

ORDINANCE NO. 03-

AN ORDINANCE PRESCRIBING FOR UTILITY RATE STANDARDS AND PROCEDURES WITHIN THE City OF DANIA BEACH AND ITS SERVICE AREA; PROVIDING FOR DEFINITIONS; PROVIDING RULES FOR CONSTRUCTION; PROVIDING FOR FINDINGS AND PURPOSE; PROVIDING FOR TITLE AND CITATIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR APPLICATION FOR SERVICES; PROVIDING FOR LIMITATIONS OF USE, CONTINUITY OF SERVICE; PROVIDING FOR METERS, METER SIZING AND MISCELLANEOUS; PROVIDING FOR WATER DEPOSITS; PROVIDING FOR SEWER DEPOSITS; PROVIDING FOR SEPARATE CONNECTIONS FOR EACH SEPARATE UNIT; PROVIDING FOR CONNECTIONS WITH WATER, SEWER AND NEEDED IMPROVEMENTS REQUIRED; PROVIDING FOR METERS, LOCATIONS AND CHARGE FOR MOVING; PROVIDING FOR EXCEPTIONS TO CONNECTIONS; PROVIDING CONNECTIONS MAY BE MADE BY THE City; PROVIDING FOR TEMPORARY METERS; PROVIDING FOR PAYMENT WHEN METER BECOMES DEFECTIVE, RIGHT OF ENTRY OR AUTHORIZED AGENTS OR EMPLOYEES; PROVIDING UNLAWFUL CONNECTION PROHIBITED; PROVIDING FOR FAILURE TO MAINTAIN PLUMBING SYSTEM; PROVIDING FOR METERS TO BE FURNISHED, INSTALLED BY CITY; PROVIDING FOR LAYING OF SERVICE PIPE TO PROPERTY LINE OF THE OWNER; PROVIDING FOR City OF THE City TO REQUIRE OWNER TO INSTALL BACKFLOW PREVENTERS OR THE LIKE ON SERVICE CONNECTION; PROVIDING FOR METERS-GENERAL; PROVIDING FOR DEFECTIVE METERS; PROVIDING FOR PRORATION OF BASE CHARGES; PROVIDING FOR USE OF WATER DURING FIRES; PROVIDING SERVICE CHARGES COMMENCE UPON INSTALLATION OF SERVICE, EXCEPTION; PROVIDING FOR DUTY OF THE CONSUMER AS TO LEAKS OR WASTE, NO REFUNDS; PROVIDING FOR CHANGE OF OWNERSHIP OR OCCUPANCY OF PREMISES; PROVIDING FOR DATES BILLS DUE AND

DELINQUENT DISCONTINUANCE OF SERVICE FOR NON-PAYMENT, REINSTATEMENT FOLLOWING DISCONTINUED SERVICE; PROVIDING UNPAID FEES CONSTITUTES LIEN; PROVIDING FOR NO FREE SERVICE; PROVIDING FOR OWNER'S RESPONSIBILITY FOR WATER SERVICE, BAD DEBTS; PROVIDING FOR INACTIVE ACCOUNTS, NOTICE, FORFEITURE OF DEPOSIT; PROVIDING FOR CONNECTING OR DISCONNECTING SERVICE BY CONSUMER PROHIBITED; PROVIDING FOR DISCONNECTION OR DISCONTINUANCE OF SERVICE; PROVIDING FOR OWNER OF PREMISES RESPONSIBLE FOR ALL ACTS; PROVIDING FOR USAGE OUTSIDE CORPORATE LIMITS; PROVIDING FOR SALE OF WATER IN BULK TO UTILITY COMPANIES OF RESALE; PROVIDING FOR SERVICE OF NOTICE REQUIREMENTS; PROVIDING FOR WATER BILL COMPLAINTS; PROVIDING FOR RATES; PROVIDING FOR CREDITS; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, THAT:

SECTION ONE: Definitions

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

"City" shall mean the City of Dania Beach, a municipal corporation formed under Florida Statutes. Where the context requires, the term "City" shall also be deemed to be the City Manager of the City of Dania Beach.

"City Commission" shall mean the governing City Commission of the City of Dania Beach.

"Comprehensive Plan" shall mean the Comprehensive Plan of the underlying local government where the City provides service and amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act.

"Consumer" shall mean any party, person, firm, corporation or association using water or wastewater in any premise supplied by the City of Dania Beach Public Works and Utilities Department.

"Delinquent Accounts" shall mean all bills and accounts rendered and charges made by the City which are in arrears as provided in this Ordinance.

" Dwelling Unit" shall mean a building or part of a building designed for or whose primary purpose is for residential occupancy, and which consists of one or more rooms which are arranged, designed or used as living quarters for one or more persons.

"Equivalent Dwelling Unit" shall mean a living accommodation for a single family, whether in a single family residence or a multifamily building, or nonresidential facilities using equivalent water consumption to a living unit.

"Owner" shall mean the person, firm, corporation, association, occupant or tenant holding an interest or a legal equitable sole or partial in any premises which is, or is about to be supplied with utility services supplied by the City of Dania Beach Public Works and Utilities Department. The word "Owner" shall mean all interested parties.

"Person" shall mean an individual a corporation, a partnership, an incorporated association, trust or any other entity.

"Regional Sewer System" shall mean the wastewater or sewer utility system directly or indirectly connected to treatment facilities operated by the City of Dania Beach Public Works and Utilities Department.

"Regional Water System" shall mean the water utility system directly or indirectly connected to treatment facilities operated by the City of Dania Beach Public Works and Utilities Department.

"Service Availability Charge" shall mean a monthly charge per dwelling unit or equivalent dwelling unit with no usage included.

"Service Area" shall mean a territory supplied with utility service by the City of Dania Beach Public Works and Utilities Department.

"Sewer Department" shall mean the Wastewater Operations Division of the City of Dania Beach.

"Sewer Use" shall be defined as the connection of drains for all faucets and facilities on the property where potable water is used in connection with sanitary purposes from the potable water system. Such usages shall include, but not be limited to, sinks, showers, bathtubs, commodes, urinals, dishwashers, washers and other such facilities. "Sewer Use" shall specifically not include runoff water being allowed to enter the City's Sanitary Sewer System.

"Tenant" shall mean the person, firm, corporation association who is occupying any premises which is or is about to be supplied with utility service by the City of Dania Beach Public Utilities Department. The word "Tenant" includes all interested parties.

"Territory" shall mean the physical and geographic territory supplied water and/or wastewater service by the City of Dania Beach.

"Water Department" shall mean the Water Operations Division for the City of Dania Beach.

