

ORDINANCE NO. 2017-22

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 78 "UTILITIES", ARTICLE I "IN GENERAL", SECTION 78-1 "SCHEDULE OF FEES", IN ORDER TO CHANGE THE BASIS FOR THE READINESS TO SERVE CHARGE TO COMMERCIAL CUSTOMERS FROM THE NUMBER OF UNITS TO METER SIZE AND TO CODIFY CHARGES FOR HYDRANT METERS; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, The Village currently charges commercial utility customers a readiness to serve charge based on the number of separate business units in a commercial building; and

WHEREAS, The size of the water meter serving a commercial building is a much more accurate measure of the potential demand on the Village's utility system than the number of business units; and

WHEREAS, there is a need from time to time to provide construction sites with a hydrant meter to supply the site with water during construction, and the Village Code does not currently include charges for hydrant meters.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The foregoing recitals are incorporated herein as true and correct findings of fact of the Village Council, and serve as a basis for adoption of this Ordinance.

Section 2. That Chapter 78 "Utilities", Article I "In General", Section 78-1, "Schedule of Fees", of the Code of Ordinances of the Village of Palm Springs, Florida, shall hereby be amended to read as follows:

(2) Monthly rates and charges:

a. Monthly water rates and charges for users of water from the village system within the incorporated municipal limits shall be as follows:

1. Monthly readiness to serve charge by unit:

Inside Village (by Unit)

| Customer Class | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|----------------|----------|----------|----------|----------|------------------|------------------|
| Residential | \$ 10.04 | \$ 10.49 | \$ 10.96 | \$ 11.45 | \$ 11.97 | \$ 12.27 |
| Multi-family | 8.03 | 8.39 | 8.77 | 9.16 | 9.57 | 9.81 |
| Commercial | 35.14 | 36.72 | 38.37 | 40.10 | 41.90 | 42.95 |

(Commercial shall be based on meter size beginning October 1, 2017)

| | | | |
|--------------|----------|----------|----------|
| 5/8" or 3/4" | \$40.10 | \$41.90 | \$42.95 |
| 1" | \$40.10 | \$41.90 | \$42.95 |
| 1 1/2" | \$75.39 | \$78.78 | \$80.75 |
| 2" | \$117.61 | \$122.90 | \$125.97 |
| 3" | \$230.52 | \$240.89 | \$246.91 |
| 4" | \$357.30 | \$373.37 | \$382.70 |
| 6" | \$707.45 | \$739.28 | \$757.76 |

2. Monthly water consumption charge per 1,000 gallons of metered water:

**Monthly Water Consumption Charges
Inside Village (\$ per 1,000 gallons)**

| Customer Class | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|--|---------|---------|---------|---------|---------|---------|
| Residential | | | | | | |
| Volume blocks | | | | | | |
| 0—6K | \$ 2.50 | \$ 2.61 | \$ 2.73 | \$ 2.85 | \$ 2.98 | \$ 3.05 |
| 7—20K | 3.25 | 3.40 | 3.55 | 3.71 | 3.88 | 3.98 |
| 21K+ | 4.00 | 4.18 | 4.37 | 4.57 | 4.78 | 4.90 |
| Multi-family (volume blocks are for each apartment unit) | | | | | | |
| Volume blocks | | | | | | |
| 0—4K | \$ 2.50 | \$ 2.61 | \$ 2.73 | \$ 2.85 | \$ 2.98 | \$ 3.05 |
| 5—10K | 3.25 | 3.40 | 3.55 | 3.71 | 3.88 | 3.98 |
| 11K+ | 4.00 | 4.18 | 4.37 | 4.57 | 4.78 | 4.90 |
| Commercial | | | | | | |
| (actual volume used) | \$ 3.13 | \$ 3.27 | \$ 3.42 | \$ 3.57 | \$ 3.73 | \$ 3.82 |

- b. Monthly water rates and charges for users of water from the village system, outside the incorporated municipal limits, but within the defined service area:

1. Readiness to serve customer service unit:

**Monthly Readiness to Serve Charges
Outside Village (by Unit)**

| Customer Class | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|----------------|----------|----------|----------|----------|------------------|------------------|
| Residential | \$ 12.55 | \$ 13.11 | \$ 13.70 | \$ 14.32 | \$ 14.96 | \$ 15.33 |
| Multi-Family | 10.04 | 10.49 | 10.96 | 11.45 | 11.97 | 12.27 |
| Commercial | 43.93 | 45.91 | 47.98 | 50.14 | 52.40 | 53.71 |

