

RESOLUTION NO. 1-17

A RESOLUTION REVISING AND ESTABLISHING POTABLE WATER, IRRIGATION WATER, WASTEWATER AND RECLAIMED WATER CAPACITY FEE CHARGES TO ALL USERS OR POINTS OF USE UTILIZING THE POTABLE WATER, WASTEWATER AND RECLAIMED WATER SYSTEMS OF THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA; RESCINDING RESOLUTION NO. 6-04, 7-04, AND 4-07 AND ALL RESOLUTIONS, OR PORTIONS THEREOF, IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Utilities Commission, City of New Smyrna Beach, Florida, is obligated and authorized pursuant to the laws of the State of Florida, particularly Chapter 67-1754, Laws of Florida, as amended by and restated in Chapter 85-503, Laws of Florida, to establish and maintain rate schedules for connection to the potable water system, irrigation water system, wastewater system and reclaimed water system and to make such other changes in such amounts as are necessary and sufficient to recover expenses associated with operating and maintaining said systems, along with funds for necessary improvements, and to honor all requirements of the Utilities Commission; and

WHEREAS, all new potable water, wastewater and reclaimed water service connections impact the potable water, wastewater and reclaimed water systems; and

WHEREAS, the age of the structure or point of use if not a structure has no bearing on the impact of potable water, wastewater and reclaimed water capacity; and

WHEREAS, the calculation of the fee is to be based on the most recent and localized data, and CPH/PRMG prepared a Water, Wastewater, and Reclaimed Water Capacity Fee and Equivalent Residential Unit Determination Study in August 2016 for the Utilities Commission, which recommended that potable water, wastewater and reclaimed water capacity fees be revised and that irrigation water capacity fees be established; and

WHEREAS, the Utilities Commission have investigated and reviewed the existing rate schedules and have presented the proposed changes as described in more detail below to the customers of the Utilities Commission, and to other parties of interest at a preliminary public hearing held November 21, 2016 and at a final public hearing held on January 23, 2017, which hearings were duly noticed and advertised.

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1: The potable water, irrigation water, wastewater and reclaimed water capacity fee charges for residential and commercial customers is based on meter size and the number of meters requested and shall be calculated by using the applicable method as listed in the Tables that follow.

POTABLE WATER CAPACITY FEES

<u>Meter Size (inch)</u>	<u>Capacity Fee (\$)</u>
5/8"	\$1,340.00
1"	\$3,350.00
1-1/2" (1.5")	\$6,700.00
2"	\$10,720.00
3"	\$20,100.00
4"	\$33,500.00
6"	\$67,000.00
8"	\$107,200.00
10"	\$154,100.00
12"	\$288,100.00

Notes:

1. For commercial projects:
 - a. The meter size (and accompanying backflow device) must match the size of supply plumbing to the building.
 - b. The applicant must provide signed and sealed plumbing plans prior to acceptance of capacity fees for review by Commission's Engineering Department.
 - c. The Utilities Commission Engineering Department may accept "a meter size"* smaller than the proposed plumbing, provided signed and sealed engineering calculations by a MEP Engineer are provided for review and acceptance.
 - d. Meter and backflow devices must be same size.
 - e. Master meters are only permitted for buildings three stories or more. System pressure diminishes above the second floor. Special equipment (by developer/owner) may be required for floors 3 and above.
2. The Utilities Commission, City of New Smyrna Beach only offers the meter sizes listed above.
3. The fees listed above are for each meter.
4. The fees will not be applied to existing meters.
5. Fees will only apply to each new meter whether residential, commercial, industrial, common area, expansion, upsizing, etc.
6. A credit will be given for the existing meter when that meter is replaced with a larger meter.
7. The capacity fee does not include other fees.

(*Example: 4" plumbing would have an opportunity provided by calculation by land owner/developer for a 3" meter, but no smaller.)