"Water Use" shall mean the utilization of water from the City system through all fixtures and pipelines on the property except where a separate system is available solely for outside irrigation. Any such irrigation shall require backflow prevention devices and a physical separation from the remaining potable water system. "Water Use" shall specifically including but be limited to, the flow of water to all sinks, dishwashers, commodes, urinals, showers, hot water heaters, washers, drinking water coolers and drinking water machines. Such facilities shall also drain to the City of Dania Beach Sanitary Sewer System, where available, in conformance with other applicable ordinances or policies.

SECTION TWO: Rules for Construction.

For the purposes of administration and enforcement of this Ordinance, unless otherwise stated in this Ordinance, the following rules of construction shall apply:

2.1 In case of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, appendix, summary table or illustrative table, the text shall control.

2.2 The word "shall" is always mandatory and not discretionary and the word "may" is permissive.

2.3 Words used in the present tense shall include the future; and words used in the singular shall include the plural and the plural the singular, unless the context clearly indicates the contrary; use of the masculine gender shall include the feminine gender.

2.4 The phrase "used for" includes "arranged for," "designed for," "maintained for," or "occupied for."

2.5 Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction shall be interpreted as follows:

2.5.1. "And" indicates that all the connected terms,

2.5.2. "Or" indicates that the connected terms, conditions, provisions or events may apply singly or in any combination.

2.5.3. "Either...or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.

2.6 The word "includes" shall not limit a term to the specific example but is intended to extend its meaning to all other instances or circumstances of like kind or character.

2.7 The terms "growth," "growth necessitated improvements," "future growth" and the like shall refer,

and be construed as referring to Sewer System Impact Development either occurring or connecting, either directly or indirectly, to the Regional Sewer System subsequent to the effective date of this Ordinance.

SECTION THREE: Findings and Purpose

The City Commission for the City of Dania Beach hereby ascertains, decrees and declares that:

3.1 It is necessary to develop a safe and reliable water and sewer utility system in accordance with the latest technical and professional standards within the City of Dania Beach in order to protect the health, safety and welfare of the City of Dania Beach and those who are served now and in the future by the City of Dania Beach.

3.2 The purpose of this ordinance is to establish and present the standards for utility rate for the water and wastewater systems within the area served by the City of Dania Beach. The purpose of the ordinance is also to ensure that reliable and economical utility services will be provided to all users of the City's water and sewer system in a fair and equitable manner. This Ordinance should be used in conjunction with, and as supplement to, the City of Dania Beach's Utilities Standards and Procedures and other ordinances and regulations in effect now or in the future as they may be amended from time to time and apply to all developments or lands within the City's service area.

3.3 The City of Dania Beach utility system was created to develop safe, reliable and financially self-supporting potable water and sanitary sewerage systems which will meet the water and sewerage needs of a developing area served by the City of Dania Beach, to ensure that existing and future utility systems are constructed, operated and managed at the least possible cost to the users and with no direct or indirect financial aid from the general fund of the City, to develop systems requiring the most reliable operating and maintenance costs, and to develop a system that is compatible with the City's growth. The objective of the standards and procedures within the utility rate ordinance is to facilitate the development of the water and sewer system to meet the financial needs and mandates required of the City and to provide water and sewer services to the residents of the City service area in a manner such that

all consumers benefit from the provision of utility service to meet their needs and that all fees, charges and procedures required of customers reflect the actual cost to provide service in accordance with good utility practice and law.

SECTION FOUR: Title and Citation

This Ordinance shall be known and may be cited as "The City of Dania Beach Utility Rate Ordinance."

SECTION FIVE: Applicability

This ordinance shall be applicable to all activities within the area served now or as contemplated in the future by the City of Dania Beach, Florida.

SECTION SIX: Application for Service

6.1 To obtain service, application must be made at the offices of the City. Applications are accepted by the City with the understanding that there is no obligation on the part of the City to render service other than that which is then available from existing facilities.

6.2 The applicant shall furnish to the City the correct name, street address and legal description at which service is to be rendered at the time of the application for service. All reserve capacity fees, connection and tap-in fees, and any other fees, rates and charges as established by the City Commission shall be paid in full at the time of application for service.

6.3 Utility service is furnished only upon signed application of the customer, accepted by the City and the conditions of such application or agreement are binding upon the customer as well as the City. A copy of each application or agreement for utility service accepted by the City will be furnished to the applicant.

6.4 Application for service requested by firms, partnerships, associations, corporations and others, shall be tendered only by duly authorized parties. When service is rendered under agreement or agreements entered into between the City and an agent of the principal, the use of such service by the principal shall constitute full and complete ratification by customer of the agreement or

agreements entered into between agent and the City under which such service is rendered. A tenant of property shall not be construed as an agent.

6.5 Where the water or sewer main is reasonably accessible to render service, no Building Permit may be issued until such time as a proper application shall have been made for service and all fees necessary for the rendering of such service shall have been paid to the City.

6.6 The City may withhold or discontinue service rendered under application made by any of the immediate household, agent of an organization or business unless all prior indebtedness to the City of such family, household, organization or business for utility service has been settled in full. Service may be withheld for non-payment of bills or non-compliance with rules and regulations in connection with same or different class of service furnished to the same consumer at the same premises, or for non-payment of bills for service by a previous occupant of the premises, provided such previous occupant will receive benefit from rendering or continuation of such service.

6.7 Application to become a binding contract upon commencement of service.

6.7.1 The application becomes a binding contract upon both the Owner and the City when the service connection for water supply service applied for has been installed and completed.

6.7.2 All contracts for service shall continue in force by renewal without act or notice from either party to the other, from month to month, unless ten days notice in writing is given by either party to the other of a desire to terminate the contract at the expiration of the then calendar month and the charging for and payment of water rates in any manner, and at any interval or period, shall not be construed as altering the period of the contract or any renewal thereof under this Paragraph.

6.7.3 All of the rates and rules applied under this Ordinance shall be considered and taken to be a part of the contract, so far as the same may be applicable to the class of service covered by and included in such contract, with every customer who shall make application for the water supply service of the City or whose premises

are furnished with, or are connected to the system of the City for such service, and every such Owner shall be considered as having, and be taken and construed to have expressed his consent to be bound thereby whenever application for such water supply service is made, or so long as the premises or any such Owner are furnished with, or are connected to the system of the City for such service.

6.8 Each and every addition or modification, alternation or amendment to and of any of the rates or rules of the City shall be and become binding upon, and shall form a part of the contract with each and every Owner, upon the expiration of 30 days' notice thereof in writing, to each and every Owner affected thereby unless and except any such addition or modification, alteration or amendment is by this Ordinance provided to be and become otherwise effective and binding on every such Owner, or any one or more thereof.

