittings, or installation charges.

(ii) The District reserves the right to withhold payment of any rebate until any identified problems with the application are resolved. The District may terminate a rebate, in whole or in part, due to the recipient's failure to fulfill the requirements of this policy.

(iii) The rebates are subject to funding availability. The District shall budget a certain amount each year for the rebate program. Any qualifying applications for rebates that exceed the funds budgeted for the rebate program for that fiscal year shall be carried over to the next fiscal year. Rebates will be paid on a first come, first serve basis. Notwithstanding the foregoing, the District may cancel the rebate program at any time, prior to payment, without notice by not continuing to fund the program in its budget.

(iv) If the customer is in default of any payment obligations to the District, the District may, in its sole discretion, apply the rebate amount as a credit against such default amounts.

(f) In no way shall the District be liable for, and participation in the rebate program is specifically conditioned upon, the customer indemnifying, defending and holding harmless the District, its employees, officers, and agents from and against any and all liability, loss, damage, cost or expense that may be caused by, due to, occasioned by or otherwise arising out of the installation, operation, misoperation, or use of the customer's new, standard low consumption toilets and/or shower heads. The District's approval of the rebate application, payment of the rebate, or any District inspection of the new, standard low consumption toilets and/or shower heads shall not be construed as a warranty or guarantee as to the safety, reliability, or durability of the new, standard low consumption toilets and/or shower heads; nor does the District guarantee that the installation of the new, standard low consumption toilets and/or shower heads will result in lower utility costs to the consumer.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted December 15, 2009

Revised May 7, 2013

**SECTION 39: CROSS CONNECTION CONTROL PLAN:** Periodically as required, the District Manager shall develop and present to the Board of Supervisors for consideration and approval a Cross Connection Control Plan (“CCC Plan”) for the District, and such revisions and amendments to the CCC Plan, as necessary and appropriate to maintain the safety of the District’s potable water treatment and distribution system and full compliance with all regulatory requirements relating to such system. Revisions and amendments to the CCC Plan shall be by rule of the Board of Supervisors adopted in compliance with the requirements of Section 120.54, Florida Statutes.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S., FAC Rule 62-555.360(2)

History: Adopted May 7, 2013

**SECTION 40: SURCHARGES FOR EXCESS WASTEWATER STRENGTH:**

(a) If any water or wastewater containing substances in excess of the Standard Strength for wastewater is discharged into Utility System wastewater lines or facilities, such discharge shall be subject to excess strength surcharge fees to defray the additional cost of receiving, transporting, and treating those substances. Excess strength surcharges are intended to recoup the District's additional cost of treating higher strength wastewater, including increased power consumption, chemical addition, biosolids disposal, contract laboratory services, and labor. These additional costs have been converted to a cost per pound for BOD and a cost per pound for TSS removal (COST), and are set forth in Schedule "G." Excess strength surcharges are in addition to standard wastewater service charges. The excess strength surcharge shall be calculated as provided in subsection (d) of this Section 40.

(b) The District shall determine the average concentration or strength of discharges into Utility System wastewater lines or facilities, and may take samples without advance notice to customers. Test results made by the District shall be final in fixing any applicable excess strength surcharge, provided, however, that the customer may request in writing and secure a portion of the sample for independent laboratory testing. If the independent laboratory is acceptable to the District and its test results vary by more than five percent (5.0%) from the District's test results, the excess strength surcharge will be calculated using the average of the two results. All sample collection, handling, preservation, and laboratory analysis methods for determining excess strength surcharges shall be undertaken in accordance with the latest edition of the Florida Department of Environmental Protection Standard Operating Procedure DEP-SOP-001/01, Field Quality Control Requirements.

(c) Unless otherwise provided in this subsection, the quantity of wastewater discharged into Utility System wastewater lines or facilities shall be assumed to be the same as the volume of potable water delivered and metered by the District to the customer. In the event that the customer receives water from a non-District source, that source shall be metered and meter readings made available to the District, or the amount of wastewater discharged by the customer will be estimated by the District. If a large proportion of the potable water delivered and metered by the District to the customer is not discharged into Utility System wastewater lines or facilities, the District Manager may establish a constant ratio, factor, or percentage to be applied to the metered quantity to establish the customer's wastewater discharge volume for purposes of this Section 40.

