

ORDINANCE 24-

AN ORDINANCE AMENDING TITLE VI – PUBLIC UTILITIES, CHAPTER 61, “WATER, WASTEWATER AND RECLAIMED WATER RATES” OF THE CODE OF ORDINANCES OF THE CITY OF PORT ST. LUCIE, FLORIDA BY AMENDING SECTION 61.05, “WATER METER INSTALLATION CHARGE;” AMENDING SECTION 61.06, “METER TESTING;” AMENDING SECTION 61.07, “CUSTOMER DEPOSITS;” AMENDING SECTION 61.08, “RECONNECTION CHARGES, TRANSFER SERVICE CHARGES, AND NEW BILLING ACCOUNT CHARGES FOR SAME DAY SERVICE;” AMENDING SECTION 61.10, “WASTEWATER INSTALLATION CHARGE;” AMENDING SECTION 61.11, “WATER AND WASTEWATER TREATMENT CAPITAL CHARGES; ADOPTION; APPLICABILITY; TIME OF PAYMENT; DETERMINATION OF EQUIVALENT RESIDENTIAL UNIT FACTORS;” AMENDING SECTION 61.16, “RECLAIMED WATER CONNECTIONS;” AMENDING SECTION 61.24, “WATER LINE AND WASTEWATER LINE CAPITAL CHARGES; ADOPTION; APPLICABILITY; TIME OF PAYMENT;” AND AMENDING SECTION 61.25, “TEMPORARY METER PERMITS;” AMENDING SECTION 62.12, “WATER, WASTEWATER AND RECLAIMED WATER RATE SCHEDULE;” PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City of Port St. Lucie Utility Systems Department hired a rate consultant and performed a comprehensive study of the Department’s fees, rates and charges; and

WHEREAS, the following provisions reflect the recommendation made by the rate consultant for a fair and equitable recovery of the Department’s operational expenses,

NOW THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. That Section 61.05, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.05. - Water ~~meter~~ installation charges.

(a) Each applicant for water service shall be charged ~~for the meter, meter service box and for installation of the water meter~~ as follows:

Meter Size	Service Fee
5/8" × 3/4"	<del>\$670.00</del> <u>\$1,275.00</u> <u>New Construction</u>
<u>5/8" × 3/4"</u>	<u>\$2,184.00 Residential (Conversion from Private Well)</u>
1"	<del>\$728.00</del> <u>\$1,377.00</u>
<del>1½"</del>	<u>\$953.00</u>
<u>1½" Ultrasonic</u>	<u>\$1,733.00</u>

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2"	\$1,578.00
<del>2" Compound</del>	<del>\$2,642.00</del>
<u>2" Ultrasonic</u>	<del>\$1,842.00</del> <u>\$1,855.00</u>
Above 2"	Applicant is responsible for purchase and installation

(b) Backflow preventer - Installation and certification charges. When the Department determines that a backflow preventer is required to be installed on a domestic water service, the ~~City-Department~~ will install and certify the required backflow preventer and charge ~~the customer a fee~~ based on the following:

Domestic Meter Backflow Prevention Assembly Size	Charge per Assembly
¾" RPZ Backflow	<del>\$478.00</del> <u>\$381.00</u>
1" RPZ Backflow	<del>\$490.00</del> <u>\$391.00</u>
1½" RPZ Backflow	<del>\$863.00</del> <u>\$665.00</u>
2" RPZ Backflow	<del>\$904.00</del> <u>\$701.00</u>
Above 2"	Applicant is responsible for purchase and installation of the required backflow prevention assembly. The <del>Department</del> <u>City</u> will test and certify newly installed backflow assemblies.
Additionally, Applicants <del>will be</del> <u>are</u> charged <del>\$50.00</del> <u>\$85.00</u> per assembly test/certification for all newly installed backflow assemblies.	
Fire Line Service Backflow Prevention	Applicant is responsible for purchase, installation, and certification of all fire system backflow assemblies. The <del>Department</del> <u>City</u> will not test, certify or maintain any fire systems or related backflow assemblies.

(c) Backflow preventer — Annual Inspection, Testing and Certification. The ~~Utility Systems~~ Director shall administer a program for the inspection, testing and certification of all backflow preventers installed for domestic water meters connected to the City's system. A ~~\$50.00~~ \$85.00 fee shall be charged annually for these services when the associated water meter is not related to a single-family residential account. Such fees shall be added to customer of record's next monthly usage bill following completion of the annual service. Backflow preventers shall be repaired, overhauled, or replaced at the expense of the ~~Utility~~ Department whenever they are found to be

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defective. Records of such tests, repairs, and overhaul shall be kept by the ~~Utility~~ Department.

(d) Irrigation meters. Potable water meters connected solely to ~~landscape~~ irrigation systems are not allowed, provided however that the ~~utility~~ Director may, at his/her sole discretion, authorize exceptions to this section.

(e) Radio read water meter technology is the eCity's adopted standard.