SECTION SEVEN: Limitation of Use, Continuity of Service

7.1 Services purchased from the City shall be used by the consumer only for the purposes specified in the application of service, and the consumer shall not sell or otherwise dispose of such service supplied by the City. Water service furnished to the customer shall be rendered directly to the consumer through the City's individual meter, and under no circumstances shall the consumer or consumer's agent or any other individual, association or corporation install equipment for the purpose of disposing of said water service. In no case shall a consumer, except with the written consent had and obtained from the City, extend his installation across a street, alley, lane, court, property line, avenue, or any other way, in order to furnish service for adjacent property, even though such adjacent property be owned by him. In such case of such unauthorized extension, sale or disposition of service, customer's service will be subject to discontinuance until such unauthorized extension, sale or disposition is discontinued and full payment is made of bills for service, calculated on proper classification and rate schedules and reimbursements in full are made to the City for all extra expenses incurred for clerical work, testing and inspections.

7.2 The City will at all times use reasonable diligence to provide continuous service, and having used reasonable diligence shall not be liable to the customer for failure or interruption of continuous water service. The City shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accident, litigation, breakdowns, shutdowns for emergency repairs or adjustments, acts of sabotage, enemies of the United States, wars, United States, state, municipal or other governmental interference, acts of God or other causes beyond its control.

7.3 Customers shall maintain their own lines from the water meter, and all loss of water through breaks or leakage to the premises will be paid by the customer.

SECTION EIGHT: Meters; Meter Sizing; Miscellaneous.

8.1 For meters larger than two (2) inches, the tapping charge shall be based on the cost of the meter. The materials and labor costs for such meters shall be furnished by the developer in accordance with City requirements and specifications and dedicated to the City in accordance with City ordinances, at no cost to the City.

8.2 All meters two (2) inches or smaller will be furnished by the City and shall remain the property of the City.

8.3 The meter sizing and type shall be based on the Chart I included herein.

This chart is derived from the National Association of Plumbing, Heating and Cooling Contractors Water Supply Calculator, as derived from the National Bureau of Standards BMS 66 and 79 as amended.

Meter sizes shall be based on the actual number of fixture units as derived on calculation, on an 8 gallon per second flow rate.

No meter shall be permitted to have in excess of the number of fixtures units shown on the chart below, nor be allowed to exceed the peak flow volume as established by American Water Works Association Manual M-22.

Chart 1

METER SIZE CHART

WATER METER SIZE	METER TYPE	MAXIMUM FIXTURE UNITS	PEAK MAXIMUM VOLUME-AWWA
5/8-3/4	Displacement	25	20 GPM
1	Displacement	45	50
1.5	Displacement	100	100
2	Compound	225	160
3	Compound	500	320
4	Compound	750	500
6	Compound		1000
8	Compound		1600
10	Turbine		2900
12	Turbine		4300

Any meter found to be undersized based upon this table shall, as directed by the City, be upsized to the appropriate meter size. All costs, charges and additional fees related to replacement of the meter shall be paid by the property Owner in conformance with this and other applicable ordinances.

8.4 Meters must be left accessible to City employees at times. Accessibility is defined as permitting employees or agents of the City of Dania Beach to approach the meter minus barriers, including but not limited to, fences, dogs and vegetation. Meters that require the customer to be present during reading are hereby found to be inaccessible.

8.5 When any customer who has a water meter, makes an application to the City for the installation of a larger meter to replace his smaller meter, or has his meter replaced under Section 7.4 above, he shall be given no credit for the tapping charges paid on the smaller meter in accordance with the above schedule. There shall be no refunds or credits given to any customers requesting a smaller meter.

8.6 The City in every instance reserves the right, at its option, to designate the location and prescribe the size of the service connection and meter, either upon original installation of a new connection and meter, or and in any case, where the demands of the system based on the meter sizing chart contained herein, designates another size is

appropriate, whether or not that meter size is other than that applied for by the Owner, or previously existing, the Owner shall be bound by the City's decision and pay the meter and any fees accordingly.

8.7 If, because of a substantial reduction in water consumption through an existing meter, the Owner requests a smaller meter, the Building Division Department of Development Administration shall determine if the desired meter size will be adequate, based on the standards established in Section 7.3. Upon application of the Owner, the Department shall install the prescribed meter and the Owner agrees to pay all costs including the new meter cost.

SECTION NINE: Water Deposits

9.1 All persons desiring water connections with the water mains of the City for single family residential service shall, upon making application therefore, deposit with the City a minimum of fifty dollars (\$50.00) for each five-eighths (5/8) and three-quarter (3/4) inch size meter. Deposits for all other sizes and herein established as set forth. No meter shall be installed and connections made with the water system without the receipt of such deposit.

9.2 Application for water services must be made to the City and the following minimum guarantee of payment deposit shall be required upon application. In the event that a customer is disconnected for failure to pay any water bill on a timely basis and the deposit is found to be inadequate to cover the outstanding balance due the City, the City shall require payment in full of all balances outstanding.

Application for water service will not be accepted without the specified deposit.

Multi-family.....50.00/unit

Construction service (blanket fee).....50.00

All others not specified.....100.00

9.3 Deposits shall be refunded upon transfer of the service from one Owner to another Owner. The City reserves the right to deduct any final billing or any accrued indebtedness from said deposit, and the balance, if any,

shall be refunded to the depositor. Each residence or place of business shall be considered a separate service, and a deposit shall be required for each separate service. Where a customer has more than one service at one time, a deposit must be made for each service.

9.4 If, at any time, the consumer's bill exceeds the amount of the deposit, the City reserves the right to demand an additional deposit equal to the amount of any previous bill on that service.

9.5 After an Owner has established a satisfactory payment record and has had continuous service for a period of twenty-three (23) consecutive months, the City shall refund the water deposit to Owner provided Owner has not, in the preceding twelve (12) months made more than one (1) delinquent payment of a monthly bill, paid with a check refused or returned for insufficient funds by a bank or other financial institution, been disconnected from service, tampered with the water meter, or used service in a fraudulent, illegal or unauthorized manner.

9.6 Deposits will accrue interest at the average annual interest rate earned by the City on its pooled investments. The interest will be applied to the account for which the deposit is held, at the close of the fiscal year on those accounts having been held for at least one year.

9.7 The City reserves the right to demand a new deposit in the amount described in this section, for any Owner who, in the preceding twelve (12) months made more than one (1) delinquent payment of a monthly bill, paid with a check refused or returned for insufficient funds by a bank or other financial institution, been disconnected from service, tampered with the water meter, or used service in a fraudulent, illegal or unauthorized manner.

SECTION TEN: Sewer Deposits

10.1 All persons desiring connections with the sewer mains of the City for single family residential service shall, upon making application therefore, deposit with the City a minimum of fifty dollars (\$50.00) for each service to a dwelling unit or commercial unit served by a five-eighths (5/8) and three-quarter (3/4) inch size water meter. Deposits for all other sizes and herein established as set

forth. No connection shall be made to the sewer system without the receipt of such deposit.

10.2 Application for water services must be made to the City and the following minimum guarantee of payment deposit shall be required upon application. In the event that a customer is disconnected for failure to pay any water bill on a timely basis and the deposit is found to be inadequate to cover the outstanding balance due the City, the City shall require payment in full of all balances outstanding.