(d) Excess strength surcharges shall be calculated as provided in the following example (the BOD and TSS COSTs used in this example are for illustrative purposes only, based upon the COSTs established as of May 7, 2013, and may not reflect the actual COSTs to be levied at the time of application of this Section 40 to a particular customer):

EXAMPLE: A customer of the Utility System discharges one million gallons of wastewater over one billing cycle. Average Pollutant concentrations for the period are 750 mg/L BOD and 1,250 mg/L TSS.

BOD Surcharge (Example):

Average BOD			BOD	BOD	Excess BOD
Over 250 mg/L	Usage	Conversion	Loading	cost/lb.	Surcharge
<u>(CONC)</u>	<u>(VOL)</u>	<u>Factor (CF)</u>	<u>(LOAD)</u>	<u>(COST)</u>	<u>(BOD SUR)</u>
[(500 mg/L)]	(1.0 mg)	(8.34 lbs.)=	(4,170 lbs.)	(\$0.38)=	\$1,584.60

TSS Surcharge (Example):

Average TSS			TSS	TSS	Excess TSS
Over 250 mg/L	Usage	Conversion	Loading	cost/lb.	Surcharge
<u>(CONC)</u>	<u>(VOL)</u>	<u>Factor (CF)</u>	<u>(LOAD)</u>	<u>(COST)</u>	<u>(TSS SUR)</u>
[(1,000 mg/L)]	(1.0 mg)	(8.34 lbs.)=	(8,340 lbs.)	(\$0.37)=	\$3,085.80

Specific Authority: §§120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: §§120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted May 7, 2013

## SCHEDULE A

The rates fees, and charges to be paid for water and wastewater service shall be as follows, effective May 7, 2013:

<u>Water System:</u>	<u>Rates</u>
<u>Monthly Base Facility Charges (All Services)</u>	
5/8" or 3/4" Meter Size	\$ 15.42
1" Meter Size	38.56
1-1/2" Meter Size	77.12
2" Meter Size	123.40
3" Meter Size	246.76
4" Meter Size	385.59
6" Meter Size	771.17
8" Meter Size	1,233.89
<u>Monthly Commodity Charge</u>	
Monthly Commodity Charge per 1,000 gallons of metered water:	3.47
<u>Bulk Water</u>	
Bulk Meter (per ERC)	9.84
Bulk Water Charge per 1,000 gallons of metered water:	2.98
Monthly Dispensed Water through District hose	50.00
<u>Wastewater System:</u>	<u>Rates</u>
<u>Monthly Base Facility Charge (All Services):</u>	
5/8" or 3/4" Connection	\$ 19.29
1" Connection	48.22
1-1/2" Connection	96.40
2" Connection	154.22
3" Connection	308.46
4" Connection	481.99
6" Connection	964.00
8" Connection	1,542.36
<u>Monthly Commodity Charge</u>	
Monthly Commodity Charge per 1,000 gallons of metered water service:	3.86
<u>Bulk Wastewater</u>	
Bulk Wastewater Charge per 1,000 gallons of metered use:	3.32

Specific Authority: 120.54, F.S., 190.011(5), F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S.

History: Adopted 1992

Revised 1992; March 8, 1994; January 9, 1996; February 11, 1997; March 11, 1997; February 10, 1998; November 17, 1999; June 12, 2001; January 15, 2002; January 13, 2004; October 17, 2006; August 7, 2007; October 1, 2009, May 7, 2013

## SCHEDULE B

The service availability fees for water and wastewater service shall be as follows, effective May 7, 2013:

<u>Residential Fees</u>	<u>Amount</u>
Water:	
Connection fees per ERC	\$1,545.00
AFPI fees per ERC	<u>555.00</u>
Total Water Charges per ERC	\$2,100.00
Wastewater:	
Connection fees per ERC	\$1,450.00
AFPI fees per ERC	<u>550.00</u>
Total Wastewater Charges per ERC	\$2,000.00
<u>Commercial Fees</u>	<u>Amount</u>
Water:	
Connection fees per ERC	\$1,915.50
AFPI fees per ERC	<u>679.50</u>
Total Water Charges per ERC	\$2,595.00
Wastewater:	
Connection fees per ERC	\$1,437.50
AFPI fees per ERC	<u>562.50</u>
Total Wastewater Charges per ERC	\$2,000.00

Notwithstanding any other provision, a minimum of one (1) ERC of total water charges and one (1) ERC of total wastewater charges shall be due for each new water connection, regardless of size.

