



CITY COMMISSION AGENDA ITEM

SUBJECT:

ORDINANCE amending Chapter 66, Chapter 86 and Appendix "A," Fee Schedule of the Code of Ordinances, for Solid Waste, Utilities and rates and fees as set forth in the Fee Schedule - 2nd Reading, Adopt

SUMMARY:

This is the second reading for adoption of an ordinance amending Chapter 66, Chapter 86 and the Fee Schedule of the Code of Ordinances. This ordinance will amend language in Chapter 66 and 86 as well as add or update fees related to Solid Waste and Utilities.

A complete review of Chapter 66 (Solid Waste) and Chapter 86 (Utilities) was performed in order to clean up old language to ensure that the language within these chapters mirrored the fees and rates that were set forth within Appendix "A", Fee Schedule. The fees and rates were also modified in Appendix "A" to increase Solid Waste rates by 6.5% and Utility (Water and Sewer) rates by 5%, as previously discussed during budget workshops in July.

The fees will be take affect 10/1/2017 to coincide with the FY 2017/18 Budget year.

RECOMMENDED ACTION:

Adopt on 2nd reading an ordinance amending Chapter 66, Chapter 86 and Appendix "A," Fee Schedule, of the Code of Ordinances of the City of Palatka

ATTACHMENTS:

Description	Type
Ordinance revising Sanitation, Water Sewer Code and Rates (Ch 66, 86, App A)	Ordinance

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Driggers, Betsy	Approved	9/19/2017 - 11:16 AM

ORDINANCE NO. 17-22

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CHAPTER 66, CHAPTER 86 AND APPENDIX A (FEE SCHEDULE) OF THE MUNICIPAL CODE OF THE CITY OF PALATKA AS IT PERTAINS TO SOLID WASTE, UTILITIES AND FEES AND OTHER CHARGES RELATING TO SOLID WASTE AND UTILITIES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE OF OCTOBER 1, 2017.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:

Section I. That Chapter 66 of the Code of Ordinances of the City of Palatka, Florida, is hereby amended to read as follows:

Sec. 66-2. Residential garbage containers.

- a) *Generally; deposit.* The city will provide garbage containers for each residential dwelling or residence of a type and capacity as determined by the city manager. Each container will be numbered to correspond with the resident or dwelling unit using the container. Each user shall make a deposit with the city in an amount as set out in Appendix A to this Code, as amended from time to time

Sec. 66-4. Special pickups; dogs or other animals hindering collectors; placing waste on parkways.

- 1) *Bulk waste items.* Special collection of bulk waste items which are too large to be disposed of in the City supplied container shall be handled by appointment only and shall include a special fee as set out in appendix A to this Code, as amended from time to time. The City shall not collect tires, construction debris or hazardous waste. Disposal of such waste is the responsibility of the property owner. All waste generated by a contractor must be disposed of by the contractor in accordance with City code, including tree contractors.
- 2) *Storage of trash at commercial establishments; placement of yard waste.* All accumulations of trash, other than garbage, in the commercial district shall be collected and placed in a receptacle at the rear of such commercial establishment and at a place easily accessible to the garbage collector and shall be covered at all times in order that trash may not escape therefrom. In the residential district, garden and lawn trash shall be collected and placed on the parkways of the streets in front of the places of residence in order to facilitate the collection by the city.
- 3) *Dogs or other animals hindering collectors.* Refuse, trash and garbage will not be collected when dogs or other animals hinder or endanger the garbage collectors.
- 4) *Placing waste on parkways.* Except for garden and lawn trash and except for covered garbage containers as set out in section 66-2, it shall be unlawful for any person to place on the parkways of any city street any refuse, trash or garbage, including concrete blocks, engine parts and the like, and old and discarded furniture, household furnishings and appliances, including hot water heaters. Persons violating any of the provisions of this subsection shall be deemed guilty of a violation of this Code and shall, upon conviction thereof, be subject to punishment as provided in section 1-10. In any action taken in connection with the enforcement of this section, proof that any of the forbidden items mentioned in this subsection was located on the parkways of any city street in violation of this section, together with proof of the ownership or control of the property adjoining the parkway, shall constitute in evidence a prima facie presumption that the person who owns or controls the adjoining property was the person who placed those forbidden items on the parkway in violation of this section.