Application for water service will not be accepted without the specified deposit.

Multi-family.....50.00/unit
Construction service (blanket fee).....50.00
All others not specified.....100.00

10.3 Deposits shall be refunded only upon transfer of the connected property from one Owner to another Owner. The City reserves the right to deduct any final billing or any accrued indebtedness from said deposit, and the balance, if any shall be refunded to the depositor. Each residence or place of business shall be considered a separate service and a deposit shall be required for each separate service.

10.4 If, at any time, the Consumer's bill exceeds the amount of the deposit, the City reserves the right to demand an additional deposit equal to the amount of any previous bill on that service.

10.5 After an Owner has established a satisfactory payment record and has had continuous service for a period of twenty-three (23) consecutive months, the City shall refund the water deposit to Owner provided Owner has not, in the preceding twelve (12) months made more than one (1) delinquent payment of a monthly bill, paid with a check refused or returned for insufficient funds by a bank or other financial institution, been disconnected from service, tampered with the water meter, or used service in a fraudulent, illegal or unauthorized manner.

10.6 Deposits will accrue interest at the average annual interest rate earned by the City on its pooled investments. the interest will be applied to the account for which the

deposit is held, at the close of the fiscal year on those accounts having been held for at least one year.

10.7 The City reserves the right to demand a new deposit in the amount described in this section, for any Owner who, in the preceding twelve (12) months made more than one (1) delinquent payment of a monthly bill, paid with a check refused or returned for insufficient funds by a bank or other financial institution, been disconnected from service, tampered with the water meter, or used service in a fraudulent, illegal or unauthorized manner.

SECTION ELEVEN: Separate Connections For Each Separate Unit.

11.1 Each residential unit whether occupying one or more lots and whether it shall occupy any lot or parcel jointly with any other residential unit shall be considered a separate unit for the payment of water and sewer rates and charges, and separate connections will be required for each of such units.

11.2 Every separate residence and place of business using City water and/or sewer service shall be considered a separate service and shall be charged not less than the minimum charge.

SECTION TWELVE Connections With Water, Sewer and Needed Improvements Required

The Owner of each lot or parcel of land within the City's Water and Sewer service area upon which lot or parcel of land any improvement is not situated or shall hereafter be situated, shall connect or cause such improvements to be connected with the public water, sewer and/or reclaimed water facilities of the City and use such facilities within ninety (90) days following notification so to do by the City. All such connections shall be made in accordance with rules and regulations which may be adopted from time to time by the City, which rules and regulations shall provide for a charge making any such connection in such reasonable amount as such City Commission may fix and determine. No connection or connections shall be required where said water, sewer or needed reclaimed water system or line is more than two hundred (200) feet from such improvement for residential developments, or more than one half mile for commercial development.

SECTION THIRTEEN Meters, Locations and Charge for Moving

Meters shall be placed just within the property line at the nearest point to the tap-in main. If moved at the request of the property Owner, a charge of cost plus ten percent shall be made for the expense of moving.

SECTION FOURTEEN Exceptions to Connections

This Ordinance shall not be construed to require or entitle any person to cross the private property of another to make any such water, sewer or reclaimed water connection.

SECTION FIFTEEN Connections May Be Made By The City

If any such Owner of any lot or parcel of land within the City's service area shall fail or refuse to connect with and use the facilities of the water or sewer system of the City after notification, as provided herein, then the District shall be authorized to make such connections, entering on or upon any such lot or parcel of land for the purpose of making such connection. The City shall thereupon be entitled to recover the cost of making such connection together with reasonable penalties and interest and attorney's fees, by suit in any court of competent jurisdiction. In addition and as an alternative means of collecting such costs of making such connections, the City shall have a lien on such lot or parcel of land for such cost; which lien shall be equal dignity with the lien of the State and City taxes. Such lien may be foreclosed by the City in the same manner provided by the laws of Florida for the foreclosure of mortgage upon real estate.

SECTION SIXTEEN Temporary Meters

16.1 Temporary meters may be made available to developers and other customers provided certain criteria are met. These criteria are as follows:

16.1.1 Customer shall pay all charges incurred for the installation and removal and monthly user charges made on the temporary meter.

16.1.2 All pipes, valves, meters, etc., up to and including the meter and backflow prevention device shall be property of the City of Dania Beach.

16.1.3 All meters shall be considered non-potable and shall be used only for the purpose of supplying construction water to meet the City's operational requirements for new water line construction for line filling, full bore flush, chlorination, post chlorination flush and bacteriological tests.

16.1.4 A Reduced pressure zone (RPZ) backflow prevention device must be installed at the cost of the customer, and shall be inspected and periodically tested by the City of Dania Beach and the cost charged to the customer.

16.1.5 No water shall be allowed to run or be wasted.

16.1.6 A \$100 deposit shall be required at the time of application.

16.1.7 Setting of meters and turn-ons/turn-offs shall be made by the City of Dania Beach personnel, or their designees, only.

Failure to comply with these criteria shall be grounds for refusal to grant a temporary meter or termination of service for a temporary meter. Temporary meters shall be installed for no more than six (6) months. No impact fees or reserve capacity charges shall be due for temporary meters. All billing shall be accomplished in conformance with this ordinance, as amended from time to time.

SECTION SEVENTEEN Payment When Meter Becomes Defective; Right Of Entry Or Authorized Agents Or Employees

17.1 Should the meter on any premises become defective, so that the amount delivered for the current month cannot be ascertained, the customer or occupant of the premises shall pay for that month the amount equal to the average amount charged for the four (4) months proceeding.

17.2 Duly authorized agents and employees shall during daylight hours or if called out after dark for emergency service have free access to any premises for the purpose of examining the condition of fixtures, service pipe installation and such other purposes as may be proper to protect the interest of the City or reading or repairing

the water meters located thereon, or turning the supply of such water to the premises off or on.

SECTION EIGHTEEN Unlawful Connection Prohibited.

No person shall be allowed to connect into any water or sewer line owned by the City without the written consent of the City, and then the connection with such line shall be made only under the direction and supervision of the City, Any property Owner or plumber who shall make any connection without such consent of the City shall, upon conviction, be subject to the penalties hereafter provided.

SECTION NINETEEN Failure To Maintain Plumbing System

The Owner of the property shall be responsible for maintaining and keeping clean the sewer pipes leading and connecting from the plumbing system to the City's main sewers, and failure to keep the sewer pipe, i.e. the pipe leading from the plumbing system to the sewer main, clean and maintained in the proper manner shall be subject to the penalties hereinafter provided.

SECTION TWENTY Meters to be Furnished, Installed by City

All meters shall be furnished and installed by the City upon the application of any Owner or responsible party paying the minimum service charge as heretofore provided, and all meters furnished and/or installed shall be and remain subject to the absolute and exclusive control of the City.