- (1) Exception. The customer of record for a single family residential account can request that their property be served by a direct read meter upon agreement of the following terms and conditions:
  - a. The customer of record shall execute a direct read water meter agreement.
  - b. An agreement/installation fee of \$145.00 shall be paid to the eCity in full prior to the installation of the direct read meter.
  - c. A \$15.00 per month charge shall be applied to the bills of affected accounts to cover costs associated with the eCity having to manually capture monthly usage data from the direct read meter.
- (2) A customer's desire to receive single family residential service with a direct read meter shall not dictate whether surrounding properties are served by a direct read or radio read water meter.
- (3) Service via a direct read water meter is not automatically portable.
  - a. Customers relocating from an address served by a direct read meter to another single family residential address within the eCity's utility service area shall be required to execute an agreement for the new location and pay a \$145.00 fee prior to the direct read meter being installed at the new location.
- (4) Upon receiving notice that a location served by a direct read water meter sells, transfers ownership, conveys, or otherwise vacates the property, or the property changes use to something other than a single family residence, the eCity shall automatically convert the meter serving that location to radio read technology.
- (5) Direct read water meter agreement/installation processing fees and the monthly meter reading charges are subject to change in accordance with eCity utility rate increases/decreases.

Section 2. That Section 61.06, Port St. Lucie City Code, is hereby amended to read as follows:

### Sec. 61.06 – Meter Testing.

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

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- (a) *Meter test request.* If any customer requests a test of the water meter, the eCity will perform the test. Should the meter test show that the meter is registering properly and tests results fall within the acceptable accuracy limits as established by the AWWA Manual of Water Supply Practices M6, the following fee shall be applied to the customer's next monthly bill.

Meter Size	Service Deposit
5/8" x 3/4", 1", and 1 1/2"	<del>\$80.00</del> <u>\$215.00</u>
2" and over	Customer is responsible for having the meter tested and shall likewise be responsible for all associated costs.

- (b) *Meter Adjustment.* If the meter is determined by the eCity to be registering outside of the acceptable accuracy limits, and an adjustment to the extent possible will be made to the account for the proper amount of water consumption.

Section 3. That Section 61.07, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.07 – Customer Deposits.

- (a) Establishment of credit.

- (1) Before rendering water or wastewater service, the eCity shall require an applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with the eCity 's rules for prompt payment. Credit will be deemed so established if:
  - a. The applicant pays to the City a deposit in the form of cash, money order, cashier's check, credit card, or other form acceptable to the eCity; or
  - b. The applicant for service furnishes an irrevocable letter of credit from a bank or a surety bond, in form and content and otherwise acceptable to the eCity.
- (2) Any deposit received by the eCity shall be held in a non-interest-bearing account. Deposits will not be refunded until the customer has timely paid (without any late charges) all charges for water or wastewater services for a period of ~~36~~ 18 consecutive months. Any deposit to be refunded will be applied to the next bill issued and shall be a credit against any charges due unless otherwise requested by the customer and approved by the Director.
- (3) A deposit may not be transferred except when a request is made to transfer the deposit to a surviving spouse's name, or other designee. Transfers to a designee other than a surviving spouse must be approved by the ~~Utility Systems~~ Director.

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(4) Exceptions. The Director may waive the deposit upon written request by an Applicant for good cause shown if a single-family residential customer applies for an additional single-family residential account, and their existing account payment history is excellent.

(b) Amount of deposit. The amount of ~~initial~~ deposit shall be the following ~~according to customer class and meter size:~~

Customer class	Customer deposits	
	Water	Wastewater
<i>Residential single family:</i>	<del>\$50.00</del> <u>\$70.00</u>	<del>\$90.00</del> <u>\$110.00</u>
<i>Residential multi-family:</i>		
Per unit (when master metered)	<del>10.00</del> <u>\$15.00</u>	<del>40.00</del> <u>\$50.00</u>
<i>Nonresidential:</i>		
$\frac{5}{8} \times \frac{3}{4}$ "	<del>50.00</del> <u>\$70.00</u>	<del>125.00</del> <u>\$150.00</u>
1"	<del>95.00</del> <u>\$135.00</u>	<del>275.00</del> <u>\$330.00</u>
1½"	<del>150.00</del> <u>\$210.00</u>	<del>925.00</del> <u>\$1,110.00</u>
2"	<del>425.00</del> <u>\$595.00</u>	<del>1,175.00</del> <u>\$1,410.00</u>
3"	<del>500.00</del> <u>\$700.00</u>	<del>1,400.00</del> <u>\$1,680.00</u>
4" and above	Two months estimated bill	

(c) Additional water and/or wastewater deposit. The eCity may require a new deposit (where previously waived, returned, or forfeited) based on meter sizes as outlined in subsection 61.07 (b), and/or an additional deposit in the amount of ~~\$150.00~~ 200.00 ~~in order~~ to secure payment of utility bills as the result of the following:

- (1) If more than two payments(~~2~~) ~~checks~~ are returned as uncollectable within a 12-month period;
- (2) If the customer's service has been shut off for non-payment of service charges more than three (~~3~~) times in any 12-month period;
- (3) If the customer has received stolen water and/or wastewater services as the result of tampering or an illegal connection; or
- (4) If, in the discretion of the city Director, there is a documented pattern or risk that would cause the city Department to reasonably believe there is a likelihood of potential non-payment.

Additional deposits shall be made in the form of cash, money order, cashier's check, credit card, or other form acceptable to the eCity. Additional deposits may ~~be~~ eligible for refund pursuant to subsection 61.07 (a)(2).

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The eCity shall provide the customer with reasonable written notice of any additional deposit requirement not less than 30 days before it is due where such request or notice is separate and apart from any bill for City utility service.

Section 4. That Section 61.08, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.08. Reconnection charges, transfer service charges, and new billing account charges for same day service.