IRRIGATION WATER CAPACITY FEES

<u>Meter Size (inch)</u>	<u>Capacity Fee (\$)</u>
5/8"	\$2,680.00
1"	\$6,700.00
1-1/2" (1.5")	\$13,400.00
2"	\$21,440.00
3"	\$40,200.00
4"	\$67,000.00
6"	\$134,000.00
8"	\$214,400.00
10"	\$308,200.00
12"	\$576,200.00

Notes:

1. Irrigation meters are used primarily for irrigation purposes and are generally the second meter for an account.
2. An independent irrigation meter is possible without a potable water meter.
3. Irrigation meters are also used to serve common areas in both residential and commercial developments (each development is either a residential or commercial development).
4. There are no sanitary connections associated with an irrigation meter.
5. The Utilities Commission, City of New Smyrna Beach only offers the meter sizes listed above.
6. The fees listed above are for each meter.
7. The fees will not be applied to existing meters.
8. Fees will only apply to each new meter whether residential, commercial, industrial, common area, expansion, upsizing, etc.
9. A credit will be given for the existing meter when that meter is replaced with a larger meter.
10. The capacity fee does not include other fees.

WASTEWATER CAPACITY FEES

<u>Potable Water Meter Size (inch)</u>	<u>Capacity Fee (\$)</u>
5/8"	\$1,290.00
1"	\$3,225.00
1-1/2" (1.5")	\$6,450.00
2"	\$10,320.00
3"	\$19,350.00
4"	\$32,250.00
6"	\$64,500.00
8"	\$103,200.00
10"	\$148,350.00
12"	\$277,350.00

Notes:

1. Regardless of the potable water meter size and corresponding wastewater capacity fee, the smallest residential wastewater connection (lateral) shall be four (4) inches.
2. Regardless of the potable water meter size and the corresponding wastewater capacity fee, the smallest commercial wastewater connection (lateral) shall be six (6) inches.
3. The wastewater capacity fee shall be based on the potable water meter size service for the proposed unit. (Unit refers to single residential home, separate commercial services, including lease and purchase space, etc.)
4. The Utilities Commission, City of New Smyrna Beach only offers the meter sizes listed above.
5. The fees listed above are for each wastewater connection.
6. The fees will not be applied to existing wastewater connections.
7. Fees will only apply to each new wastewater connection, whether residential, commercial, industrial, common area, expansion, upsizing, etc.
8. A credit will be given for the existing meter when that meter is replaced with a larger meter.
9. The capacity fee does not include other fees.

RECLAIMED WATER CAPACITY FEES

<u>Meter Size (inch)</u>	<u>Capacity Fee (\$)</u>
3/4"	\$1,060.00
1"	\$1,767.00
1-1/2" (1.5")	\$3,533.00
2"	\$5,653.00
3"	\$10,600.00
4"	\$17,667.00
6"	\$35,333.00
8"	\$56,533.00
10"	\$81,267.00
12"	\$151,933.00

Notes:

1. The reclaimed water capacity fee shall be based on the reclaimed water meter size serving the proposed unit. (Unit refers to single residential home, separate commercial services, including lease and purchase space.)
2. The Utilities Commission, City of New Smyrna Beach only offers the meter sizes listed above.
3. The fees listed above are for each reclaimed meter requested or proposed.
4. The fees will not be applied to existing reclaimed water meters.
5. Fees will only apply to each new reclaimed water connection, whether residential, commercial, industrial, common area, expansion, upsizing, etc.
6. A credit will be given for the existing meter when that meter is replaced with a larger meter.
7. The capacity fee does not include other fees.

SECTION 2: Capacity Fee Charges – Notes

1. A 5/8" potable water meter will be considered one Equivalent Residential Unit (ERU) which represents a nominal usage (or level of service) of 200 gallons per day for potable water, as determined by utilizing historical customer account records and water sales for the Utilities Commission's system.
2. A 3/4" reclaimed meter will be considered one Equivalent Residential Unit (ERU) which represents a nominal usage (or level of service) of 780 gallons per day for reclaimed water, as determined by utilizing historical customer account records and water sales for the Utilities Commission's system.
3. A 5/8" irrigation meter will be considered one Equivalent Residential Unit (ERU) which represents a nominal usage (or level of service) of 400 gallons per day for irrigation water, as determined by utilizing historical customer account records and water sales for the Utilities Commission's system.