\* \* \*



**Definitions:**

1. AFPI (Allowance for Funds Prudently Invested) is a charge representing the carrying costs associated with the excess capacity of the plant that will not be used until future consumers connect for service. The AFPI charge is a one-time charge, based on the number of ERCs of demand. It is applicable to all future consumers prior to connection to the System.

2. “Commercial” means any structure that is primarily constructed for business or institutional use as differentiated from residential use, including hotels and motels used by consumers on a transient basis, clubhouses, nursing homes, and similar uses.

3. “Connection Fees” are for the initial commencement of service at any given location to offset the costs of the capital improvements for the Water and Wastewater System.

4. “ERC” (Equivalent Residential Connection) which is defined as 250 gallons per day (“gpd”) of water and 250 gpd of wastewater (or such other value for wastewater as (a) may be later approved or determined by the Florida Department of Environmental Protection or (b) has been established by interconnect or other agreement with a bulk wastewater customer), calculated based on daily average consumption over a 30 day period, or such period as determined by the monthly billing cycle during which the water was distributed by the District to the consumer

5. “Per capita” or “per seat” means the per person or per seat unit amount as applied to the maximum capacity of the structure or use, as such maximum capacity is set forth in the written determination of the fire marshal, health department, or other agency exercising regulatory control.

6. “Residential” means any unit, single-family home, condominium unit, duplex unit, multiple housing structure unit, or individual apartment that is primarily constructed for use by an individual or family as a residence.

\* \* \*

**Equivalent Residential Connection (ERC) Determination Table**

<u>Residential:</u>	<u>ERC factor</u>
Single Family per individual metered connection	1.0000
Multifamily per unit	0.7000
<u>Commercial Establishment:</u>	<u>ERC factor</u>
Airport, bus terminals, train stations, port & dock facilities.	
(a) per passenger	0.0160
(b) add per employee per 8 hour shift	0.0600
Barber & beauty shops per service chair	0.3000
Bowling alley per lane	0.2000
Country Club	
(a) per resident	0.4000
(b) add per member or patron	0.1000
(c) add per employee per 8 hour shift	0.0600
Doctor and dentist offices	
(a) per practitioner	1.0000
(b) add per employee per 8 hour shift	0.0600
Factories, exclusive of industrial wastes-Gallons per employee per 8 hour shift	
(a) No showers provided	0.0706
(b) Showers provided	0.1176
Flea Market open 3 or less days per week	
(a) per nonfood service vendor space	0.0600
(b) add per food service establishment using single service articles only per 100 feet	0.2000
(c) per limited food service establishment	0.1000
Flea Market open more than 3 days per week (estimated flows shall be doubled)	
Food Operations	
(a) Restaurant operating 16 hours or less per day per seat	0.1600
(b) Restaurant operating more than 16 hours per day per Seat	0.2400
(c) Restaurant using single service articles only and operating 16 hours or less per day per seat	0.0800
(d) Restaurant using single service articles only and operating more than 16 hours per day per seat	0.1400

(e) Bar and cocktail lounge	
1. per seat	0.0800
2. add per pool table or video game	0.0600
(f) Drive-in restaurant per car space	0.2000
(g) Carry out only, including caterers	
1. per 100 square feet of floor space	0.2000
2. add per employee per 8 hour shift	0.0600
(h) Institutions per meal	0.0200
(i) Food outlets excluding delis, bakery or meat department per 100 square feet of floor space	0.0400
1. add for deli per 100 square feet of deli floor space	0.1600
2. add for bakery per 100 square feet of bakery floor space	0.1600
3. add for meat department per 100 square feet of meat department floor space	0.3000
4. add per water closet	0.8000
Hotels & Motels	
(a) Regular per room	0.4000
(b) Resort hotels, camps, cottages, per room	0.8000
(c) Add for establishments with self service laundry facilities per machine	3.0000
Laundromat per washing machine	1.0000
Mobile Home Park	
(a) per single wide mobile home space, less than 4 single wide spaces connected to a shared onsite system	1.0000
(b) per single wide mobile home space 4 or more single wide spaces are connected to a shared onsite system	0.9000
(c) per double wide mobile home space, less than 4 double wide mobile home spaces connected to a shared onsite system	1.2000
(d) per double wide mobile home space, 4 or more double wide mobile home spaces connected to a shared onsite system	1.1000
Office Building	
per employee per 8 hour shift or per 100 square feet of floor space, whichever is greater	0.0600
Transient Recreational Vehicle Park	
(a) Recreational vehicle space for overnight stay, without water and wastewater hookup per vehicle space	0.2000
(b) Recreational vehicle space for overnight stay, with water and wastewater hookup per vehicle space	0.3000