All other parts and provisions of Chapter 66 shall remain.

Section II. That Chapter 86 of the Code of Ordinances of the City of Palatka, Florida, is hereby amended to read as follows:

Sec. 86-33. Application for service.

All persons desiring city water service shall make application for water service at the Palatka Gas Authority.

Sec. 86-35. Request for discontinuance of service.

Parties wishing to discontinue the use of city water must give notice thereof to the Palatka Gas Authority. A failure to do this will render them liable for the payment of water rents until such notice has been given.

Sec. 86-38. *Customer's responsibility for damages to facilities.*

Any person damaging any facility of the water system, either accidentally or intentionally, shall pay the cost of such repair or replacement as determined by the city; and upon failure to do so such person shall be liable to prosecution by the city. Any person convicted of damaging any equipment or property of the city water system and not paying the cost of repair or replacement after being notified as established in this section shall, upon conviction, be punished as provided by section 86-39(a).

Sec. 86-39. *Violations; penalties.*

- a) *Damaging facilities.* Any person who shall mischievously or maliciously handle, break or injure any machinery, appliance or appurtenance comprising any part of the city water system, or who shall connect without permit to the city water system, or who in any way tampers with any part of the city water system, shall, upon conviction, be punished as provided in section 1-10.
- b) *Theft of services.* The existence of any device having as its apparent object the removal of water from the city water system without permit or payment of monthly charges for such services will constitute prima facie evidence of fraudulent appropriation of utility services by the person on whose premises such device was found or by the person occupying such premises. Normal monthly charges for service, including usage, for up to 6 months prior to discovery of the theft of services, shall be placed on the utility account of the location at which theft of services occurred.

Sec. 86-117. *Customer's responsibility for damages to facilities.*

Any person damaging any facility of the wastewater system, either accidentally or intentionally, shall pay the cost of such repair or replacement as determined by the city; and upon failure to do so such person shall be liable to prosecution by the city. Any person convicted of damaging any equipment or property of the city wastewater system and not paying the cost of repair or replacement after being notified as established in this section shall, upon conviction, be punished as provided by section 1-10.

Sec. 86-152. *Violations; penalties.*

- b) The existence of any device having as its apparent object the disposal of sewage into the city wastewater system without permit or payment of monthly charges for such services will constitute prima facie evidence of fraudulent appropriation of utility services by the person on whose premises such device was found or by the person occupying such premises. Normal monthly charges for service, including usage, for up to 6 months prior to discovery of the theft of services, shall be placed on the utility account of the location at which theft of services occurred.

Sec. 86-282. *Combined billing.*

The charges for all utility services shall be included in one bill prepared by the Palatka Gas Authority and rendered monthly to each subscriber to such city services.

Sec. 86-283. *Due date.*

All utility bills shall be due and payable at the Palatka Gas Authority immediately upon being sent to the subscriber.

Sec. 86-285. *Failure to pay charges.*

If any subscriber to city utility services fails to pay his utility bill in full on or before 20 days from the date the bill is sent to the subscriber, a late payment fee as set out in appendix A to this Code, as amended from time to time, shall be assessed. The Palatka Gas Authority shall have all utility services furnished to each subscriber disconnected or suspended. Exceptions to this requirement may be authorized by the city manager in cases of hardship, but in such event the exceptions shall be reported to the city commission at its next regular meeting. No service so disconnected or suspended shall be restored until the subscriber has paid all utility bills which are due,

plus a reconnection fee as set out in appendix A to this Code, as amended from time to time.

Sec. 86-312. *Deposit and miscellaneous fees.*

All persons desiring to consume water for any purpose except private fire protection shall make application to the Palatka Gas Authority and shall pay the deposits and fees as set out in appendix A to this Code, as amended from time to time.

