

ORDINANCE NO. 455

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, REPEALING EXISTING SECTION 70-188, CODE OF ORDINANCES, IN ITS ENTIRETY, ESTABLISHING A CAPITAL FACILITIES CHARGE FOR WATER AND WASTEWATER, ESTABLISHING A WATER AND WASTEWATER TAP FEE, PROVIDING FOR METER PLACEMENT, PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Joe operates and maintains a water treatment and distribution system to provide centralized potable drinking water for the community and surrounding area, and

WHEREAS, the City of Port St. Joe operates and maintains a wastewater collection and treatment system to provide centralized treatment of the wastewater generated within the community and surrounding areas, and

WHEREAS, the City of Port St. Joe's water system and wastewater system operate as enterprise funds that operate fiscally utilizing revenues associated with water treatment and wastewater treatment, and

WHEREAS, the City of Port St. Joe generates revenue to fund the construction of surface and groundwater production, water treatment and storage facilities, and a water distribution piping system by charging water capital facilities charges to each new connection; and

WHEREAS, the City of Port St. Joe generates revenue to fund the construction of wastewater collection, pumping, force main, treatment, and disposal facilities by charging wastewater capital facilities charges to each new connection; and

WHEREAS, the City of Port St. Joe has employed Burton and Associates, Inc., to study the water and wastewater capital facilities needs of the city, and

WHEREAS, Burton and Associates, Inc., have determined the current capital facilities charges for water and wastewater are insufficient to meet expenses; and

WHEREAS, Burton and Associates, inc., recommends that capital facilities charges for water and wastewater be increased; and

WHEREAS, the City Commission of the City of Port St. Joe determines

the recommendations by Burton and Associates, Inc., are based on the most recent and localized data and that the recommendations are sound and fiscally responsible;

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA,

1. City of Port St. Joe Ordinance No. 390 (Section 70-188, Code of Ordinances) is repealed in it entirety.

2. Section 70-188, Code of Ordinances is replaced as follows

Section 70-188: Deposit of Capital Facility Charges for water and wastewater, installation charges, location of meters.

(A) **Water Capital Facilities Charge.** Except for

(1) as of September 18, 2007, any individual or business who either prepaid to the city or made an agreement to pay to the city a water capital facility fee (water tap fee) at an agreed amount, or

(2) the purchaser of any parcel subject to an agreement between the developer and the city to prepay a water capital facility fee (water tap fee) at an agreed amount;

Each applicant for water service shall pay to the city a water capital facility charge, where no water capital facilities charge has been previously paid, prior to issuance of a building permit. This charge is prescribed for various categories of consumers as follows:

<b>Effective Date: 01/01/2011</b>						
Water Meter		Maximum Continuous Flow Rate	Equivalent Residential Connection	Water Capital Facilities Charge		
Size	Type			Treatment Facilities	Distribution Facilities	Total
(in.)		(gpm)	(ERC)			
5/8" X 3/4"	Positive Displacement	10	1.0	\$ 1,400.00	\$ 335.00	\$ 1,735.00
1"	Positive Displacement	25	2.5	\$ 3,500.00	\$ 837.50	\$ 4,337.50
1-1/2"	Positive Displacement	50	5.0	\$ 7,000.00	\$ 1,675.00	\$ 8,675.00
2"	Positive Displacement	80	8.0	\$ 11,200.00	\$ 2,680.00	\$ 13,880.00
3"	Compound	160	16.0	\$ 22,400.00	\$ 5,360.00	\$ 27,760.00
3"	Turbine	350	35.0	\$ 49,000.00	\$ 11,725.00	\$ 60,725.00

4"	Compound	250	25.0	\$ 35,000.00	\$ 8,375.00	\$ 43,375.00
4"	Turbine	1,000	100.0	\$ 140,000.00	\$ 33,500.00	\$ 173,500.00
6"	Compound	500	50.0	\$ 70,000.00	\$ 16,750.00	\$ 86,750.00
6"	Turbine	2,000	200.0	\$ 280,000.00	\$ 67,000.00	\$ 347,000.00

<b>Effective Date: 01/01/2012</b>						
Water Meter		Maximum Continuous Flow Rate	Equivalent Residential Connection	Water Capital Facilities Charge		
Size	Type			Treatment Facilities	Distribution Facilities	Total
(in.)		(gpm)	(ERC)			
5/8" X 3/4"	Positive Displacement	10	1.0	\$ 1,608.00	\$ 406.00	\$ 2,014.00
1"	Positive Displacement	25	2.5	\$ 4,020.00	\$ 1,015.00	\$ 5,035.00
1-1/2"	Positive Displacement	50	5.0	\$ 8,040.00	\$ 2,030.00	\$ 10,070.00
2"	Positive Displacement	80	8.0	\$ 12,864.00	\$ 3,248.00	\$ 16,112.00
3"	Compound	160	16.0	\$ 25,728.00	\$ 6,496.00	\$ 32,224.00
3"	Turbine	350	35.0	\$ 56,280.00	\$ 14,210.00	\$ 70,490.00
4"	Compound	250	25.0	\$ 40,200.00	\$ 10,150.00	\$ 50,350.00
4"	Turbine	1,000	100.0	\$ 160,800.00	\$ 40,600.00	\$ 201,400.00
6"	Compound	500	50.0	\$ 80,400.00	\$ 20,300.00	\$ 100,700.00
6"	Turbine	2,000	200.0	\$ 321,600.00	\$ 81,200.00	\$ 402,800.00