(Commercial shall be based on meter size beginning October 1, 2017)

| | | | |
|--------------|----------|----------|----------|
| 5/8" or 3/4" | \$50.14 | \$52.40 | \$53.71 |
| 1" | \$50.14 | \$52.40 | \$53.71 |
| 1 1/2" | \$94.23 | \$98.10 | \$100.93 |
| 2" | \$147.01 | \$153.63 | \$157.46 |
| 3" | \$288.15 | \$301.11 | \$308.64 |
| 4" | \$442.88 | \$466.71 | \$478.38 |
| 6" | \$884.31 | \$924.10 | \$947.20 |

2. Monthly water consumption charge per 1,000 gallons of metered water:

**Monthly Water Consumption Charge
Outside Village (\$ per 1,000 gallons)**

| Customer Class | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|--|---------|---------|---------|---------|---------|---------|
| Residential | | | | | | |
| Volume blocks | | | | | | |
| 0—6K | \$ 3.13 | \$ 3.27 | \$ 3.42 | \$ 3.57 | \$ 3.73 | \$ 3.82 |
| 7—20K | 4.06 | 4.24 | 4.43 | 4.63 | 4.84 | 4.96 |
| 21K+ | 5.00 | 5.23 | 5.47 | 5.72 | 5.98 | 6.13 |
| Multi-family (volume blocks are for each apartment unit) | | | | | | |
| Volume blocks | | | | | | |
| 0—4K | \$ 3.13 | \$ 3.27 | \$ 3.42 | \$ 3.57 | \$ 3.73 | \$ 3.82 |
| 5—10K | 4.06 | 4.24 | 4.43 | 4.63 | 4.84 | 4.96 |
| 11K+ | 5.00 | 5.23 | 5.47 | 5.72 | 5.98 | 6.13 |
| Commercial | | | | | | |
| (actual volume used) | 3.91 | 4.09 | 4.27 | 4.46 | 4.66 | 4.78 |

f. Wastewater rates and charges within the village limits:

1. A monthly readiness to serve charge by unit.

**Monthly Wastewater Readiness to Serve
Charges Inside Village (by Unit)**

| Customer Class | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|----------------|---------|---------|---------|----------|------------------|------------------|
| Residential | \$ 9.06 | \$ 9.47 | \$ 9.90 | \$ 10.35 | \$ 10.82 | \$ 11.09 |
| Multi-Family | 7.25 | 7.58 | 7.92 | 8.28 | 8.65 | 8.87 |
| Commercial | 31.71 | 33.14 | 34.63 | 36.19 | 37.82 | 38.77 |

(Commercial shall be based on water meter size beginning October 1, 2017)

| | | | |
|--------------|----------|----------|----------|
| 5/8" or 3/4" | \$36.19 | \$37.82 | \$38.77 |
| 1" | \$36.19 | \$37.82 | \$38.77 |
| 1 1/2" | \$68.03 | \$71.10 | \$72.88 |
| 2" | \$106.13 | \$110.92 | \$113.69 |
| 3" | \$208.01 | \$217.40 | \$222.83 |
| 4" | \$322.42 | \$336.97 | \$345.39 |
| 6" | \$638.39 | \$660.46 | \$676.96 |

2. Monthly wastewater charge per 1,000 gallons of metered water:

**Monthly Wastewater Consumption Charges
Inside Village (\$ per 1,000 gallons)**

| Customer Class | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|----------------|---------|---------|---------|---------|---------|---------|
| Residential | \$ 5.88 | \$ 6.14 | \$ 6.42 | \$ 6.71 | \$ 7.01 | \$ 7.19 |
| Multi-Family | 5.88 | 6.14 | 6.42 | 6.71 | 7.01 | 7.19 |
| Commercial | 5.88 | 6.14 | 6.42 | 6.71 | 7.01 | 7.19 |

Residential and multi-family accounts shall not be charged for more than 8,000 gallons per dwelling unit per month.

g. Monthly wastewater rates and charges outside the incorporated municipal limits:

1. Monthly readiness to serve charge by unit:

**Monthly Wastewater Customer Service Charges
Outside Village (by unit)**

| Customer Class | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|----------------|----------|----------|----------|----------|------------------|------------------|
| Residential | \$ 11.33 | \$ 11.84 | \$ 12.37 | \$ 12.93 | \$ 13.51 | \$ 13.85 |
| Multi-Family | 9.06 | 9.47 | 9.90 | 10.35 | 10.82 | 11.09 |
| Commercial | 39.64 | 41.42 | 43.28 | 45.23 | 47.27 | 48.45 |

(Commercial shall be based on water meter size beginning October 1, 2017)

| | 5/8" or 3/4" | \$45.23 | \$47.27 |
|---------|--------------|----------|----------|
| \$48.45 | | | |
| | 1" | \$45.23 | \$47.27 |
| | 1 1/2" | \$85.04 | \$88.88 |
| | 2" | \$132.66 | \$138.65 |
| | 3" | \$260.01 | \$271.75 |
| | 4" | \$403.03 | \$421.18 |
| | 6" | \$797.99 | \$825.58 |

2. Monthly wastewater charge per 1,000 gallons of metered water:

**Monthly Wastewater Consumption Charge
Outside Village (\$ per 1,000 gallons)**

| Customer Class | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|----------------|---------|---------|---------|---------|---------|---------|
| Residential | \$ 7.35 | \$ 7.68 | \$ 8.03 | \$ 8.39 | \$ 8.77 | \$ 8.99 |
| Multi-Family | 7.35 | 7.68 | 8.03 | 8.39 | 8.77 | 8.99 |
| Commercial | 7.35 | 7.68 | 8.03 | 8.39 | 8.77 | 8.99 |

Residential and multi-family accounts shall not be charged for more than 8,000 gallons per dwelling unit per month.

**Monthly Wastewater Readiness to Serve Charges
Large Users Inside**

| Readiness to serve | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|--------------------|---------|---------|---------|---------|---------|---------|
| | \$31.71 | \$33.14 | \$34.83 | \$36.19 | \$37.82 | \$38.77 |

**Monthly Wastewater Readiness to Serve Charges
Large Users Outside**

| Readiness to serve | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|--------------------|---------|---------|---------|---------|---------|---------|
| | \$39.64 | \$41.42 | \$43.28 | \$45.23 | \$47.27 | \$48.45 |

The monthly Cross Connection Control Program Fee for users of the water from the village system within the incorporated municipal limits and the outside the incorporated municipal limits, but within the defined village service area, shall be as follows:

Inside Village (per assembly unit)

| Commercial | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 | FY 2019 |
|------------|---------|---------|---------|---------|---------|---------|
| | \$5.45 | \$5.61 | \$5.78 | \$5.95 | \$6.13 | \$6.31 |

The aforementioned monthly cross connection control program fee for commercial users of water from the village system within the incorporated municipal limits shall be in addition to any rate or charge otherwise assessed under Chapter 78 of the Village Code of Ordinances, including, but not limited to, the monthly readiness to serve charge assessed per unit. The monthly cross connection control program fee is only applicable to those commercial users who have or are required to have a backflow assembly installation at their property.

(4) Meter connection fees are as follows:

a. Water meter connection fees:

| Meter Size (inches) | Amount |
|---------------------|-----------|
| 5/8 or 3/4 | \$ 650.00 |
| 1 | 800.00 |
| 1½ | 1,000.00 |
| 2 | 1,250.00 |
| 3 | * |
| 4 | * |
| 6 | * |

* Connection fees will be determined for each installation by the village manager. Fees will be based on actual costs for meter, related equipment and installation.

b. Water main connections: \$17.00 per front foot of abutting property.

c. Wastewater line connections: \$28.00 per front foot of abutting property.

d. Hydrant meter connection fees:

A deposit of \$500.00 for meters smaller than 2" and \$1,000 for meters 2" and larger, plus a \$50.00 meter set charge. All Hydrant meters shall be billed monthly. The bill shall include the Readiness to Serve Charge based on meter size plus the commercial rate for gallons used. There is a one-year limit on the amount of time a customer may use a hydrant meter.