Sec. 86-318. *Water rate adjustment policy.*

- a) It shall be the policy of the city that the water rate schedules set forth in sections 86-314 and 86-315 shall be further adjusted in each fiscal year to keep pace with inflation. Commencing on October 1, 2013 and effective on October 1 of each year thereafter, the water rate schedule shall be adjusted by the city commission as necessary to meet the requirements of any covenants of bonds or financing instruments utilized to provide funding for this system, and/or as is necessary to maintain the economic solvency of the water system enterprise fund.
- b)

Sec. 86-343. *Conditions for service outside city.*

- b) All such charges shall be payable at the Palatka Gas Authority within twenty (20) days from the date the bill is rendered. If not paid at such time, it shall be the duty of the Palatka Gas Authority to cut off the water service and all other city services from such consumer who is in arrears, and shall not allow the water or any other service to be renewed until all charges in arrears, together with the service charge set out in appendix A to this Code, as amended from time to time, shall have been paid.

Sec. 86-348. *Sewer rate adjustment policy.*

- a) It shall be the policy of the city that the sewer rate schedules set forth in sections 86-344 and 86-345 shall be further adjusted in each fiscal year to keep pace with inflation. Commencing on October 1, 2013 and effective on October 1 of each year thereafter, the sewer rate schedule shall be adjusted by the city commission as necessary to meet the requirements of any covenants of bonds or financing instruments utilized to provide funding for this system, and/or as is necessary to maintain the economic solvency of the sewer system enterprise fund.

All other parts and provisions of Chapter 86 shall remain.

Section III. That the following sections of Appendix “A” to Chapter 66 of the Code of Ordinances of the City of Palatka, Florida, is hereby amended to read as follows:

Sec. 66-2. *Residential container deposit:*

- 1) The amount as defined in Section 86-312 of Appendix "A" shall apply.

Sec. 66-3(b). *Commercial garbage containers:*

Commercial container fee*:

- 1) 1-yard 182.00
- 2) 2-yard 202.00
- 3) 4-yard 272.00
- 4) 6-yard 352.00
- 5) 8-yard 414.00

*Fee shall be assessed upon creation of a new commercial account and upon replacement of container(s) unless the commercial account is less than 6 months old.

Fee for picking up and cleaning commercial garbage containers Actual cost

Sec. 66-4. *Bulk waste items.*

- a) For each bulk waste item collection \$8.00 per cubic yard per pickup

Sec. 66-9. *Garbage collection rates.*

- a) For each residence, apartment or other single-family dwelling unit: . . . \$15.63

- b) For each commercial enterprise or business establishment and any building occupancy other than single-family \$3.90 per cubic yard per pickup

All other parts and provisions of Appendix A to Chapter 66 shall remain.

Section IV. That the following sections of Appendix “A” to Chapter 86 of the Code of Ordinances of the City of Palatka, Florida, are hereby amended as follows:

Sec. 86-285. *Late payment fee; reconnection fee.*

- a) Late payment fee (assessed after 20 days) \$5.00 or 1.5%, whichever is greater
- b) Reconnection fee when services have been suspended or disconnected for nonpayment during normal hours of operation (Monday through Friday, 8:30a.m.-5:00p.m., excluding holidays) \$42.00
- c) Reconnection fee when services have been suspended or disconnected for nonpayment, when such reconnection is requested after 5:00p.m. and before 8:30a.m., or on weekends or holidays \$57.00
- d) If more than two (2) trips are made to reconnect service, there shall be a fee of \$17.00 per trip after the first two (2) trips.

Sec. 86-312. *Water deposit and miscellaneous fees.*

1) *Residential service:*

- a. Inside city - minimum \$190.00*
Inside city - maximum \$290.00*
- b. Outside city - minimum..... \$215.00*
Outside city - maximum \$315.00*

* If the current deposit on hand is below the maximum amount stated above and the account is suspended or disconnected for nonpayment, there shall be an additional \$50.00 charge added to the customer's account. This charge shall be applied to the deposit on hand until the deposit on hand reaches the maximum amount stated above.