SECTION TWENTY ONE Laying of Service Pipe to Property Line of the Owner

21.1 The City shall lay the service pipe to the property line of the Owner who has signed a application for water and/or sewer service and paid the appropriate fees, provided the property line or lines correspond to such lot lines as are dedicated and recorded in some subdivision plat. In other words, the City will not run service connections into lots or parts of lots that have been divided and where appropriate provisions for easements or alleys for water supply lines have not been recorded.

21.2 Service Line from three-fourths-inch (3/4") through two-inch (2"), inclusive, shall be of copper tubing

(compression or soldered connection), or (PVC/3408 Polyethylene) plastic, approved by the City.

21.3 In case the service supplying the house or building is found not to be large enough due to additions to the building or an increase in the number of fixtures, the City will make the larger tap and install the larger service upon the payment of the tapping charge for the size of the new service. NO credit will be given for the service already in place that is found to be insufficient in size.

21.4 The Owner shall be required to place a valve on the service between the building and the meter box so the supply may be turned off by the Owner in case of a break or repairs being made in the building.

SECTION TWENTY TWO City of the City to require Owner to Install Backflow Prevention Devices or the Like on Service Connection

The City reserves the right, at its option, where and when, in its discretion, the conditions dictate, to require any Owner to install on its service connection at the location designated by the City, a tank, check valve or valves, cock or gate valve, pressure regulator, backflow prevention device or other appliances, apparatus or equipment of such type and design as is approved by the City in accordance with Section 62.550 and 62-610, Florida Administrative Code, and thereafter to require any change, alteration, substitution or addition of and to any such tank, valve regulator, backflow prevention device or other appliances, apparatus or equipment, as aforesaid, and failure upon the part of the Owner to comply with such requirements of the City within 30 days after written notice to the Owner, or within some agreed extension beyond such 30 days also in writing, shall authorize the City, at its option, and without further notice, to cancel the contract for such service and discontinue the same.

SECTION TWENTY THREE Meters-General

23.1 Repairs, renewals, and replacements of water meters, meter boxes, connections and appliances shall be made by the City. Where damage has occurred to these appurtenances, the City shall bill Owner and/or Persons responsible for the damage.

23.2 Reading of meters shall be made monthly, and if meter is in good order and has been in good condition since the last previous reading, bills shall be rendered and in accordance therewith. Should the Owner, at any time, question the accuracy of the reading of his meter, unless that reading is an estimated reading, the City shall, upon the Owner's request, reread the meter. If it is determined that the meter is functioning properly, and the reading was correct, a charge of \$15 will be made for the rereading service on the next billing. In the event that the meter is found to be faulty, or the reading is found to be erroneous, the Owner shall not be required to pay the \$15 service charge. If the reading is that of an estimate of usage, no adjustment will be made until the next scheduled actual reading, unless the Owner voluntarily agrees to pay the reread charge regardless of accuracy, or the estimate is in excess of the average monthly usage for the past twelve months by more than 50%. If the estimate is in excess of the average monthly charge by 50% or more, then the bill will be adjusted to the average without a reread.

23.3 The City may, at its option, in the case of monthly billing procedures, render billing for each second month on the basis of the previous month's consumption, with the City reading and confirming such billing each alternate second month.

23.4 All meters shall be carefully tested before they are installed, and after their installation they shall be tested as frequently as the City may deem circumstances to warrant.

23.5 Should the Owner, at any time, question the accuracy of the meter on his service, the City shall, upon his request, remove the meter and test it. If it is determined that the meter is functioning properly and is not over registering more than 3%, a charge of \$25 will be made for the testing on the owner's next billing. If the test shows that the meter has been over-registering more than 3%, no charge for testing will be made and the bill rendered, based on the last reading of such meter or meters, shall be corrected accordingly.

23.6 The City reserves the right to remove and test any meter at any time, and if such meter is found to be inaccurate, then the City will substitute another meter of the same size in its place, either permanently or

temporarily. In the event of such test as last mentioned, the Department further reserves the right to make any corrections on the bill rendered based on the last reading of such meter, in accordance with the results of the test.

23.7 The City reserves the right to routinely replace existing meters at any time for any reason as a part of a routine, ongoing meter change-out program or for any other purpose.

23.8 The Owner or Consumer at the premises shall pay to the City the sum of \$20 for each and every time the seal on any meter or its coupling on or for such premises is found broken or removed, the City hereby reserving the right to replace such seals on or for any premises at any time, and upon the second occurrence of such offense, the City shall, at its option, shut off the supply and discontinue its service to such premises, so long as the Owner or Consumer at the premises at the time of the breaking or removal of such seal shall continue to be the Owner or Consumer at the premises.

23.9 Every time the seal on any meter or its coupling is found to have been damaged, broken or removed, the amount of the water to be billed shall be prorated upon the previous corresponding period from the date of the last reading prior to the time the meter become defective or failed to register, to the time such meter is repaired or replaced.

SECTION TWENTY FOUR Defective Meters

24.1 The quantity of water recorded by the meter shall be conclusive on both the Owner and the City except when the meter has been found to be defective, or ceases to register.

24.2 In case the meter has been found to be defective or has ceased to register, the quantity of water supplied since the last reading shall be determined by the average registration of another meter for a period of twenty days, or of the same meter for a like period after it has been repaired.

SECTION TWENTY FIVE Billing Procedures

25.1 Payment of all bills and accounts of the City shall be made at the offices of the City or City's designee as authorized by this section.

25.2 Substations for collection of water bills:

25.2.1 The City Manager is hereby empowered to establish and set up such other substations within the corporate limits of the City for collection of water statements as he may, at his discretion, deem necessary and advisable.

25.2.2 Prior to designating any establishment or place of business as an official substation for the collection of water statements, other than a duly chartered and licensed bank, the City Manager shall require the furnishing of a good and sufficient bond in a minimum amount of \$5,000 covering all persons handling funds for said substations; the premium bond to be paid by the City.

25.2.3 All substations established hereunder shall be empowered to issue official receipts of the City, evidencing the payment of water bills and the mechanics and procedure incident to the issuance of said receipts, as well as the collection and transmittal of funds, shall be evolved by the Manager with the advice and approval of the City Attorney.

SECTION TWENTY SIX Pro-ration of Base Charges

The base charge billed herein for a single unit shall be billed for the full month charge without regard for any period beyond the fifteenth day of the billing cycle. This will apply only to newly created accounts, reactivated accounts, and final bills.

SECTION TWENTY SEVEN Use of Water During Fires

All sprinkling during a fire in the vicinity of any Owner's premises of which said Owner, his agent or tenant has, or may reasonably be presumed to have knowledge or notice of, is prohibited, unless such sprinkling is for protection against such fire.

