

## ORDINANCE 2023-86

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XX, UTILITIES CODE, CHAPTER 200, UTILITIES CODE, BY ADJUSTING THE RATES, FEES, AND CHARGES FOR THE CITY'S UTILITIES SYSTEM AND SERVICES; 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 200, Utilities Code, is hereby amended and shall henceforth read as follows:

### “CHAPTER 200: UTILITIES CODE

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#### Section 200.04 METER INSTALLATION RATES.

(A) Each residential applicant shall be charged for the tap, meter, backflow prevention device, meter service box and for installation of the meter. Rates for residential meter installations for all meter sizes will be set as follows:

	FY 22-23	FY 23-24
5/8 x 3/4" Meter <sup>1</sup>	<del>\$734.96</del>	>>\$786.92
5/8 x 3/4" Meter (w/double check; residential only)	<del>\$770.12</del>	\$824.57
1" Meter <sup>1</sup>	<del>\$837.00</del>	\$896.18
1 1/2" Meter <sup>1</sup>	<del>\$1,192.07</del>	\$1,276.35
2" Meter <sup>1</sup>	<del>\$1,499.32</del>	\$1,605.32<<

<sup>1</sup>Owner provided backflow requirements may apply.

(B) Each new subdivision development applicant shall be charged for the meter, backflow prevention device, meter service box and for installation of the

meter. Rates for new subdivision development meter installations for all meter sizes will be set as follows:

	FY 22-23	FY 23-24
5/8 x 3/4" Meter <sup>1</sup>	<del>\$391.99</del>	>>\$419.70
5/8 x 3/4" Meter (w/double check; residential only)	<del>\$427.73</del>	\$457.97
1" Meter <sup>1</sup>	<del>\$494.59</del>	\$529.56
1 1/2" Meter <sup>1</sup>	<del>\$849.68</del>	\$909.75
2" Meter <sup>1</sup>	<del>\$1,157.50</del>	\$1,239.34<<

<sup>1</sup>Owner provided backflow requirements may apply.

(C) The meter charge for commercial development (without installation provided) will be set as follows:

	FY 22-23	FY 23-24
5/8 x 3/4" Meter <sup>1</sup>	<del>\$310.13</del>	>>\$332.06
1" Meter <sup>1</sup>	<del>\$375.85</del>	\$402.42
1 1/2" Meter <sup>1</sup>	<del>\$612.18</del>	\$655.46
2" Meter <sup>1</sup>	<del>\$765.52</del>	\$819.64<<

<sup>1</sup>Owner provided backflow requirements may apply.

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## Section 200.05 METER TESTING.

(A) Meter testing shall be done at the customer's request, and in accordance with the following guidelines and schedules:

(1) *Meter Test Request.* If any customer requests a test of the meter, the City will require a meter test or bench test fee which fee shall be set as follows:

	FY 22-23	FY 23-24
Meter Test	<del>\$75.00</del>	>>\$80.30
Bench Test – Less than 1.5" Meter	<del>\$213.00</del>	\$228.06
Bench Test – 2" Meter	<del>\$251.00</del>	\$268.75<<
Bench Test – Greater than 2" Meters		Actual Cost

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**Section 200.07 DISCONNECTING, RECONNECTING, AND TRANSFERRING SERVICE.**

(A) There shall be a charge for City service connections and for transferring of City accounts from the name of one person to the name of another, which shall be paid before the service connection is made or accounts changed. There shall be no service connection charge if the original service connection for meter installation or service installation fee has been paid.

(1) *Transferring Service.* The charge for the transfer of service to a new customer account at a previously served location or reconnection of service subsequent to a customer requested disconnection shall be set as follows. If after the reconnection the customer does not have water service due to the main valve at the house being in the off position, and the field service representative returns to the property, an additional service initiation fee will be applied to the account for each return trip to be set as follows:

	<b>FY 22-23</b>	<b>FY 23-24</b>
Transfer Fee (Re-Initiation Fee) (Per Trip)		
During normal hours	<b>\$24.00</b>	<b>&gt;&gt;\$25.70</b>
During after hours	<b>\$65.00</b>	<b>\$69.60&lt;&lt;</b>

(2) *Reconnection.* When service is discontinued because of nonpayment of amounts due or non-sufficient funds, the disconnection/reconnection fee will be applied to the account as set forth below. If service is ordered discontinued because of nonpayment of the amount due, then payment is subsequently received (thus preventing the service from being discontinued), an administrative fee will be applied to the account. If service has been discontinued because of non-payment and water service is restored without authorization by the City, the City shall remove the meter and a pulled meter/reinstall meter charge will be applied to the account. Service shall not be restored until the customer has paid the entire amount of the delinquent bill, together with penalties and the pulled meter/reinstall meter charge. If a meter was pulled prior to October 1, 2015, a re-install meter charge shall be applied to any account requesting to have such meter re-installed.