- (a) When service has been disconnected at the customer's request or ordered disconnected because of nonpayment of amounts due, the reconnection fee shall be based on the actual costs incurred by the eCity, but shall not be less than ~~\$50.00~~ \$65.00 if payment is received in the business office by 5:00 p.m.
- (b) (i) Next Day. When a customer transfers service to a new location or into the name of another, there shall be ~~no charge for the transfer~~ a charge of \$45.00 so long as the meter at the new location is to be unlocked during the next, ~~normal~~ business day.
  - (ii) Same Day. If the applicant/customer requests that the meter be unlocked at the new location during that same business day; ~~the fees outlined in section 61.08(a)~~ a fee of \$75.00 shall apply.
- (c) When a new customer establishes a billing account for an existing service location and service is to be turned on during that same business day, the fees outlined in section 61.08(a) shall apply.
- (d) All fees and charges must be paid in advance before service is connected or reconnected.
- (e) Same day service is not available on Saturday, Sunday, or eCity recognized holidays.

Section 5. That Section 61.10, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.10. - Wastewater installation charge.

- (1) When more than one grinder system is required to provide wastewater service to any single-family residence, all of the required grinder systems shall be provided by and installed by the eCity.
- (2) Customers utilizing step or grinder systems for single-family residences shall be charged as follows:

	Per System
Step Tank <u>New Construction</u>	<del>\$3,263.00</del> <u>\$4,714.00</u>
Grinder system <u>New Construction</u>	<del>\$3,263.00</del> <u>\$4,714.00</u>

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<u>Septic Conversion: Grinder system or Step Tank</u>	<u>\$3,906.00</u>
Retrofit existing on-site systems to step or grinder systems, in addition to the above charges	<del>\$568.00</del> <u>\$593.00</u>

- (3) If a low-pressure main must be extended ~~in order~~ to permit a residential customer to connect to the system, all costs and expenses associated with such extension shall be borne by the customer and shall be paid to the eCity in full prior to the eCity's construction of the main extension.
- (4) If a service installation is required ~~in order~~ to provide the customer a connection to the eCity's gravity sanitary sewer system, the cost of such installation will be based on the actual cost of installation.
- (5) If a single-family residential customer requests that the existing step or grinder systems be relocated by the eCity to a different place on the customer's property, then all costs and expenses associated with the relocation shall be borne by the customer and shall be paid to the eCity in full prior to said requested relocation. The initial charge to the customer shall be based on a cost estimate prepared by the utility systems department, and any actual costs incurred by the eCity on behalf of the customer for said relocation which exceeds the estimate shall be added to the customer's next monthly service bill as an additional charge that will be due and owing at the same time as the service bill.
- (6) All new non-single-family residential (duplex) grinder systems shall include monitoring abilities. ~~Charges for single-phase duplex grinder systems that may be used for non-residential locations shall be as follows:~~

Tank Depth	Per System	
6'	<del>4,671.00</del>	<del>System prices do not include valve vaults or pedestals that may be required for mounting electrical panels</del>
8'	<del>5,074.00</del>	
10'	<del>5,551.00</del>	

- (7) Charges for single-phase duplex grinder tank and related parts that may be used for non-residential locations shall be as follows:

Tank Depth	Cost	
<u>96"</u>	<u>\$15,346.00</u>	<u>This includes tank, pump, electrical (control) panel and monitoring module. This does not include labor, installation costs, meter cans, or other related components that may be required.</u>
<u>107"</u>	<u>\$15,682.00</u>	
<u>122"</u>	<u>\$15,836.00</u>	

- (8) Charges for other grinder systems: A one-time \$912.00 fee shall be charged for all non-single-family grinder systems not identified above in (7) to add a monitoring module.

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(9) In addition to the above fees and charges, \$4.58 shall be added monthly to the wastewater billing account when a monitoring module has been installed on the wastewater system.

Section 6. That Section 61.11, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.11. - Water and wastewater treatment capital charges; adoption; applicability; time of payment; determination of equivalent residential unit factors.

(a) *Adoption.* The eCity hereby adopts and establishes pursuant to general law, water and wastewater capital charges, each of which shall consist of a plant capacity charge, the purpose of which will be to finance capital expenditures and the payment of eCity indebtedness associated with the expansion of the eCity's water supply, water treatment, wastewater treatment, and effluent disposal systems. The water and wastewater capital charges imposed per ERC by the eCity shall be as follows:

Plant Capacity Capital Charges	Amount per ERC
Water	<del>\$1,488.00</del> <u>\$4,925.00</u>
Wastewater	<del>\$2,277.00</del> <u>\$3,250.00</u>

(b) *Applicability.* The eCity may exempt any customer from the payment of all or a portion of the water and wastewater capital charges ~~to the extent that~~ if the eCity accepts a permanent contribution in aid of construction related to the water supply, water treatment, wastewater treatment, or effluent disposal facilities having a value of not less than the portion of the water or wastewater capital charges being exempted.

(c) *Time of payment.* All water and wastewater capital charges shall be paid prior to connection of a structure or structures to be served by the eCity, or such other time as may be specifically provided by eCity resolution, ordinance, agreement, or permit; provided, however, that the eCity may allow the payment of any water or wastewater capital charges in monthly installments and upon any such terms and conditions that the eCity deems appropriate.

(d) *Capacity reserved to real property.* All water and wastewater plant capacity purchased for ~~a~~ real property in accordance with this section shall be reserved only to that specific real property.