Section 3. Codification. The sections of the ordinance shall be made a part of the Village Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 4. Repeal of Conflicting Ordinances. All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

Section 5. Severability. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

Council Member _____, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member _____, and upon being put to a vote, the vote was as follows:

| | <u>Aye</u> | <u>Nay</u> | <u>Absent</u> |
|--------------------------------|--------------------------|--------------------------|--------------------------|
| BEV SMITH, MAYOR | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| PATTI WALLER, VICE MAYOR | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LIZ SHIELDS, MAYOR PRO TEM | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| JONI BRINKMAN, COUNCIL MEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DAWN MARIE COX, COUNCIL MEMBER | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Ordinance No. 2017-22

The Mayor thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Palm Springs, Florida, on second reading, the 28th day of September, 2017.

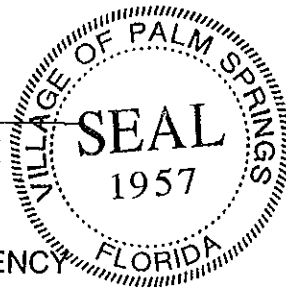
VILLAGE OF PALM SPRINGS, FLORIDA
BY: [Signature]
BEV SMITH, MAYOR

First Reading: 9/14/2017

Second Reading: 9/28/2017

ATTEST:

BY: [Signature]
KIMBERLY M. WYNN, VILLAGE CLERK



REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: [Signature] FOR
GLEN J. TORCIVIA, VILLAGE ATTORNEY

Commercial Rate Comparison
FY 2017 Projected

Currently Billing

| Code | Total | Units | | |
|----------------|---------------------|--------------|--------------|-------------|
| 152 | 29,032.40 | 724 | \$ 46,430.98 | Water |
| 252 | 22,727.32 | 628 | \$ 34,821.84 | Sewer |
| 352 | 17,398.58 | 347 | | |
| 452 | 11,985.95 | 265 | | |
| 254 | 108.57 | 3 | | |
| Revenue | \$ 81,252.82 | Units | | 1967 |

41003-34361

Water Only

| Meter Size | Inside | Meters | Outside | Meters |
|--------------------------|---------------------|---------------|----------|------------|
| 5/8 | 13,353.30 | 333 | 9,025.20 | 180 |
| 1" | 4,731.80 | 118 | 2,456.86 | 49 |
| 1.5" | 4,071.06 | 54 | 1,601.91 | 17 |
| 2" | 6,938.99 | 59 | 2,940.20 | 20 |
| 3" | 922.08 | 4 | 1,152.60 | 4 |
| 4" | 1,429.20 | 4 | 885.76 | 2 |
| 6" | - | 0 | - | 0 |
| Projected Revenue | \$ 49,508.96 | Meters | | 844 |

Profit 3,077.98

Sewer Only

| Meter Size | Inside | Meters | Outside | Meters |
|--------------------------|---------------------|---------------|----------|------------|
| 5/8 | 10,422.72 | 288 | 5,789.44 | 128 |
| 1" | 3,112.34 | 86 | 1,537.82 | 34 |
| 1.5" | 3,061.35 | 45 | 1,105.52 | 13 |
| 2" | 4,775.85 | 45 | 2,653.20 | 20 |
| 3" | 832.04 | 4 | 1,040.04 | 4 |
| 4" | 967.26 | 3 | 403.03 | 1 |
| 6" | - | | - | |
| Projected Revenue | \$ 35,700.61 | Meters | | 671 |

Profit 878.77

Non-residential Water Capacity/Base Facility Charge*

| Meter Size | West Palm | Seacoast | Jupiter | Boca Raton | Palm Springs Proposed | Lake Worth | Delray Beach | Palm Beach County |
|------------|-----------|----------|----------|------------|-----------------------|------------|--------------|-------------------|
| 5/8 inch | \$21.43 | \$19.09 | \$20.91 | N/A | (1) 40.10 | \$18.75 | N/A | \$25.74 |
| ¾ inch | 32.69 | N/A | 20.91 | \$26.88 | (1) 40.10 | 18.75 | \$15.72 | 25.74 |
| 1 inch | 53.61 | 48.50 | 52.28 | 26.88 | 40.10 | 39.82 | 24.26 | 87.64 |
| 1 ½ inch | 107.28 | 95.86 | 104.55 | 53.05 | 75.39 | 74.91 | 45.47 | 139.44 |
| 2 inch | 171.65 | 152.69 | 167.28 | 87.71 | 117.61 | 117.04 | 71.02 | 236.56 |
| 3 inch | 321.87 | 304.22 | 261.38 | N/A | 230.52 | 229.37 | 151.97 | 626.65 |
| 4 inch | 536.45 | 474.70 | 522.75 | 344.98 | 357.30 | 355.73 | 271.14 | 966.58 |
| 6 inch | 1,072.90 | 948.24 | 1,254.60 | 796.88 | 707.45 | 706.75 | 598.96 | (2) |
| 8 inch | 1,716.60 | 1,516.51 | 1,568.25 | 1,416.06 | N/A | N/A | 1,024.56 | |
| 10 inch | 2,467.63 | N/A | 2,091.00 | 2,378.46 | N/A | N/A | 1,620.58 | |
| 12 inch | 4,608.05 | N/A | N/A | 3,512.47 | N/A | N/A | N/A | |