Service Stations per water closet	
(a) Open 16 hours per day or less	1.0000
(b) Open more than 16 hours per day	1.3000
Shopping centers without food or laundry per square foot of floor space	0.0004
Stadiums, race tracks, ball parks per seat	0.0160
Stores per bath room	0.8000
Swimming and bathing facilities, public per person	0.0400
Theaters and Auditoriums, per seat	0.0160
Veterinary Clinic	
(a) per practitioner	1.0000
(b) add per employee per 8 hour shift	0.0600
(c) add per kennel, stall or cage	0.0800
Warehouse	
(a) add per employee per 8 hour shift	0.0600
(b) add per loading bay	0.4000
(c) selfstorage, per unit	0.0040
<u>Institutional Establishment</u>	<u>ERC factor</u>
Churches	
(a) per seat that includes kitchen flows unless meals prepared on a routine basis	0.0120
(b) if meals served on a regular basis add per meal prepared	0.0200
Hospitals	
(a) per bed that does not include kitchen flows	0.8000
(b) add per meal prepared	0.0200
Nursing, rest homes, adult congregate living facilities	
(a) per bed that does not include kitchen flows	0.4000
(b) add per meal prepared	0.0200
Parks, public picnic	
(a) with toilets only, per person	0.0188
(b) with bathhouse, showers & toilets, per person	0.0471

Public institutions other than schools and hospitals	
(a) per person that does not include kitchen flows	0.4000
(b) add per meal prepared	0.0200
Schools per student	
(a) day-type	0.0400
(b) add for showers	0.0160
(c) add for cafeteria	0.0160
(d) add for day school workers	0.0600
(e) boarding type	0.3000
Work/construction camps, semi-permanent	0.2000

\* \* \*

(a) The total ERC requirement for an establishment shall be calculated by multiplying the ERC factor listed above by the number of units, rounded to the nearest 0.1 ERC.

(b) For all establishments not listed above, the total ERC requirement for water and wastewater service capacity shall be determined by multiplying the number of fixture units, as published in the 2007 Florida Building Code – Plumbing, by thirty (30), and dividing the result by 250 gpd/ERC, as follows:

$$\text{Total water and wastewater ERC} = [(\text{Number of fixture units} \times 30) \div (250 \text{ gpd/ERC})] \text{ requirement}$$

The total water and wastewater connection charges due for an establishment shall be determined by multiplying the total water and wastewater ERC requirement by the then-applicable total water and wastewater charges per ERC.

(c) The Consumer may propose an alternative calculation of the ERC requirement for water and wastewater service capacity determined as set forth above for a Commercial or Institutional connection by submitting an estimate that (i) is prepared and certified by a professional engineer licensed and registered in the State of Florida and (ii) is based on actual use at a similar facility (where available) or on other technically sound engineering principles. The District shall review and may approve, modify, or reject the proposed ERC requirement set forth in the estimate prepared by the Consumer’s engineer.

Specific Authority: 120.54, F.S., 190.011(5), F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S.