(e) *Non-refundable reserved capacity.* Any water or wastewater capacities purchased or reserved in accordance with this section shall be nonrefundable; provided however that the ~~utility~~ eDirector may, at his/her sole discretion, authorize exceptions to this section to allow for the refunding of capacities on a case-by-case basis. The manner and timeframe by which the eCity refunds such capacities shall be at the ~~utility~~ eDirector's sole discretion.

(f) *Determination of equivalent residential unit factors for water and wastewater services.*



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- (1) For purposes of calculating and imposing the water and/or wastewater capital charges provided for in this section, the ERC factor for any particular connection may be calculated and imposed in the manner provided as follows:

*Establishment*      *ERC Factor*

Residential:

Single family per meter .....1.000

Multi-family master metered:

a. Up to 750 square feet .....0.5000

b. More than 750 square feet .....0.9000

Multi-family non-master metered (same as single family)

Commercial:

Airports, bus terminals, train stations, port and dock facilities:

a. Per passenger .....0.0188

b. Add per employee per eight hour shift .....0.0706

Barber and beauty shops per service chair .....0.3529

Bowling alley per lane .....0.2353

Country club:

a. Per resident .....0.4706

b. Add per member or patron .....0.1176

c. Add per employee per eight hour shift .....0.0706

Doctor and dentist offices:

a. Per practitioner .....1.1765

b. Add per employee per eight hour shift .....0.0706

Factories, exclusive of industrial wastes (gallons per employee per eight hour shift):

a. No showers provided .....0.0706

b. Showers provided .....0.1176

Flea market open more than three days per week (estimated flows shall be doubled)

Flea market open three or less days per week:

a. Per nonfood service vendor space .....0.0706

b. Add per food service establishment using single service articles only per 100 square feet .....0.2353

c. Per limited food service establishment .....0.1176

Food operations:

a. Restaurant operating 16 hours or less per day per seat .....0.1882

b. Restaurant operating more than 16 hours per day per seat .....0.2824

c. Restaurant using single service articles only and operating 16 hours or less per day per seat .....0.0941

d. Restaurant using single service articles only and operating more than 16 hours per day per seat .....0.1647

e. Bar and cocktail lounge:

1. Per seat .....0.0941

2. Add per pool table or video game .....0.0706

f. Drive-in restaurant per car space .....0.2353

g. Carry out only, including caterers:

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1. Per 100 square feet of floor space .....0.2353
  2. Add per employee per eight hour shift .....0.0706
  - h. Institutions per meal .....0.0235
  - i. Food outlets excluding delis, bakery or meat department per 100 square feet of floor space .....0.0471
    1. Add for deli per 100 square feet of deli floor space .....0.1882
    2. Add for bakery per 100 square feet of bakery floor space .....0.1882
    3. Add for meat department per 100 square feet of meat department floor space .....0.3529
    4. Add per water closet .....0.9412
- Hotels and motels:
- a. Regular per room .....0.4706
  - b. Resort hotels, camps, cottages, per room .....0.9412
  - c. Add for establishments with self service laundry facilities per machine .....3.5294
- Laundromat per washing machine .....1.0000
- Mobile home park:
- a. Per single wide mobile home space, less than four single wide spaces connected to a shared onsite system .....1.1765
  - b. Per single wide mobile home space four or more single wide spaces are connected to a shared onsite system .....1.0588
  - c. Per double wide mobile home space, less than four double wide mobile home spaces connected to a shared onsite system .....1.4118
  - d. Per double wide mobile home space, four or more double wide mobile home spaces connected to a shared onsite system .....1.2941
- Office building:
- Per employee per eight hour shift or per 100 square feet of floor space, whichever is greater .....0.0706
- Transient recreational vehicle park:
- a. Recreational vehicle space for overnight stay, without water and sewer hookup per vehicle space .....0.2353
  - b. Recreational vehicle space for overnight stay, with water and sewer hookup per vehicle space .....0.3529
- Service stations per water closet:
- a. Open 16 hours per day or less .....1.1765
  - b. Open more than 16 hours per day .....1.5294
- Shopping centers without food or laundry per square foot of floor space .....0.0005
- Stadiums, racetracks, ballparks per seat .....0.0188
- Stores, per bathroom .....0.4706
- Swimming and bathing facilities, public per person.....0.0471
- Theaters and auditoriums, per seat .....0.0188
- Veterinary clinic:
- a. Per practitioner .....1.1765
  - b. Add per employee per eight hour shift .....0.0706
  - c. Add per kennel, stall or cage .....0.0941

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Warehouse:

- a. Add per employee per eight hour shift .....0.0706
- b. Add per loading bay .....0.4706
- c. Self-storage, per unit .....0.0047

Institutional:

Churches:

- a. Per seat which includes kitchen flows unless meals prepared on a routine basis .....0.0141
- b. If meals served on a regular basis, add per meal prepared .....0.0235

Hospitals:

- a. Per bed which does not include kitchen flows .....0.9412
- b. Add per meal prepared .....0.0235

Nursing, rest homes, adult congregate living facilities:

- a. Per bed which does not include kitchen flows .....0.4706
- b. Add per meal prepared .....0.0235

Parks, public picnic:

- a. With toilets only, per person .....0.0188
- b. With bathhouse, showers and toilets, per person .....0.0471

Public institutions other than schools and hospitals:

- a. Per person which does not include kitchen flows .....0.4706
- b. Add per meal prepared .....0.0235