SECTION TWENTY EIGHT Service Charges Commence Upon Installation of Service; Exception

When application for water supply service is made, the service together with the charges and rates therefore, shall begin on the date of the completion of the service connection by the City and shall continue for a period not less than 30 days, and when disconnected, shall thereafter be turned on by the City only upon the request, in writing, of the Owner and the charges and rates for water supply service shall commence from the date of such turn-on in accordance with this Ordinance in every respect as though such turn-on request had been on the original application. In case there shall have been a change in ownership prior to the turn-on of the service connection, the new Owner must sign the application for water supply upon the regular form.

SECTION TWENTY NINE Duty of Consumer as to Leaks or Waste; No Refunds

29.1 It shall be the duty of every Owner, his agent or tenant, to at all times exercise due diligence to prevent the waste of water, and to this end shall immediately stop all leaks on his premises, and shall notify the City promptly of any leak discovered other than upon his premises, thus to enable the prompt stopping thereof.

29.2 Persisting in any willful waste, or neglect to promptly stop water through leaks on part of any Owner, his agent or tenant, shall be sufficient cause to authorize the City to discontinue its service and shut off the water supply from and to the premises in question, without notice.

29.3 Whenever the water supply to and for any premises has been shut off because of leaks or waste, the same shall not be turned on again until all cause for shut-off shall have been remedied or removed, and until satisfactory assurance shall be given to the City that the condition causing the shut-off will not again exist by the Owner, his agent or tenant, and the sum of \$10 shall have been paid to the City to cover the cost of turning on said water supply again.

29.4 Refunds for loss of water not allowed. Under no circumstances will abatements, allowances, deductions or refunds be made on actual or alleged excessive meter water

service bills, accounts or charges, for or on account of water used, lost or wasted through leaks, carelessness, neglect or otherwise, after the same has passed through the meter.

SECTION THIRTY Change of Ownership or Occupancy of Premises

30.1 In the event of any change in ownership or occupancy of any premises connected to the system, the City shall be immediately notified in writing of such change, giving said notice the name and address of the new Owner or occupant. In the absence of such application by the new Owner or occupant, the use of the City service may, at the option of the City, be taken and construed to be acceptance by such new Owner or occupant of all the contract obligations of the preceding Owner with and to the City.

30.2 In the event any Owner fails to notify the City in writing, of a change of ownership or occupancy of any premises for water supply services, such Owner shall continue to be liable to the City for all rate and charges accrued and accruing for such service until either the end of the contract period, in which he may later notify the City of his desire to cancel, or the City shall, of its own volition, have canceled the contract with such Owner.

30.3 When a delinquent Owner or consumer vacates or sells property, leaving a delinquent bill against such property vacated or sold, the City may, at its option, terminate any other service or refuse service to the same Owner or Consumer, until the original delinquent account is paid in full, regardless of whether the other accounts of the Owner or consumer are in good standing.

In no case of change of ownership shall the proceeding Owner or owners be released from any contract obligations to and with the City until the expiration of the contract period, property terminated in accordance with this Ordinance except at the option of the City, evidenced by a written release from the City.

SECTION THIRTY ONE Dates Bills Due and Delinquent;
Discontinuance of Service for Nonpayment; Reinstatement
Following Discontinued Service

31.1 Bills are due and rendered delinquent fifteen days thereafter. Service may be cut off when delinquent for non-payment of bills. The date of cancellation by Post Office Department shall be taken as the date of payment for all remittances by mail for bills and accounts due the City.

31.2 When service has been cut off or discontinued from applicant's premises for nonpayment of current bills, service will be renewed upon prompt payment of unpaid bills, plus a twenty dollar (\$20.00) service fee for reinstatement, provided however, the settlement in full is made on or before fifteen (15) days from date of the discontinuance of service.

31.3 If service to an applicant's premises be discontinued for more than fifteen (15) days by request or otherwise, street cock will then be turned off and the meter removed from the premises. Should applicant, at a later date, request renewal of service for said premises, this will be done upon full payment of all due bills against service at time of discontinuance, a deposit in the amount herein specified for new connections, and a reinstatement charge of fifty dollars (\$50.00). New applicants must pay twenty-five dollars (\$25.00) to have service restored.

31.4 Bill shall begin upon registration of water on meter, or after ninety (90) days from date of application, whichever occurs first.

31.5 Application shall be made to the City for the addition of any living units connected to the water service lines if the units have not been included on previous applications. For violations of this Section the water service may be disconnected.

31.6 Changes in location of meters made at the request of a customer will be charged at cost of labor and materials. A deposit based on the estimated cost and is payable in advance.

31.7 The Chief Building Code Officer and the local County Health Department will be notified of any discontinuance of

service for delinquent accounts when the service has been discontinued for 24 hours or more.

SECTION THIRTY TWO Unpaid Fees to Constitute Lien

In the event that the fees, rates or charges for the services and facilities of any water or sewer system are not paid as and when due, any unpaid balance thereof and all interest accruing thereon shall be a lien on any parcel or property affected thereby. Such liens shall be superior and paramount to the interest on such parcel or property of any Owner, lessee, tenant, mortgage or other person except the lien of county taxes. In the event that any such service charge shall not be paid as and when due and shall be in default for thirty days or more the unpaid balance thereof and all interest accrued thereon, together with attorney's fees and costs, may be recovered by the City in a civil action, and any such lien and accrued interest may be foreclosed or otherwise enforced by the City by action of suit in equity as for the foreclosure of a mortgage on real property.

SECTION THIRTY THREE No Free Service

No water or sewage disposal service shall be furnished or rendered free of charge to any person, firm or corporation whatsoever, and the City and each and every agency, department or instrumentality which uses such service shall pay therefore at the rates fixed by this Ordinance.

SECTION THIRTY FOUR Owner's Responsibility for Water Service; Bad Debts

34.1 The Owner of property is responsible for all water service to property. In the event service is discontinued for non-payment, service will be restored only after customer has fully complied with provisions of Section Thirty One of this Ordinance. The Owner of the property under construction must notify the City that contractor is responsible for water bills, while construction is in progress.

34.2 Bad debts will be taken off the books and the name and amount due filed in a bad debt file. In the event water service is requested in the future, this back debt must be paid before water service will be furnished.

SECTION THIRTY FIVE Inactive Accounts; Notice; Forfeiture of Deposit

The City Manager shall certify to the City Commission a list of all water accounts that are not delinquent but which are inactive and have been inactive for a period of not more than six (6) months and have remained inactive for an additional period of thirty (30) days after written notice has been served upon the person or persons, or firms, in whose name said account is kept to the effect that unless they write or telephone, or appear in person and request a closing out of their account and a return to them of the balance of their deposit, their account will be closed and whatever deposit remains will be forfeited to the City. Thereafter no depositor shall have any rights or claim to such deposit after forfeiting of any deposit balance to the City.