History: Adopted 1992

Revised 1992; August 7, 2007; October 21, 2008, May 7, 2013

**SCHEDULE C**

The meter and inspection fees for water and wastewater service shall be as follows, effective May 7, 2013:

<u>Meter Fees:</u>	<u>Amount</u>
5/8 or 3/4 inch	\$ 150.00
1 inch	\$ 600.00
1½ inch	\$ 700.00
2 inch	\$1,200.00
Greater than 2 inches	Actual cost of meter and appurtenances at time of purchase, plus \$100.00

<u>Inspection Fees:</u>	<u>Amount</u>
Annual privately maintained lift station	\$100.00
Inspection of (i) System improvements to be dedicated to and accepted by the District and (ii) consumer installations To be connected to the System	Two percent (2%) of the estimated construction cost of improvements, as certified by the project engineer

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted 1992

Revised August 7, 2007; May 7, 2013

## SCHEDULE D

The rates, fees, and charges to be paid for irrigation water service shall be as follows, effective May 7, 2013:

Irrigation Water Service:

Residential per month per lot:	
Single family:	\$18.45
Multi-family:	\$12.92
Industrial/Commercial and Common Areas:	
Per Acre Irrigated	\$110.73
Golf Course, per 1,000 gallons used:	\$0.2200

Specific Authority: §§120.54, 190.011(5), Fla. Stat.

Law Implemented: §§120.54, 190.011(5), Fla. Stat.

History: Adopted July 13, 2004

Revised October 17, 2006; August 7, 2008; October 1, 2009, May 7, 2013

## NOTE TO SCHEDULES A AND D

### FUTURE ANNUAL RATE ADJUSTMENTS BASED ON CONSUMER PRICE INDEX (CPI) CHANGES

Notwithstanding any other rate adjustment that is approved by the Board of Supervisors from time to time, effective October 1, 2012, and on October 1 of each successive year (each a “Current Year”), the rates set forth in Section 26, Schedules A and D, of Chapter III of the Rules of the St. Lucie West Services District shall be subject to adjustment based on changes in the Consumer Price Index, as follows:

(a) Each rate adjustment made under this provision shall be based on the percentage increase, if any, in the Consumer Price Index-U.S. City Average-All Urban Consumers Unadjusted (1982-1984=100), as published by the U.S. Department of Labor, Bureau of Labor Statistics (“Index”), for the month of July of the Current Year (each a “Current Index”) over the Index for the month of July of the immediately preceding year (each a “Base Index”).

(b) Beginning in 2012, if the Current Index is greater than the Base Index, the rates for the immediately succeeding fiscal year shall be increased from the rates that were in effect in the preceding fiscal year by an amount equal to the lesser of (i) the percentage by which the Current Index exceeds the Base Index or (ii) five percent (5%). In no event shall the adjusted rates be less than the rates in effect for the immediately preceding fiscal year.

(c) Each rate adjustment made under this provision shall become effective on the next successive October 1.

(d) All rate adjustments made under this provision shall be counted to the nearest whole cent, or 1/100<sup>th</sup> of a cent in the case of Golf Course Irrigation Water Service.

(e) In the event the U.S. Department of Labor, Bureau of Labor Statistics, ceases to publish the Index, the Board of Supervisors shall substitute another equally authoritative measure of change in purchasing power of the U.S. dollar as may then be available so as to carry out the intent of this provision.

(f) Annually commencing in 2012, the District Manager shall undertake the rate adjustment calculations described in paragraph (b) above, and shall cause all rate adjustments made in accordance with this provision to be published, not later than each September 1 prior to the next successive October 1 effective date.

(g) For purposes of this paragraph (g), all capitalized terms shall have the meanings assigned to them in the indenture of trust governing the District’s Utility System bond obligations, as amended and supplemented (“Indenture”). A rate adjustment determined as provided in paragraphs (a) through (f) above shall not become effective as of the next successive October 1 if and only if:

(i) During the immediately preceding fiscal year, Net Revenues were adequate to meet or exceed all rate covenants of the District as set forth in the Indenture, and



(ii) Prior to such October 1, the Board of Supervisors determines, based upon the approved Annual Budget for the next successive fiscal year, that (A) such rate adjustment is unnecessary for prudent operation of the Utility System, including continued compliance with all rate covenants of the District as set forth in the Indenture, and (B) as of the most recent date for which such information is available, there is on deposit in the Rate Stabilization Fund and the Surplus Fund a combined and unrestricted amount equal to not less than ninety (90) days of Operating Expenses.