	FY 22-23	FY 23-24
Administrative Fee (Per Request)(Normal Hours)	<b>\$24.00</b>	<b>&gt;&gt;\$25.70</b>
Administrative Fee (Per Request)(After Hours)	<b>\$48.00</b>	<b>\$51.39&lt;&lt;</b>
Disconnection/Reconnection Charge (Non-Payment)		
During normal hours	<b>\$48.00</b>	<b>&gt;&gt;\$51.39</b>
During after hours	<b>\$88.00</b>	<b>\$94.22</b>
Pulled Meter/Reinstall Meter Charge	<b>\$71.00</b>	<b>\$76.02&lt;&lt;</b>

### Section 200.08 TEMPORARY SERVICE.

(A) All rates and deposit amounts for temporary service shall be set as follows:

	FY 22-23	FY 23-24
Temporary Hydrant Meter Deposit – 1”	\$375.00	\$375.00
Temporary Hydrant Meter Deposit – 1 1/2”	\$700.00	\$700.00
Temporary Hydrant Meter Deposit – 2”	\$900.00	\$900.00
Temporary Hydrant Meter Deposit – 3”	\$1,550.00	\$1,550.00
Temporary Hydrant Meter Installation	<b>\$117.00</b>	<b>&gt;&gt;\$125.27</b>
Temporary Hydrant Meter Removal	<b>\$81.00</b>	<b>\$86.73</b>
Temporary Hydrant Meter Relocation	<b>\$152.00</b>	<b>\$162.75&lt;&lt;</b>

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### Section 200.09 FIRE PROTECTION SERVICE.

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(B) Rates for fire protection service for all fire line sizes are set as follows:

	FY 22-23	FY 23-24
2” Line	<b>\$166.90</b>	<b>&gt;&gt;\$169.82</b>
4” Line	<b>\$535.50</b>	<b>\$544.87</b>
6” Line	<b>\$1,064.00</b>	<b>\$1,082.62</b>
8” Line	<b>\$1,703.80</b>	<b>\$1,733.62</b>
10” Line	<b>\$2,447.91</b>	<b>\$2,490.75</b>
12” Line	<b>\$3,338.05</b>	<b>\$3,396.47&lt;&lt;</b>

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### **Section 200.13 METER REREADS AND SPECIAL READS.**

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(B) All fees under this section shall be set as follows:

	<b>FY 22-23</b>	<b>FY 23-24</b>
High Bill Investigation Fee	<del>\$30.00</del>	<b>&gt;&gt;\$32.12&lt;&lt;</b>

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### **Section 200.15 REIMBURSEMENT RATES FOR ADDITIONAL SERVICES.**

The City shall charge the customer for specific utility services performed by and materials supplied by the City at the request of the customer or due to damages by the customer as determined on an individual basis, set as follows and based upon actual costs incurred by the City:

	<b>FY 22-23</b>	<b>FY 23-24</b>
Sewer Cleaning Vacuum Truck (per hour; 1 hour minimum)		
During normal hours	<del>\$168.00</del>	<b>&gt;&gt;\$179.88</b>
During after hours	<del>\$205.00</del>	<b>\$192.73&lt;&lt;</b>
Video and Sealing Services (per hour; 1 hour minimum)		
During normal hours	<del>\$110.00</del>	<b>&gt;&gt;\$117.78</b>
During after hours	<del>\$135.00</del>	<b>\$144.54&lt;&lt;</b>
Backhoe Services (per hour; 1 hour minimum)		
During normal hours	<del>\$87.00</del>	<b>&gt;&gt;\$93.15</b>
During after hours	<del>\$100.00</del>	<b>\$107.07&lt;&lt;</b>
Dump Truck Services (per hour; 1 hour minimum)		
During normal hours	<del>\$125.00</del>	<b>&gt;&gt;\$133.84</b>
During after hours	<del>\$140.00</del>	<b>\$149.90&lt;&lt;</b>
Dump Truck and Trailer Services (per hour; 1 hour minimum)		
During normal hours	<del>\$139.00</del>	<b>&gt;&gt;\$148.83</b>
During after hours	<del>\$155.00</del>	<b>\$165.96&lt;&lt;</b>
Trash Pump (per hour; 1 hour minimum)		

	FY 22-23	FY 23-24
4"	<del>\$11.00</del>	>>\$11.78
6"	<del>\$14.00</del>	\$14.99
8"	<del>\$15.00</del>	\$16.06<<
Other Utility Service Calls (per hour; 1 hour minimum)		
1 person crew		
During normal hours	<del>\$52.00</del>	>>\$55.68
During after hours	<del>\$65.00</del>	\$69.60<<
2 person crew		
During normal hours	<del>\$94.00</del>	>>\$100.65
During after hours	<del>\$120.00</del>	\$128.48<<
3 person crew		
During normal hours	<del>\$138.00</del>	>>\$147.76
During after hours	<del>\$170.00</del>	\$182.02<<
Supervisor		
During normal hours	<del>\$62.00</del>	>>\$66.38
During after hours	<del>\$80.00</del>	\$85.66<<

#### Section 200.16 ENGINEERING SERVICE CHARGES.

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(B) Fees shall be set as follows:

	FY 22-23	FY 23-24
Utility Plan Review and Inspection Fees		
Base fee	<del>\$750.00</del>	>>\$803.03
Charge per Water Equivalent Residential Connection (ERC)	<del>\$70.00</del>	\$74.95
Charge per Sewer Equivalent Residential Connection	<del>\$70.00</del>	\$74.95
Lift Stations with Backbone Mains (per lift station)	<del>\$2,102.00</del>	\$2,250.61<<

#### Section 200.17 WATER AND WASTEWATER SYSTEM RATES.

(A) *Schedule.* The City hereby adopts a System rate schedule set as follows and applied to each customer of the System beginning with the first reading

of the customer's water meter by the City or the first billing by the City as set forth in the new rate schedule:

### INSIDE CITY RATES

	FY 22-23	FY 23-24
Single Family Residential		
Base Facility Charge:		
Water		
5/8 x 3/4"	<del>\$15.61</del>	>>\$15.88
1"	<del>\$39.02</del>	\$39.70
1 1/2"	<del>\$78.04</del>	\$79.41
2"	<del>\$124.88</del>	\$127.07<<
Wastewater		
5/8 x 3/4"	<del>\$23.49</del>	>>\$24.37
1"	<del>\$58.73</del>	\$60.93
1 1/2"	<del>\$117.45</del>	\$121.85
2"	<del>\$187.92</del>	194.97<<
Usage Charge (per 1,000 gallons):		
Water		
First Block	<del>\$3.99</del>	>>\$4.06
Second Block	<del>\$5.17</del>	\$5.26
Third Block	<del>\$7.16</del>	\$7.29
Fourth Block	<del>\$8.94</del>	\$9.10
Wastewater	<del>\$6.81</del>	\$7.07<<

Note: Single family residential wastewater usage charge only applies to a maximum of 10,000 gallons per month.

	FY 22-23	FY 23-24
Non-Single Family Residential		
Base Facility Charge:		
Water		
5/8 x 3/4"	<del>\$15.61</del>	>>\$15.88
1"	<del>\$39.02</del>	\$39.70
1 1/2"	<del>\$78.04</del>	\$79.41
2"	<del>\$124.88</del>	\$127.07
3"	<del>\$249.73</del>	\$254.10
4"	<del>\$390.22</del>	\$397.05

	FY 22-23	FY 23-24
6"	<del>\$780.44</del>	<del>\$794.10</del>
8"	<del>\$1,248.71</del>	<del>\$1,270.56</del>
10"	<del>\$1,795.02</del>	<del>\$1,826.43</del>
12"	<del>\$2,731.38</del>	<del>\$2,779.18&lt;&lt;</del>
Wastewater		
5/8 x 3/4"	<del>\$23.49</del>	<del>&gt;&gt;\$24.37</del>
1"	<del>\$58.73</del>	<del>\$60.93</del>
1 1/2"	<del>\$117.45</del>	<del>\$121.85</del>
2"	<del>\$187.92</del>	<del>\$194.97</del>
3"	<del>\$375.83</del>	<del>\$389.92</del>
4"	<del>\$587.25</del>	<del>\$609.27</del>
6"	<del>\$1,174.48</del>	<del>\$1,218.52</del>
8"	<del>\$1,879.17</del>	<del>\$1,949.64</del>
10"	<del>\$2,583.86</del>	<del>\$2,680.75</del>
12"	<del>\$4,110.68</del>	<del>\$4,264.83&lt;&lt;</del>
Usage Charge (per 1,000 gallons)		
Water		
First Block	<del>\$3.99</del>	<del>&gt;&gt;\$4.06</del>
Second Block	<del>\$5.17</del>	<del>\$5.26</del>
Third Block	<del>\$7.16</del>	<del>\$7.29</del>
Fourth Block	<del>\$8.94</del>	<del>\$9.10</del>
Wastewater	<del>\$6.81</del>	<del>\$7.07&lt;&lt;</del>
Sewer Only		
Flat Fee per Month (per ERC)	<del>\$57.52</del>	<del>&gt;&gt;\$59.70&lt;&lt;</del>

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## Section 200.18 LEAKS AND WASTE.

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(C) *Causes for shutoff to be remedied; charge for turn-on.* Whenever the water supply to and for any premises has been shut off because of leaks or waste as in this section provided, the same shall not be turned on again until all cause or causes for shutoff shall have been remedied or removed, and until satisfactory assurance shall be given to the Utilities Department that the condition



causing the shutoff will not again exist by the customer and a fee set as follows shall have been paid to the City.

	FY 22-23	FY 23-24
Turn-On/Off >>Administrative<< Fee (Per Trip)		
During normal hours	<del>\$22.06</del>	>>\$25.70
During after hours	<del>\$68.38</del>	\$51.39<<

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**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 October 1, 2023.

Read in title only at Meeting 2023-21, held on September 6, 2023; and read in title only and duly enacted at Meeting 2023-24, held on September 20, 2023.

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Rob Medina, 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.**