

## ORDINANCE 2019-64

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XX, UTILITIES CODE, CHAPTER 202, RECLAIMED WATER, BY ADJUSTING THE RATES, FEES, AND CHARGES FOR RECLAIMED WATER; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

**SECTION 1.** The City of Palm Bay Code of Ordinances, Title XX, Utilities Code, Chapter 202, Reclaimed Water, Section 202.09, Rates and Charges, is hereby amended and shall henceforth read as follows:

**“Section 202.09 RATES AND CHARGES.**

(A) All fees shall be set as follows for the use of reclaimed water:

	FY 18-19	FY 19-20
Residential – Flat Rate	\$40.98	>>\$11.53
Commercial – Metered – Base – 5/8” x 3/4” Meter	\$14.25	\$14.96
Commercial – Metered – Base – 1” Meter	\$30.76	\$32.30
Commercial – Metered – Base – 1 1/2” Meter	\$58.30	\$61.21
Commercial – Metered – Base – 2” Meter	\$91.35	\$95.92
<del>Commercial – Metered – Consumption (per tgals)</del>	<del>\$.53</del>	
>>Commercial<< Bulk – Metered – Base – 3” Meter	\$197.08	\$206.93
>>Commercial<< Bulk – Metered – Base – 4” Meter	\$306.16	\$321.46
>>Commercial<< Bulk – Metered – Base – 6” Meter	\$609.03	\$639.49<<

	FY 18-19	FY 19-20
<del>Bulk – Metered – Consumption (per tgals)</del>	<del>\$.288</del>	
<b>&gt;&gt;Commercial – Metered – Consumption (per tgals)</b>		<b>\$.56&lt;&lt;</b>

(B) *Annual Index Adjustment.* The City hereby adopts automatic annual rate adjustments to apply to all water rates, wastewater rates, reclaimed water rates, miscellaneous fees and charges for utility services as necessary to provide for increases in expenses due to inflation or other such factors. Unless a ~~Certificate of the Consulting Engineer~~ **>>Rate Study performed by the Rate Consultant<<** shall state differently, the adjustment shall be effective as of the first billing date on or after October 1 of each year and shall be equal to the then current index pursuant to the Florida Public Service Commission order establishing the price index for water and wastewater utilities, based on the Gross Domestic Product Implicit Price Deflator Index.”

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 3.** It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

**SECTION 4.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 5.** The provisions within this ordinance shall take effect on December 1, 2019.

Read in title only at Meeting 2019-27, held on November 7, 2019; and read in title only and duly enacted at Meeting 2019-29, held on November 21, 2019.

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William Capote, MAYOR

ATTEST:

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Terese M. Jones, CITY CLERK

Reviewed by CAO: \_\_\_\_\_

***Within the exhibit, ~~strikethrough~~ words shall be deleted; highlighted words that will be included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.***