Schools, day cares, or other child care centers, per student:

- a. Day-type .....0.0471
- b. Add for showers .....0.0188
- c. Add for cafeteria .....0.0188
- d. Add for day school workers .....0.0706
- e. Boarding type .....0.3529

Work/construction camps, semi-permanent per worker.....0.2353

- (2) One equivalent residential unit (ERC) shall, for purposes of this section, have an assigned value of 1.00.
- (3) For wastewater service capacity, one ERC is hereby established and determined to be equal to a flow of 250 gallons of water per day, average annual basis (250 GPD).
- (4) For water service capacity, one ERC is hereby established and determined to be equal to a flow of 250 gallons per day, average annual basis (250 GPD).
- (5) The "total equivalent residential unit value" for an establishment may be calculated by multiplying the ERC factor listed above by the number of units, and shall be rounded up to the nearest 0.1 ERC factor.
- (6) There shall not be less than one ERC reserved for any and all establishments, users or customers that will use metered water or wastewater services of the eCity.
- (7) For all establishments not listed above, the total equivalent residential unit (ERC) value for service capacity shall be determined by using the following formula:

$$\text{Total ERC Value} = \text{Number of Fixed Units} / 20$$

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- (8) Historical flows. The eCity may accept, for other than single-family residences, metered water use data from similar establishments in lieu of flow estimates based on the ERC factors set forth in subsections (d)(1), (5), or (6). Historical water use data from the eCity 's own billing records will supersede any data submitted from another water or wastewater utility provider. The use of this flow calculation method shall require:
- a. Submittal of copies of the most recent 12 consecutive months of water bills from comparable servicing utilities for a minimum of six separate similar establishments.
    - i. Similar establishments shall be considered those that are alike or similar in size, located in a similar geographic environment, and that operate a similar number of days per week and hours per day.
    - ii. Similar establishment metered flow values may not be considered reliable indicators of typical water use where one or more of the establishments utilized in the sample has exceeded the monthly flow average for all six establishments by more than 25 percent or where the different establishments demonstrate wide variations in monthly flow totals.
  - b. Food operations electing to utilize this method shall require submittal of copies of the most recent 24 months of water bills from comparable servicing utilities for a minimum of six separate similar establishments.
  - c. When metered water use data is accepted by the eCity in lieu of flow estimates based on the ERC factors set forth in subsections (f) (1), (5), or (6), the highest flow that occurred in any month for any of the six similar establishments shall be used for system sizing and plant capacity reservation and line charges if line charges are applicable to the subject property.
- (9) The above ERC schedule applies to establishments being connected to the eCity water and wastewater.
- (10) Notwithstanding the foregoing, the eCity reserves the right to review and monitor actual flows, as compared to flows expected to be generated by the calculated ERC value, and upon which capital charges were calculated and paid to the eCity. For purposes of an accurate review, such monitoring will cover flows generated during three consecutive peak months occurring during the previous six-month period. If actual flows exceed expected flows by ten percent or more, the customer shall promptly pay such additional capital charges for such excess flow as shall be required by the eCity.
- (g) *Capital improvement funds; establishment; expenditure guidelines; application and pledge to revenue bonds.*
- (1) The water capital charges collected pursuant to this chapter shall be deposited into a fund called the Port St. Lucie Water System Capital Improvement Fund and the wastewater capital charges shall likewise be deposited into a fund called the Port St. Lucie Wastewater System Capital Improvement Fund. The water capital charges so deposited shall be used only for capital expenditures and the payment of eCity indebtedness associated with the expansion of the eCity 's water supply, and water treatment systems and all components thereof and additions thereto, in order to provide additional water treatment capacity or water service capacity to those new customers who connect to the eCity 's

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water system. The wastewater capital charges so deposited in the above-mentioned fund shall be used only for capital expenditures and the payment of eCity indebtedness associated with the expansion of the eCity 's wastewater treatment systems, wastewater pumping facilities, effluent disposal facilities, and all components thereof and additions thereto, in order to provide additional sewage treatment capacity, effluent disposal capacity, or wastewater service capacity to those new customers who connect to the eCity's wastewater system.

- (2) The eCity may by resolution provide for the application of some or all of the water and/or wastewater capital charges to the payment or security for the payment of revenue bonds issued in whole or in part for the purpose set out in subsection (e)(1), provided that the amount of water and/or wastewater capital charges applied to the payment of such bonds shall not exceed the amount of bond proceeds actually expended for such purpose with interest at the average rate borne by said bonds. Such application or pledge may be made directly in the proceedings authorizing such bonds or in an agreement with an insurer of bonds to assure such insurer of additional security therefore.
- (h) *Application; allocation of water and/or wastewater service capacity.* No water and/or wastewater service capacity shall be sold pursuant to the water and/or wastewater agreement, nor shall any such agreement be issued until application therefore is received by the eCity. The eCity may require any information on said application that it deems reasonable and necessary, and may reject applications it determines are incomplete. Any application for water and/or wastewater service or an agreement shall contain a legal description of the land constituting the service area for which said service is to be provided. The legal description shall include only those lands owned by the applicant for which the water and/or wastewater shall serve. If any such person described hereinabove fails to apply for and purchase water and/or wastewater service capacity under these rules, the eCity may consider said failure in determining whether or not to grant or deny any development or construction permit or approval or rezoning application filed by said person. The eCity may by resolution establish a fee for application review payable by applicants.