**(B) Wastewater Capital Facilities Charges: Except for**

(1) As of September 18, 2007, any individual and/or businesses who either prepaid to the city or made an agreement to prepay to the city wastewater capital facilities charges (wastewater tap/impact fees) at an agreed amount, or

(2) the purchaser of any parcel subject to an agreement between the developer and the city to prepay a wastewater capital facilities fee (wastewater tap/impact fee) at an agreed amount,

each applicant for wastewater service shall pay to the city a wastewater capital facilities charge, where no wastewater capital facilities charge has been previously paid, prior to issuance of a building permit. This charge is prescribed for various categories of consumers as follows:

<b>Effective Date: 01/01/2011</b>						
Water Meter		Maximum Continuous Flow Rate	Equivalent Residential Connection	Sewer Capital Facilities Charge		
Size	Type			Treatment Facilities	Collection Facilities	Total
(in.)		(gpm)	(ERC)			
5/8" X 3/4"	Positive Displacement	10	1.0	\$ 1,950.00	\$ 620.00	\$ 2,570.00
1"	Positive Displacement	25	2.5	\$ 4,875.00	\$ 1,550.00	\$ 6,425.00
1-1/2"	Positive Displacement	50	5.0	\$ 9,750.00	\$ 3,100.00	\$ 12,850.00
2"	Positive Displacement	80	8.0	\$ 15,600.00	\$ 4,960.00	\$ 20,560.00
3"	Compound	160	16.0	\$ 31,200.00	\$ 9,920.00	\$ 41,120.00
3"	Turbine	350	35.0	\$ 68,250.00	\$ 21,700.00	\$ 89,950.00
4"	Compound	250	25.0	\$ 48,750.00	\$ 15,500.00	\$ 64,250.00
4"	Turbine	1,000	100.0	\$195,000.00	\$ 62,000.00	\$ 257,000.00
6"	Compound	500	50.0	\$ 97,500.00	\$ 31,000.00	\$ 128,500.00
6"	Turbine	2,000	200.0	\$390,000.00	\$ 124,000.00	\$ 514,000.00

<b>Effective Date: 01/01/2012</b>						
Water Meter		Maximum Continuous Flow Rate	Equivalent Residential Connection	Sewer Capital Facilities Charge		
Size	Type			Treatment Facilities	Collection Facilities	Total
(in.)		(gpm)	(ERC)			
5/8" X 3/4"	Positive Displacement	10	1.0	\$ 2,130.00	\$ 726.00	\$ 2,856.00
1"	Positive Displacement	25	2.5	\$ 5,325.00	\$ 1,815.00	\$ 7,140.00
1-1/2"	Positive Displacement	50	5.0	\$ 10,650.00	\$ 3,630.00	\$ 14,280.00
2"	Positive Displacement	80	8.0	\$ 17,040.00	\$ 5,808.00	\$ 22,848.00
3"	Compound	160	16.0	\$ 34,080.00	\$ 11,616.00	\$ 45,696.00
3"	Turbine	350	35.0	\$ 74,550.00	\$ 25,410.00	\$ 99,960.00
4"	Compound	250	25.0	\$ 53,250.00	\$ 18,150.00	\$ 71,400.00
4"	Turbine	1,000	100.0	\$213,000.00	\$ 72,600.00	\$ 285,600.00
6"	Compound	500	50.0	\$106,500.00	\$ 36,300.00	\$ 142,800.00
6"	Turbine	2,000	200.0	\$426,000.00	\$ 145,200.00	\$ 571,200.00

3. Each applicant for water and/or wastewater service shall pay to the city a service fee covering the installation, materials (including supplies and piping), and labor costs incurred by the city during installation of the water and/or sewer tap. The minimum charge for this service shall be \$400.00 for each tap service.

4. All water meters shall be located where designated by the city's Director of Public Works or his designee.

5. Miscellaneous.

(a) Any change in the calculation of the impact fee must be based on the most recent and localized data.

(b) The city shall account for the revenues and expenditures of such impact fees in a separate accounting fund and shall provide an accounting and report of impact fee collections and expenditures.

(c) The city may charge any actual costs incurred in the collection of any unpaid impact fee.

(d) The city shall give notice no less than 90 days before the effective date of any ordinance imposing a new or increased impact fee, but the city is not required to wait 90 days to decrease, suspend, or eliminate an impact fee.

6. Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed.


7. Severability. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

8. Effective date. This ordinance shall become effective on January 1, 2011.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida, this 21<sup>st</sup> day of September, 2010.

The City of Port St. Joe

  
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Mel C. Magidson, Jr., Mayor Commissioner

ATTEST:   
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Jim Anderson, Clerk