Specific Authority: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: 120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted September 6, 2011

## SCHEDULE E

The deposits required for water, wastewater, and irrigation service shall be as follows, effective May 7, 2013:

<u>Meter Size</u>	<u>Deposit (Water &amp; Wastewater)</u>
5/8 or 3/4 inch	\$ 100.00
1 inch	400.00
1 1/2 inch	600.00
2 inch	1,000.00
3 inch	1,200.00
4 inch	2,500.00
6 inch	5,000.00
8 inch	6,400.00
Non-metered	Deposit
Dispensed Water through	
District hose	\$150.00
Irrigation only accounts	\$100.00

Specific Authority: §§120.54, 190.011(5), Fla. Stat.

Law Implemented: §§120.54, 190.011(5), Fla. Stat.

History: Adopted August 7, 2008

Revised May 7, 2013

**SCHEDULE F**

Miscellaneous service charges for water, wastewater, and irrigation service shall be as follows, effective May 7, 2013:

<u>Connection Fees</u>	<u>Charge Amount</u>
Initial connection	\$25.00
Temporary Reconnection for home inspection	25.00
Reconnection (during District hours)	25.00
Reconnection (after District hours)	50.00

<u>Penalty Fees</u>	<u>Charge Amount</u>
Penalty late charge	a one time 10% charge on a utility bill that is past the Bill Due Date
Returned Payment	\$25.00 per occurrence

<u>Meter Test</u>	<u>Charge Amount</u>
Meter test	1 <sup>st</sup> test no charge; 2 <sup>nd</sup> and subsequent tests \$25.00

<u>Irrigation Violations (Residential &amp; Commercial)</u>	<u>Charge Amount</u>
1 <sup>st</sup> Offense	No charge
2 <sup>nd</sup> Offense	\$50.00
3 <sup>rd</sup> and Subsequent Offense(s)	\$100.00

Specific Authority: §§120.54, 190.011(5), Fla. Stat.

Law Implemented: §§120.54, 190.011(5), Fla. Stat.

History: Adopted August 7, 2008; May 7, 2013

## SCHEDULE G

For purposes of calculating excess strength surcharges as provided in Section 40, the District's unit cost per pound (COST) for conveying, treating, and disposing of a Pollutant shall be as follows, effective May 7, 2013:

<u>BOD (Biochemical Oxygen Demand) COST/lb.:</u>	\$0.38
<u>TSS (Total Suspended Solids) COST/lb.:</u>	\$0.37

### Note to Schedule G:

Effective October 1, 2014, and on October 1 of each successive year (each a "Current Year"), the COST for BOD and COST for TSS shall be subject to adjustment based on changes in the Consumer Price Index, as follows:

(a) Each COST adjustment made under this provision shall be based on the percentage increase, if any, in the Consumer Price Index-U.S. City Average-All Urban Consumers Unadjusted (1982-1984=100), as published by the U.S. Department of Labor, Bureau of Labor Statistics ("Index"), for the month of July of the Current Year (each a "Current Index") over the Index for the month of July of the immediately preceding year (each a "Base Index").

(b) Beginning in 2014, if the Current Index is greater than the Base Index, the COSTs for the immediately succeeding fiscal year shall be increased from the COSTs that were in effect in the preceding fiscal year by an amount equal to the percentage by which the Current Index exceeds the Base Index. In no event shall the adjusted COSTs be less than the COSTs in effect for the immediately preceding fiscal year.

(c) Each COST adjustment made under this provision shall become effective on the next successive October 1.

(d) All COST adjustments made under this provision shall be counted to the nearest whole cent.

(e) In the event the U.S. Department of Labor, Bureau of Labor Statistics, ceases to publish the Index, the Board of Supervisors shall substitute another equally authoritative measure of change in purchasing power of the U.S. dollar as may then be available so as to carry out the intent of this provision.

(f) Annually commencing in 2014, the District Manager shall undertake the COST adjustment calculations described in paragraph (b) above, and shall cause all COST adjustments made in accordance with this provision to be published, not later than each September 1 prior to the next successive October 1 effective date.

Specific Authority: §§120.54, F.S., 190.011(5), F.S., 190.035, F.S.

Law Implemented: §§120.54, F.S., 190.011(5), F.S., 190.035, F.S.

History: Adopted May 7, 2013