Section 7. That Section 61.16, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.16. - Reclaimed water connections.

- (a) *Reserved capacity.* Reclaimed water capacity shall be reserved in increments of 1,000 gallons per day.
- (b) *Reclaimed system capital charges.* The eCity hereby adopts and establishes pursuant to general law, a reclaimed system capital charge, the purpose of which is to defray the cost of the reclaimed water system. The reclaimed system capital charges by the eCity shall be calculated as set forth as follows:

~~\$613.00~~ \$1,030.00 per 1,000 gallons

Additions to text are indicated by underline; deletions by ~~strikeout~~.

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- (c) *Industrial reclaimed water customer.* An industrial reclaimed water customer shall reserve not less than 1.0 million gallons of water per day and shall commit to a continuous usage 24-hours per day, 365-days per year, equal to the customer's plant capacity reservation.
- (d) *Reclaimed capacity reserved to real property.* All reclaimed capacity purchased for a real property in accordance with this section shall be reserved only to that specific real property.
- (e) *Non-refundable reserved capacity.* Any reclaimed water capacities purchased or reserved in accordance with this section shall be nonrefundable;

Section 8. That Section 61.24, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.24. - Water line, ~~and~~ wastewater line, and reclaimed water line capital charges; adoption; applicability; time of payment.

- (a) *Adoption.* The eCity hereby adopts and establishes pursuant to general law, a water line capital charge, ~~and~~ a wastewater line capital charge, and a reclaimed water line capital charge the purpose of which shall be to finance capital expenditures and the payment of eCity indebtedness associated with the expansion of the eCity's water transmission, ~~and~~ wastewater collection, and reclaimed water systems. Unless otherwise designated below, the water line, ~~and~~ wastewater line and reclaimed water capital charges ~~per ERC~~ imposed by the eCity shall be:

Line Capital Charges	Amount <del>per ERC</del>
Water	<del>-\$767.00</del> <u>\$780.00 per ERC</u>
Wastewater	<del>\$383.00</del> <u>\$1,972.00 per ERC</u>
<u>Reclaimed Water</u>	<u>\$470.00 per 1,000 gallons reserved</u>

- (b) *Applicability.* Water line, ~~and~~ wastewater line, and reclaimed water line capital charges shall not apply to any property located within the boundaries of the following special assessment districts or utility service areas:

Special Assessment Districts (SAD) and Utility Service Areas (USA)	
SAD 1-Phase 1	East Lake Village SAD
SAD 1-Phase 2	Glassman SAD / aka Portofino Isles
USA 3 & 4	River Point SAD / aka Tesoro Preserve
USA 5, 6, & 7-A	Tesoro SAD
USA 9 Units 4, 6, and 8 (exempt from wastewater only)	USA 9 Viking's Lookout and Bay St. Lucie (exempt from water only)

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St. Lucie Land Holdings SAD (only the first 5,300 ERCs are exempt)
City Center Redevelopment Agreement (1,391 ERCs are exempt)

With the approval of the eCity 's council, the eCity may add to or delete SADs or USAs from the above table.

- (c) *Exemptions.* The eCity may exempt any customer from the payment of all or a portion of the water line capital charges, ~~and~~ wastewater line, and reclaimed water line capital charges to the extent that the eCity accepts a permanent contribution in aid of construction related to the water transmission facilities, ~~or~~ the wastewater transmission facilities, or the reclaimed water line transmission facilities having a value of not less than the portion of the water line or wastewater line capital charges being exempted.
- (d) *Time of payment.* All water line, ~~and~~ wastewater line, and reclaimed water line capital charges shall be paid prior to connection of a structure or structures to be served by the eCity, or such other time as may be specifically provided by eCity resolution, ordinance, agreement, or permit.
- (e) *Line capacity reserved to real property.* All water, ~~and~~ wastewater, and reclaimed water line capacity purchased for a real property in accordance with this section shall be reserved only to that specific real property
- (f) *Non-refundable reserved line capacity.* Any water, ~~or~~ wastewater, or reclaimed water line capacities purchased or reserved in accordance with this section shall be non-refundable; provided however that the ~~utility~~ Director may, at his/her sole discretion, authorize exceptions to this section to allow for the refunding of water, ~~and/or~~ wastewater, and/or reclaimed water line charges on a case-by-case basis. The manner and timeframe by which the eCity refunds such line charges shall be at the ~~utility~~ Director's sole discretion.

Section 9. That Section 61.25, Port St. Lucie City Code, is hereby amended to read as follows:

Sec. 61.25. Temporary Meter Permits.

- (a) ~~Signed~~ Application and agreement required. Before rendering temporary water service, the City shall require a ~~signed~~ permit application which includes the terms of and agreement for service. Said application shall be made on forms furnished by the City and shall constitute an agreement by the customers to abide by the utility's rules and policies for such service, and shall be tendered only by the duly authorized agents of the firm, partnership, association or corporation requesting service.
- (b) *Permit period.* Each permit shall allow for temporary metered water usage for up to 180 consecutive days. Permits may be extended in 180-day increments at the sole discretion of the City.