*Includes Customer or Point of Service Charge, if any.

(1) Current minimum charge for one unit

(2) Based on projected usage for 6 inch and larger meters.

Non-residential Sewer Capacity/Base Facility Charge*

| Meter Size | West Palm | Seacoast | Jupiter | Boca Raton | Palm Springs Proposed | Lake Worth | Delray Beach | Palm Beach County |
|------------|-----------|----------|---------|------------|-----------------------|------------|--------------|-------------------|
| 5/8 inch | \$12.24 | \$29.35 | (4) | N/A | (1) 36.19 | \$12.06 | N/A | \$32.37 |
| ¾ inch | 18.38 | N/A | | (3) | (1) 36.19 | 12.06 | 18.04 | 32.37 |
| 1 inch | 30.65 | 70.59 | | | 36.19 | 24.29 | 30.10 | 123.83 |
| 1 ½ inch | 61.20 | 139.30 | | | 68.03 | 44.69 | 59.95 | 202.33 |
| 2 inch | 97.93 | 221.78 | | | 106.13 | 69.17 | 95.97 | 362.58 |
| 3 inch | 183.62 | 441.69 | | | 208.11 | 134.42 | 210.14 | 930.73 |
| 4 inch | 308.31 | 689.08 | | | 322.42 | 207.83 | 378.12 | 1,424.41 |
| 6 inch | 612.03 | 1,376.31 | | | 638.39 | 411.79 | 840.35 | (2) |
| 8 inch | 979.28 | 2,200.97 | | | N/A | N/A | 1,441.74 | |
| 10 inch | 1,407.72 | N/A | | | N/A | N/A | 2,282.80 | |
| 12 inch | 2,633.60 | N/A | | | N/A | N/A | N/A | |

*Includes Customer or Point of Service Charge, if any.

(1) Current minimum charge for one unit.

(2) Based on projected usage for 6 inch and larger meters.

(3) Boca Raton only charges a base charge for water.

(4) Jupiter is served by the Loxahatchee Water Control District. Their rates are based on "Equivalent Connections" and are not directly comparable.

**COMPARISON OF UNIT BASED VERSUS METER BASED
READINESS TO SERVE CHARGE**

The following are examples to better understand the proposed fee change:

Calculating the Readiness to Serve Charge of providing water/wastewater for a laundromat with a two in meter and a 12 bay strip center with a one inch meter serving the entire center utilizing the existing Code the commercial customer would pay the following based on number of units:

| Business | Number of Units | Meter Size | Water/ Wastewater Readiness to Serve Charge |
|-----------------|------------------------|-------------------|--|
| Laundromat | 1 | 2 inch(es) | \$ 76.29 Month |
| Strip Center | 12 | 1 inch(es) | \$915.48 Month |

Utilizing the proposed amendment the commercial customers would pay the following based on the size of the Meter:

| Business | Number of Units | Meter Size | Water/ Wastewater Readiness to Serve Charge |
|-----------------|------------------------|-------------------|--|
| Laundromat | 1 | 2 inch(es) | \$223.74 Month |
| Strip Center | 12 | 1 inch(es) | \$ 76.29 Month |

Hydrant Meter Charges

| | Boca Raton | Delray Beach | West Palm Beach | Jupiter | Lake Worth | Palm Springs |
|------------------|----------------------------|--------------------------|----------------------------|-------------------------|--------------|--------------|
| Deposit | \$1,000.00 + \$200 set fee | \$750.00 + \$150 set fee | \$1,500.00 + \$275 set fee | \$550.00 + \$25 set fee | \$525.00 | \$500.00 |
| Charge per month | Base + usage | Base + usage | Base + usage | Base + usage | \$214.06 min | N/A |