4. The aforementioned capacity fee charges constitute potable water, irrigation water, wastewater and reclaimed water capacity fee charges only and such charges shall be paid before any connection will be made, and only upon determination by the Utilities Commission that existing water facilities are available to which the connection is made.
5. Payment of the aforementioned capacity fee charges must be made to the Utilities Commission, City of New Smyrna Beach, Florida, in advance of issuance of building permits within our service area.
6. The aforementioned charges as detailed above apply to all applications for service approved subsequent to the effective date of Resolution No. 1 -17 and because capacity fee charges cannot be held in abeyance indefinitely, the application for water, wastewater, irrigation water and reclaimed water service shall be restricted to be in effect ninety (90) days or as long as the original building permit is valid, whichever is longer. In the event the service connection has not been made prior to the aforementioned restriction, water, wastewater, irrigation water and reclaimed water capacity fee charges will be subject to revision to the successor fee schedule.

SECTION 3: Upon certification by the Commission's Engineering Department that the service connection has not been made for the specific application for service and the applicant has withdrawn the application for service (in writing), the water, irrigation water, wastewater and reclaimed water capacity fee charges that have been paid will be subject to refund without interest.

Such water, irrigation water, wastewater and reclaimed water capacity charges are in addition to meter setting installation charges, line extension contributions, or other charges and fees as may be appropriate for services rendered.

Financing of payment of water, irrigation water, wastewater and reclaimed water capacity fees, meter setting charges, tap-in fees and cut-in charges will be available pursuant to the terms and conditions listed below:

1. Financing would be available to all individual residential customer applicants.
2. A 12-month or 24-month financing period will be utilized.
3. An annual interest rate of 2% above prime shall be used.
4. The customer must execute an agreement which states the utilities applicable (water, irrigation water, wastewater and/or reclaimed water) will be terminated if the customer is in default of payments. All payments previously made are non-refundable.
5. All payments must be accelerated and due in full prior to transfer of ownership of the property.

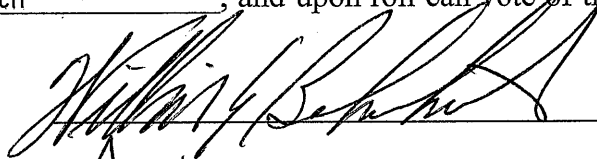
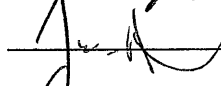
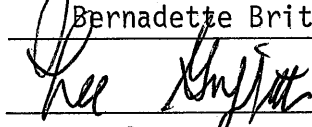

6. A non-refundable administrative fee of \$50.00 must be paid at the time of application in order to reimburse the Utilities Commission, City of New Smyrna Beach, for services required to administer the records and financing process.

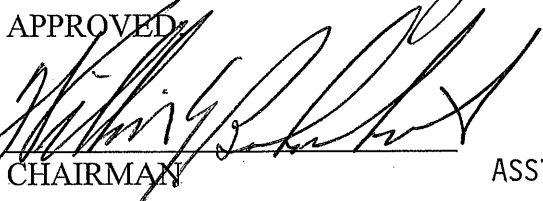
SECTION 4: If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5: After adoption by the Utilities Commission, City of New Smyrna Beach, Florida, this Resolution will take effect May 1, 2017.

SECTION 6: All Resolutions or portions thereof in conflict herewith are hereby rescinded and superseded.


THE ABOVE AND FOREGOING RESOLUTION was introduced at a Regular meeting of the Utilities Commission, City of New Smyrna Beach, Florida, held on January 23, 2017, by Commissioner Holcomb, who moved its adoption, which motion was seconded by Commissioner Griffith, and upon roll call vote of the Commission was as follows:

CHAIRMAN	<u></u>	<u>YES</u>
VICE CHAIRMAN	<u></u>	<u>YES</u> <u>1/23-17</u>
SECY-TREAS.	<u>Bernadette Britz-Parker</u>	<u>ABSENT</u>
ASST. SECY-TREAS.	<u></u>	<u>YES</u>
COMMISSIONER	<u></u>	<u>YES</u> <u>1/23/17</u>

APPROVED: 
CHAIRMAN

ATTEST: 
ASST. SECRETARY-TREASURER

SEAL

APPROVED AS TO FORM AND CORRECTNESS:

UTILITIES COMMISSION ATTORNEY