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(c) *Permit fees.* Any applicant requesting temporary water service for up to 180 days shall be required to pay fees based on the size of the meter as follows:

Meter Size	Refundable Deposit	Installation Fees	Collected at Time of Application for Service
$\frac{5}{8}$ " $\times$ $\frac{3}{4}$ "	<del>\$428.00</del> <u>\$473.00</u>	<del>\$259.00</del> <u>\$253.00</u>	<del>\$687.00</del> <u>\$726.00</u>
1"	<del>\$569.00</del> <u>\$629.00</u>	<del>\$265.00</del> <u>\$292.00</u>	<del>\$834.00</del> <u>\$921.00</u>
2"	<del>\$1,249.00</del> <u>\$1,381.00</u>	<del>\$313.00</del> <u>\$480.00</u>	<del>\$1,562.00</del> <u>\$1,861.00</u>
3"	<del>\$3,213.00</del> <u>\$3,552.00</u>	<del>\$706.00</del> <u>\$533.00</u>	<del>\$3,919.00</del> <u>\$4,085.00</u>
4"	<del>\$5,550.00</del> <u>\$6,135.00</u>	<del>\$706.00</del> <u>\$748.00</u>	<del>\$6,256.00</del> <u>\$6,883.00</u>
6"	<del>\$9,883.00</del> <u>\$10,924.00</u>	<del>\$766.00</del> <u>\$1,147.00</u>	<del>\$10,649.00</del> <u>\$12,071.00</u>
8"	<del>\$17,124.00</del> <u>\$18,929.00</u>	<del>\$1,173.00</del> <u>\$1,814.00</u>	<del>\$18,297.00</del> <u>\$20,743.00</u>
10"	<del>\$13,487.00</del> <u>\$19,121.00</u>	<del>\$1,576.00</del> <u>\$1,830.00</u>	<del>\$15,063.00</del> <u>\$20,951.00</u>
Rates for meters above 10" are to be determined at time of application for service.			

(d) *Temporary Meter Relocation Fees.* Permittees may request the relocation of a specific permitted temporary meter if it is to be relocated within the boundaries of the property for which it originally provided service. A ~~\$60.00~~ \$125.00 fee shall be charged for the relocation of each temporary meter.

(e) *Permit Time Extensions.* Permittees are responsible for monitoring their permit's expiration date. A permittee may request permit time extension in 180-day increments. If a time extension is not requested, the City will remove the permitted temporary meter assemblies on the 181<sup>st</sup> day after the original date of installation (the permit date).

A \$60.00 fee shall be charged for each 180-day permit time extension.

(f) *Termination of Service.* Temporary meter permittees who no longer need service from a permitted temporary meter are responsible for contacting City to request that the assembly be removed. Upon termination of the temporary meter assembly's use, the City will evaluate the assembly's condition. Damage resulting



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from a permittee’s negligent use or misuse of any assembly will result in the City retaining the full amount of the permittee’s deposit.

- (g) *Monthly billings required.* The City shall perform monthly temporary meter readings. The following rates and fees shall apply as a Base Facility Charge (“BFC”) to the monthly usage billings for temporary meters.

Temporary Meter Size	BFC
$\frac{5}{8}$ " × $\frac{3}{4}$ "	<del>\$12.01</del> <u>\$12.67</u>
1"	<del>\$24.68</del> <u>\$26.04</u>
2"	<del>\$71.16</del> <u>\$75.07</u>
3"	<del>\$128.67</del> <u>\$135.75</u>
4"	<del>\$199.14</del> <u>\$210.09</u>
6"	<del>\$394.88</del> <u>\$416.60</u>
8"	<del>\$629.87</del> <u>\$664.51</u>
10"	<del>\$1,270.78</del> <u>\$1,340.67</u>

\*Plus gallonage rate per 1,000 gallons according to the Block ~~+~~ 2 rates then in effect.

- (h) *Refundable Deposit.* In the event of loss, theft or vandalism, the refundable deposit is forfeited.

Section 10. That Sec. 62.12 is hereby amended to read as follows:

Sec. 62.12.-Water, Wastewater and Reclaimed Water Rate Schedule.

- (a) *Base Facility Charges.* “Readiness to serve” fee: A monthly Base Facility Charge (BFC) or “readiness to serve” fee, shall be applied to all water, wastewater or reclaimed water bill regardless of whether there is any usage recorded for that billing period.
- (b) *Lien of service charges.* The City of Port St. Lucie has issued revenue bonds for the acquisition, construction, and expansion of the City’s water, wastewater, and reclaimed water facilities pursuant to Chapter 159, Florida Statutes. The City shall have a lien against all lands or premises served by any water (potable and reclaimed), or sewer system for all service charges for such facilities until paid. Such liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of

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such state, county and municipal taxes pursuant to section 159.17, Florida Statutes.

- (c) *Rates.* Monthly water, wastewater and reclaimed water gallonage charges and rates are based on metered use.