It is the express intent of this Section that such deposit shall not be forfeited to the City until a period of thirty (30) days has elapsed from the date the written notice was sent to the last name and last address of a particular account; however, the fact that such written notice is never received by that particular person or persons, or firm, because of the fact that they may have moved or the insufficiency of the address that they furnished or any other person shall be of no importance and the City shall still be entitled to declare a forfeiture of their deposit provided the written notice was actually mailed to the last name and address given on the account.

SECTION THIRTY SIX Connecting or Disconnecting Service by Consumer Prohibited

36.1 The curb cock on any and all service connections shall not be in any way used by the Owner, his employees or agents for turning on or shutting off the water supply.

36.2 All such turning on or shutting off of the water supply by the Owner shall be made with a separate stopcock, located, or to be located on the building side of the service curb lock. All turning on or shutting off of the water supply at and with the curb cock shall be done exclusively by the City.

36.3 A violation of this section on the part of the Owner, his employees or agents shall subject the Owner or consumer to a penalty of \$10 for the first offense. The City may, at its option, discontinue the service and cut off the water supply to said premises so long as the Owner or consumer continues to reside at said premises.

36.4 Request to be in writing. All requests of the Owner or consumer for shut-off or turn-on of water supply shall be made to the City in writing on forms prepared for that purpose.

SECTION THIRTY SEVEN Disconnection or Discontinuance of Service

37.1 City and grounds. All contracts shall be subject to cancellation and service thereunder discontinued by the City, for the following reasons:

37.1.1 For misrepresentations or concealment in the application as to the premises or fixtures to be furnished with water supply service, or the use to be made of such service.

37.1.2 For waste or excessive use of water through improper or imperfect pipes, fixtures or appliances or in any other manner.

37.1.3 For refusal or neglect to make any advance payment, if such is required by the City, or for refusal or neglect to comply with ant requirements of the City as to meter service connection maintenance, alteration or renewal or other requirements relating to the water supply service of the City.

37.1.4 For the use of water supply service for or in connection with or for the benefit of any other premises or purpose than that stated in the application.

37.1.5 For any interference or tampering, whether by act of commission or omission, with the meter measuring the water supply, or with seals of any meter, or with any meter box or vault, or with service pipes, or vales of any seals thereon or with any applicant of the city or with any appliance of the Owner, which was or is required by the City for controlling or regulating the water supply service, or who shall make or cause to be made any

connection with any main service pipe or other pipe, appliance or appurtenances used for or in connection with the City in such manner as to supply water from such connection to any faucet or other outlet whatsoever without such water passing through a meter or other measuring device used by the City for measuring and registering the quantity so passing through, or shall make or cause to be made without the written consent of the City any connection with any main, pipe, service pipe or other instrument or appliance in such manner as to take used or waste water; or shall make or cause to be made any connection with any premises or buildings other than the premises or buildings stated in the application for service to be served by such water connection, or with intent to defraud the City, and for the purpose of his regulation and interference or tampering with any appliances used in connection with or for controlling or regulating the water supply service to any premises, shall be construed and taken to be an act of the Owner or consumer using water service at said premises.

37.1.6 Where there has been a change in the ownership of the premises, but no application from the new Owner or owners has been made and approved by the City.

37.1.7 Where the City has been or is being defrauded in any way.

37.1.8 Where the contract has been in any way terminated by the Owner.

37.1.9 Any improper or illegal connections determined by the City to be detrimental to the public health.

37.1.10 The violation of any rules of the City.

37.2 Cut-off because of accidents or breakdown. In case of accidents, breakdowns, shortages of water supply or any causes beyond its control, or because of any act or omission on the part of the City or their agents, or any of them, or in case of the making of repairs, renewals, or replacements, the City reserves the right to shut off the water supply from any one or any number of premises without notice, and shall in no manner be held responsible for any consequence of such shut-off.

37.3 The City will give notice in the manner deemed in its discretion to be most effective, of any shut-off of the water supply wherever and whenever the giving of such notice is practicable, but nothing in this subsection shall be construed to require the giving of notice under any circumstances. Refunds or deductions are not to be made because of cut-off. The shutting off of the water supply from and the discontinuance of service to any premise or premises for any cause shall not entitle the Owner to any abatement or deduction nor from the water service charges, nor to any refund on any such charges paid in advance, during or for the time of such shut-off unless such period of shut-off continues and extends into the next fiscal month following that in which such shut-off was made.

SECTION THIRTY EIGHT Owner of Premises Responsible for all Acts

38.1 Each and every Owner will be held fully responsible and liable by and to the City for all that is done or omitted on, in or about premises by any agent or tenant or other persons not in the employ of the City, who may gain access thereto.

38.2 The tenant in or upon any premises of any Owner, shall at all times and for all purposes connected with or arising from the City's water supply and sewage disposal service to and for such premises except the making of the original application for waters supply service pipe and contract, be taken and construed to be the properly constituted agent of the Owner.

SECTION THIRTY NINE Service of Notice; Requirements

39.1 Any notices, as prescribed herein, shall be deemed to have been properly served if left upon the premises of the Owner or if mailed to the Owner, directed to, or left at his address as shown on records of the City.

39.2 All notices of general character, affecting or likely to affect more than one Owner, if required by these rules to be given, shall be deemed to have been properly given or served if advertised at least once in one of the weekly papers.

SECTION FORTY Water Bill Complaints

40.1 No high water bill complaints shall be accepted for investigation by the City unless all plumbing fixtures, piping, and outlets have been exhausted by a licensed plumber who has certified that there are no leaks. If an investigation is made by the City and the findings reveal the initial meter reading was accurate and the meter is functioning properly, a re-read charge of five dollars (\$5.00) will be assessed the complaining party. After the first request, any re-reads or meter tests shall be charged at thirty five dollars (\$35.00) per test.

40.2 If a customer has a meter test conducted, and if the meter reads below the tolerance set by the American Water Works Association standards, City shall change meter. The City will not attempt to collect additional revenue for under-registering meters. If customer remains unsatisfied concerning usage after the meter has been re-read, customer may request a household water audit, at customer's cost. The water audit includes:

40.2.1 Inspection of the premises including:

1. Inspection of toilets for leakage and inspection of rubber stopper and other parts in rear tank of toilet for age and condition;
2. Inspection of all faucets for dripping or leakage
3. Inspection outdoor and indoor spigots for signs of leakage;
4. Inspection of pool (if applicable);
5. Inspection of any apparent plumbing work;
6. Inspection of irrigation system

40.2.2 Customer shall be required to:

1. Permit entrance onto premises by customer service representative;
2. Provide names of any plumbers doing work on the premises;
3. Provide names of any pool maintenance contractors;
4. Provide names of gardeners/lawn maintenance people;
5. Provide information on any visitors (number and time spent visiting);

6. Provide information on vacation time/time spent away from building;
7. Provide a list of plumbing fixtures;

40.2.3 The water audit must be done in the presence of the customer during normal working hours of the City. City shall send a customer service representative who shall complete a Water Audit form. Included on the water audit form will be a diagram of the house, location of fixtures and results of inspection of those fixtures, diagram of outdoor facilities, indications of fixtures and results of inspection of those fixtures, comments on condition of all fixtures, notes on observation of any visible leakage, fixtures and any work done on the premises. If leak(s) are found, the customer service representative shall note where, the severity and the estimated amount of leakage. The customer service representative shall notify customer of leaks and suggest corrective action.