2) *Non-residential service:*

- a. Three-quarter inch connections—minimum: \$300.00 or average of two and one-half months' estimated bills, whichever is greater*
Three-quarter inch connections—maximum: Average of past four months' bills*
- b. One-inch or larger connections—minimum: Average of two and one-half months' estimated bills*
One-inch or larger connections—maximum: Average of past four months' bills*

* If the current deposit on hand is below the maximum amount stated above and the account is suspended or disconnected for nonpayment, there shall be an additional charge equal to one-half of the past months' bill added to the customer's account. This charge shall be applied to the deposit on hand until the deposit on hand reaches the maximum amount stated above.

3) *Irrigation service:*

- a. Inside city—minimum: \$150.00 or average of two and one-half months' estimated bills, whichever is greater*
Inside city—maximum: Average of past four months' bills*
- b. Outside city—minimum: \$200.00 or average of two and one-half months' estimated bills, whichever is greater*
Outside city—maximum: Average of past four months' bills*

* If the current deposit on hand is below the maximum amount stated above and the account is suspended or disconnected for nonpayment, there shall be an additional charge equal to one-half of the past months' bill added to the customer's account. This charge shall be applied to the deposit on hand until the deposit on hand reaches the maximum amount stated above.

- 4) *Service charges:*
- a. Transfer of service (one location to another) \$42.00

b. Meter accuracy test First test is free, subsequent tests within twelve (12) months are \$50.00 for meters up to 2" in size. Meters larger than 2" will be charged actual cost of accuracy test.

Sec. 86-314. Water rates generally.

(a) *Schedule:*

<u>Base Facility Charge</u>	Charge Amount
<i>Individually Metered Residential Accounts</i> Per Meter Regardless of Meter Size	\$19.49
<i>Master-Metered Residential Accounts</i> Per Dwelling Unit	\$17.55
<i>Non-Residential Accounts</i> Per Meter Regardless of Meter Size	\$31.18
<i>Separate Irrigation Only Meters/Accounts</i> Per Meter Regardless of Meter Size	\$31.18

Usage Charges (in 1,000 gallons)				
	Tier 1	Tier 2	Tier 3	Tier 4
<i>Individually & Master-Metered Residential Accounts</i>				
Per Dwelling Unit	0 - 4,000	4,001 - 8,000	8,001 - 12,000	12,000+
Rate per 1,000 Gallons	\$1.10	\$1.85	\$3.70	\$7.38
<i>Non-Residential Accounts</i>				
Per Meter	All Use			
Rate per 1,000 Gallons	\$2.28			
<i>Separate Irrigation Only Meters/Accounts</i>				
Per Meter	0 - 12,000	12,000+		
Rate per 1,000 Gallons	\$3.70	\$7.38		

All rates are figured per 1,000 gallons

Sec. 86-315. Water rates outside city limits.

(a) *Schedule:*

<u>Base Facility Charge</u>	Charge Amount
<i>Individually Metered Residential Accounts</i> Per Meter Regardless of Meter Size	\$29.22
<i>Master-Metered Residential Accounts</i> Per Dwelling Unit	\$26.32
<i>Non-Residential Accounts</i> Per Meter Regardless of Meter Size	\$46.75
<i>Separate Irrigation Only Meters/Accounts</i> Per Meter Regardless of Meter Size	\$46.75

Usage Charges (in 1,000 gallons)				
	Tier 1	Tier 2	Tier 3	Tier 4
<i>Individually & Master-Metered Residential Accounts</i>				
Per Dwelling Unit	0 - 4,000	4,001 - 8,000	8,001 - 12,000	12,000+

Rate per 1,000 Gallons	\$1.64	\$2.76	\$5.54	\$11.07
<i>Non-Residential Accounts</i>				
Per Meter	All Use			
Rate per 1,000 Gallons	\$3.40			
<i>Separate Irrigation Only</i>				
<i>Meters/Accounts</i>				
Per Meter	0 - 12,000	12,000+		
Rate per 1,000 Gallons	\$5.54	\$11.07		

All rates are figured per 1,000 gallons

Sec. 86-342. Sewer connection charges.