(1) *Residential single-family base facility charge (BFC) for customers receiving both water and wastewater service:*

Meter size	Water BFC	Wastewater BFC
$\frac{5}{8}$ " x $\frac{3}{4}$ "	<del>\$10.22</del> <u>\$10.78</u>	\$17.65
1"	<del>\$23.01</del> <u>\$24.28</u>	\$41.44
1 $\frac{1}{2}$ "	<del>\$44.03</del> <u>\$46.45</u>	\$81.13
2"	<del>\$69.39</del> <u>\$73.20</u>	\$128.74

*Residential single-family ~~base facility charge (BFC)~~ for customers receiving only water service:*

<u>Meter size</u>	Water BFC
$\frac{5}{8}$ " x $\frac{3}{4}$ "	<del>\$12.01</del> <u>\$12.67</u>
1"	<del>\$24.68</del> <u>\$26.04</u>
1 $\frac{1}{2}$ "	<del>\$45.83</del> <u>\$48.35</u>
2"	<del>\$71.16</del> <u>\$75.07</u>

Plus gallonage rate per 1,000 gallons as follows:

	Water rate	Wastewater rate	Water gallons	Wastewater cap (gal)
Block 1	<del>\$4.79</del> <u>\$5.05</u>	\$8.27	0—5000	8,000
Block 2	<del>\$6.24</del> <u>\$6.58</u>	n/a	5,001—12,000	n/a
Block 3	<del>\$7.68</del> <u>\$8.10</u>	n/a	12,001 and above	n/a

(2) *Residential multi-family BFC individually metered (includes condominiums and townhomes):*

	Water BFC	Wastewater BFC
Per dwelling unit: (when master metered) plus <del>\$3.55</del> <u>\$3.75</u>	<del>\$6.02</del> <u>\$6.35</u> per <u>dwelling unit</u>	\$14.93 per <u>dwelling</u> unit

Plus gallonage rate per 1,000 gallons as follows:

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	Water rate	Wastewater rate	Water gallons	Wastewater cap (gal)
Block 1	<del>\$4.79</del> <u>\$5.05</u>	\$8.27	0—3,600	Up to 6,000 gal/mo/unit
Block 2	<del>\$6.24</del> <u>\$6.58</u>	n/a	3,601—8,500	n/a
Block 3	<del>\$7.68</del> <u>\$8.10</u>	n/a	8,501 and above	n/a

Monthly water and wastewater block gallonage shall be based upon the number of units. The block thresholds for each residential multi-family water or wastewater meter shall be calculated by multiplying the number of units reserved for that meter times the number of gallons shown in the following table:

Block 1 Threshold	Block 2 Threshold	Block 3 Threshold
Usage up to 3,600 gallons multiplied by the number of units reserved shall be billed at the Block 1 rate	Usage greater than 3,600 up to 8,500 gallons multiplied by the number of units reserved shall be billed at the Block 2 rate	Usage greater than 8,500 gallons multiplied by the number of units reserved and above shall be billed at the Block 3 rate

(3) *Nonresidential BFC (includes, but is not limited to, commercially leased residential properties such as apartment complexes):*

ERCs	Water BFC rate per ERCs Reserved	Wastewater BFC Rate per ERCs Reserved
Calculations shall be based upon the number of ERCs reserved plus <del>\$3.55</del> <u>\$3.75</u>	<del>\$8.44</del> <u>\$8.90</u>	\$15.87

Plus gallonage rate per 1,000 gallons as follows:

	Water Rate	Wastewater Rate
Block 1	<del>\$4.79</del> <u>\$5.05</u>	\$8.27
Block 2	<del>\$6.24</del> <u>\$6.58</u>	<del>n/a</del> <u>\$8.27</u>
Block 3	<del>\$7.68</del> <u>\$8.10</u>	<del>n/a</del> <u>\$8.27</u>

There shall be no wastewater cap for this class of users and customers. Wastewater charges shall be based on total metered water use.

Monthly water ~~and wastewater~~ block gallonage shall be based upon the number of ERCs reserved. The block thresholds for each nonresidential water ~~or wastewater~~

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meter shall be calculated by multiplying the number of ERCs reserved for that meter times the number of gallons shown in the following table:

Block 1 Threshold	Block 2 Threshold	Block 3 Threshold
Usage up to 5,000 gallons multiplied by the number of ERCs reserved shall be billed at the Block 1 rate	Usage greater than 5,000 up to 12,000 gallons multiplied by the number of ERCs reserved shall be billed at the Block 2 rate	Usage greater than 12,000 gallons multiplied by the number of ERCs reserved and above shall be billed at the Block 3 rate

(4) *Wastewater only:*

- a. Single family flat rate: \$69.05 (based on \$19.43 BFC + \$8.27 per gallon x 6,000 gallons)
- b. Multi-family flat rate: \$68.11 per unit (based on \$18.49 BFC + \$8.27 per gallon x 6,000 gallons)
- c. Non-residential: \$15.87 BFC x ERCs reserved  
 Plus ~~\$3.55~~ \$3.75  
 Plus \$66.16 (based on \$8.27 per gallon x 8,000 gallons)

(5) *Reclaimed Water Usage Rates:*

Monthly Consumption Rates:

Monthly billings shall be handled as provided in Section 61.04.

	<u>Rate</u>
<i>Base Facility Charge (BFC):</i>	<del>\$3.38</del> <u>\$3.57</u> per 1,000 gallons of capacity reserved plus <del>\$3.55</del> <u>\$3.75</u>
Plus	
Per 1,000 gallons of metered use	<del>19¢</del> <u>20¢</u>

Industrial reclaimed water customer rates:

Per 1,000 gallons of metered use	<del>27¢</del> <u>29¢</u>
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(d) Guaranteed revenue fee. The rate per ERC shall be equal to the BFC for nonresidential as set forth above, and the calculation shall be based upon the number of ERC's reserved in a service agreement.

Section 11. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 12. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 13. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intent; the word "ordinance" may be changed to "section" or other appropriate word as may be necessary.

Section 14. Effective Date. The rates, fees, and charges in this Ordinance shall become effective October 1, 2024.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon M. Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Richard Berrios, City Attorney