40.3 No abatements or deductions on metered service charges shall be made or allowed except for errors in meter readings on which such charges are based, or inaccuracies in the registration of any meter or in the event of error on part of the City in the making of any charge or in the amount thereof, and then only provided claim for such abatement or deduction is made in writing within ten days after the date of the rendition of the bill or account in dispute.

40.4 No abatements or deductions on any bill, account or charge rendered or made by the City will be made or allowed, unless and only when claim for such abatements or deductions is made in writing within ten days after the date of the rendition of the bill or account in dispute.

SECTION FORTY ONE Rates

41.1 Monthly rates, fees and charges for water and/or sewer services provided by or made available by the City of Dania Beach shall be sufficient to recover system operation, maintenance, replacement and debt service costs and shall be proportionally distributed among system users and customers.

41.2 Upon the application of the Owner or consumer for water service on the premises, the following basic tapping charges shall be made to cover the costs of tap and

installation of the service to the property line of the lot to be supplied with water service:

Tap and Service (Inches)	
5/8	\$ 439
1	\$ 549
1 1/2	\$ 730
2	\$ 913
3	\$1,825
4	\$3,647
6	\$6,383
8	\$9,119

1. If tap and line service are not required the following charges shall be made to cover the cost of meter and its installation:

Meter Only - Inches	
5/8	\$ 185
1	\$ 231
1 1/2	\$ 308
2	\$ 376

41.3 The following list of charges is established for user services:

Meter Removal or Lock	\$50.00
Backflow Tests	\$35.00

41.4 Late payments for monthly user fees are subject to a charge of 5% on the unpaid balance.

41.5 Hydrant Service

41.5.1 Fire hydrant meter rentals which are connected to the City's Utility System shall be ten dollars (\$10.00) per year per hydrant installed. When water is sold direct from hydrant, the minimum charge shall be one dollar and seventy five cents (\$1.75) per thousand (1,000) gallons. Temporary meter charges not from a hydrant, shall be at one dollar and seventy five cents (\$1.75) per thousand (1,000) gallons.

41.5.2 Charges for fire line or fire sprinkler service in buildings connected to the City of Dania Beach

Water Utility System shall be ten dollars (\$10.00) per year.

41.5.3 Any damage to meter or hydrant shall be assessed to the applicant.

43.5.4 The City reserves the right to refuse temporary service to any applicant. Appeal of this decision can be made to the City Manager.

SECTION FORTY TWO Usage Outside the Corporate Limits

The City not authorized to sell water to areas outside its designated service area without the consent of the underlying local government.

SECTION FORTY THREE Sale of Water in Bulk to Utility Companies for Resale; Price Schedule

The City is hereby authorized to sell water in bulk to other utility companies for resale in accordance with a price schedule to be determined by the City at the time such sale is initiated. An adjustment of the price schedule must be made annually so as to be effective on October 1.

SECTION FORTY FOUR Penalties

44.1 Any person found guilty of violation of any provisions of this Ordinance for which another penalty is not provided, or who shall fail to observe any of the foregoing regulations, or who shall take and use water of the City without paying therefore in accordance with the provisions of this Ordinance, or who shall connect his premises with any water main or water pipes of the City without permission of the City, shall be punished by a fine not to exceed \$250 or imprisonment not to exceed 30 days, or both.

44.2 Any person, firm or corporation who fails to connect to the utility system of the City in accordance with this Ordinance, shall be guilty of a separate offense for each day of each month, and any person upon conviction thereof shall be fined more than \$50 or imprisoned for not more than five days for each offense or both.

44.3 Any property Owner who fails to pay the appropriate civil penalty within the time allowed or who fails to

appear in court to contest the citation shall be deemed to have waived his right to contest the citation and judgment may be entered against the person for an amount not to exceed \$250.

SECTION FORTY FIVE Severability

If any phrase or portion or part of this Ordinance is found to be 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 portion.

SECTION FORTY SIX Effective Date

This Ordinance shall become effective upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

ADVERTISED _____

PASSED AND ADOPTED on first reading this _____ day of _____, 2003.

PASSED AND ADOPTED on second reading this _____ day of _____, 2003.

Mayor

ATTEST;

City CLERK

ENDORSED AS TO FORM & LEGALITY

City ATTORNEY

Service Availability Charge:

Individually Metered and

Irrigation:

5/8 and 3/4 meter

1 inch meter

1 1/2 inch meter

1 1/3 inch meter

2 inch meter

3 inch meter

4 inch meter

6 inch meter

8 inch meter

Multi-family (master metered)

each dwelling unit

Each additional dwelling unit

Volume charge per 1,000
gallons

1-10,000 gallons

10,000-20,000 gallons

Above 20,000 gallons

Non-residential

first 10,000 gallons

in excess of 10,000 gallons

Irrigation (separately
metered)

All usage

Non-residential First Block Usage Threshold

<u>5/8 and 3/4 inch meter</u>	<u>10,000 gallons</u>
<u>1 inch meter</u>	<u>25,000 gallons</u>
<u>1 1/2 meter</u>	<u>40,000 gallons</u>
<u>1 1/4 meter</u>	<u>50,000 gallons</u>
<u>2 inch meter</u>	<u>80,000 gallons</u>
<u>3 inch meter</u>	<u>160,000 gallons</u>
<u>4 inch meter</u>	<u>250,000 gallons</u>
<u>6 inch meter</u>	<u>500,000 gallons</u>
<u>8 inch meter</u>	<u>900,000 gallons</u>

B. Sewer

Service Availability Charge:

Individually Metered

Residential

and Non-residential;

5/8 and 3/4 inch meter

\$.99 per month

1 inch meter
1 1/4 inch meter
1 1/2 inch meter
2 inch meter
3 inch meter
4 inch meter
6 inch meter
8 inch meter
Multi-family (master metered)
First dwelling unit
each additional dwelling unit
Volume charge per 1,000 \$1.60
gallons

Retail effluent irrigation usage shall be at the schedule:

Meter Size	Minimum Charge	Per Gallon Charge
5/8", 3/4"	\$4.35	\$0.13/1000 gal.
1"	\$10.90	\$0.13/1000 gal
1 1/2"	\$21.75	\$0.13/1000 gal
2"	\$43.50	\$0.13/1000 gal
3"	\$87.00	\$0.13/1000 gal
4"	\$174.00	\$0.13/1000 gal