All persons desiring new sewer service connections to the city sewer mains shall pay to the city the following charges for sewer tap connections to all sewers, both main and lateral, of the city:

- 1) *Connection fee.*
When a three-fourths-inch water tap or less is used, there shall be a sewer tap fee of \$700.00.

When a one-inch water tap is used, there shall be a sewer tap charge of \$750.00.

When a two-inch water tap is used, there shall be a sewer tap charge of \$950.00.

- 2) *Line charge.* The line charge shall be equal to the actual cost to the city for installation of any sewer line necessary to connect the new service location to the existing city sewer, including installation of any necessary pumping station.
- 3) *Water pollution control charge.* The water pollution control charge shall be \$15.00 for each plumbing fixture, as defined by the Standard Plumbing Code.

When a three-fourths-inch water tap is used, \$250.00

When a one-inch water tap is used, \$300.00

When a two-inch water tap is used, \$500.00

- 4) Reserved.
- 5)
- 6) Fees incurred for work not covered above shall be determined by the utilities superintendent.

Sec. 86-343. Reconnection fee for sewer service customers outside city Actual cost

Sec. 86-344. Sewer Rates Inside City Limits.

(a) *Schedule:*

<u>Base Facility Charge</u>	Charge Amount
<i>Individually Metered Residential Accounts</i> Per Meter Regardless of Meter Size	\$27.46
<i>Master-Metered Residential Accounts</i> Per Dwelling Unit	\$24.71
<i>Non-Residential Accounts</i> Per Meter Regardless of Meter Size	\$43.92

Usage Charges (in 1,000 gallons)			
	Tier 1	Tier 2	Tier 3
<i>Individually & Master-Metered Residential Accounts</i>			

Per Dwelling Unit	0 - 4,000	4,001 - 14,000	14,000+
Rate per 1,000 Gallons	\$1.34	\$2.26	N/A
<i>Non-Residential Accounts</i>			
Per Meter	All Use		
Rate per 1,000 Gallons	\$2.26		

b) *Individually & master-metered residential bill:* Usage of more than 14,000 gallons per month per dwelling unit shall not be billed.

Sec. 86-345. Sewer Rates Outside City Limits.

(a) *Schedule:*

<u>Base Facility Charge</u>	Charge Amount
<i>Individually Metered Residential Accounts</i> Per Meter Regardless of Meter Size	\$41.19
<i>Master-Metered Residential Accounts</i> Per Dwelling Unit	\$37.05
<i>Non-Residential Accounts</i> Per Meter Regardless of Meter Size	\$65.86

Usage Charges (in 1,000 gallons)			
	Tier 1	Tier 2	Tier 3
<i>Individually & Master-Metered Residential Accounts</i>			
Per Dwelling Unit	0 - 4,000	4,001 - 14,000	14,000+
Rate per 1,000 Gallons	\$2.02	\$3.36	N/A
<i>Non-Residential Accounts</i>			
Per Meter	All Use		
Rate per 1,000 Gallons	\$3.36		

b) *Outside individually and master-metered residential bill:* Usage of more than 14,000 gallons per month per dwelling unit shall not be billed.

All other parts and provisions of Appendix A to Chapter 86 shall remain.

Section V. That all ordinances or parts of ordinances in conflict therewith are hereby repealed to the extent of such conflict.

Section VI. That if any section or portion of a section or subsection of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section, subsection, or part of this ordinance.

Section VII. A copy of this Ordinance shall be furnished to the Municipal Code Corporation for insertion in the Code of Ordinances for the City of Palatka.

Section VIII. This Ordinance shall become effective as of October 1, 2017.

PASSED AND ADOPTED by the City Commission of the City of Palatka, Florida, on second reading this 28th day of September, 2017.

CITY OF PALATKA

By: _____
Its Mayor