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ORDINANCE 98-01

AN ORDINANCE PROMULGATING THE RATES TO BE CHARGED FOR THE USE OF THE COUNTY WATERWORKS SYSTEM; OUTLINING MEANS OF ENFORCING PAYMENT FOR WATER SERVICE, PROMULGATING REQUIREMENTS FOR CONNECTION TO THE COUNTY WATERWORKS SYSTEM, SETTING UP MAINTENANCE REQUIREMENTS; PROHIBITING FREE WATER SERVICE, AND PENALTIES FOR VIOLATION; PROVIDING FOR DECLARING THE ORDINANCE AN EMERGENCY; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1: Connections with Waterworks System: Where the same shall be available, an owner of every lot or parcel of land within the County of Liberty, Florida, may connect the lot or parcel of land or cause the plumbing of any building or buildings thereon to be connected with the county waterworks system of the County of Liberty, and use the facility of such water system. All such connections shall be made in accordance with the rules and regulations which shall be adopted from time to time by the Board of County Commissioners of Liberty County, Florida, which rules and regulations shall provide for a charge for making any such connections in such reasonable amount as the Commission may fix and determine; provided, however, that this Ordinance shall not be construed to entitle any person to cross the private property of another to make such water connections during the initial constuction of any distribution line of the waterworks system.

SECTION 2. Charge or Rate for Water Service. Any user of the services of the waterworks system shall pay therefore a monthly charge or rate, as follows:

<u>Rates</u>	<u>Monthly Basis</u>
First 3,000 Gallons or Less.....	\$8.00 (Minimum Bill);
Next 3,000 Gallons.....	\$1.85 per 1,000 Gallons;
Next 4,000 Gallons.....	\$1.50 per 1,000 Gallons;
Over 10,000 Gallons.....	\$1.25 per 1,000 Gallons.

Connection Fee: After Construction, at least Two Hundred Fifty and 00/100 (\$250.00) Dollars.

SECTION 3. Unlawful Connection. No person shall be allowed to connect lines to the waterworks system without the written consent of the Board of County Commissioners of Liberty

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County, Florida, and then the connection with such system shall be made only under the direction and supervision of the Board of County Commissioners of Liberty County, Florida. Any property owner or person who shall make any connection without such consent of the Board of County Commissioners of Liberty County, Florida, shall upon conviction be subject to the penalties hereinafter provided.

SECTION 4. Connecting Old Plumbing. Whenever it is desirable to connect existing plumbing with the county waterworks system, the owner or person contemplating doing such work shall notify the County Plumbing Inspector, and the County Plumbing Inspector shall inspect said plumbing and notify the owner or person contemplating doing such work of any alterations which may be necessary in order to place said plumbing in an acceptable condition for connecting the existing plumbing to the waterworks system. Any owner or person who shall make any connection without the approval of the Plumbing Inspector shall be subject to the penalties hereinafter provided.

SECTION 5. Maintenance of Plumbing. The owner of the property shall be responsible for maintaining all plumbing on such property and the pipe leading from the property and connecting to the waterworks system distribution lines.

SECTION 6. Payment of Fees and Bills Required. A bill for the monthly charges and fees shall be submitted to each user by the Board of County Commissioners of Liberty County, Florida, and shall be paid monthly by the users of the services of the waterworks system. If any monthly bill for water service shall be unpaid and remain unpaid ten (10) days from the date of submission of bill for such service, a penalty of ten percent (10%) of the bill amount shall be imposed and shall be added to said bill; and if said bill shall continue to remain due and unpaid for a period of thirty (30) days from the date of submission of such bill, the water service to the consumer shall be discontinued and shall not be reconnected until all past-due charges are fully paid, together with a reconnect fee of Twenty and 00/100 (\$20.00) Dollars.

SECTION 7. No Service Free. No water shall be furnished free of charge to any person, firm, or corporation whatsoever, and the Board of County Commissioners of Liberty County, Florida, and each and every agency, department, or instrumentality using the waterworks system shall pay therefor at the rates fixed by this Ordinance

SECTION 8. System to be Fully Metered with Separate Connections for Each Separate Unit. Each lot or building site shall be considered a separate unit for the payment of water fees herein established, and separate connections will be required for each of such units. Every connection shall be separately metered.

SECTION 9. Penalties. Any person, firm, or corporation violating the provisions of Section 3 or Section 4 of this Ordinance shall, upon conviction thereof, for each such offense, be subject to a fine not to exceed Three Hundred and 00/100 (\$300.00) Dollars, or imprisonment not to exceed ninety (90) days, or both such fine and imprisonment, upon the discretion of the County Judge.

SECTION 10. Emergency. The Board of County Commissioners of Liberty County,

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Florida, waives the Notice requirement, finds that an emergency exists and that the enactment of a Waterworks Ordinance is necessary, and declares that it is necessary to enact this Ordinance as an Emergency Ordinance.

SECTION 11. Conflict with Other Ordinances. All Ordinances or parts of Ordinances of the Code of Ordinances for Liberty County, Florida, that are in conflict with this Ordinance are hereby repealed to the extent of such conflict.


SECTION 12. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

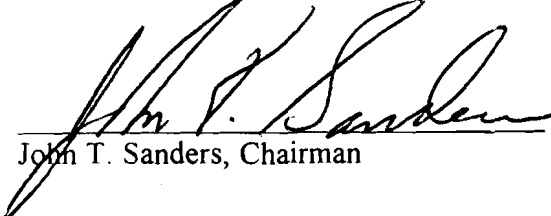
SECTION 13. Effective Date. The effective date of this Ordinance shall be January 1, 1999.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Liberty County, Florida on this 18th day of November, 1998.

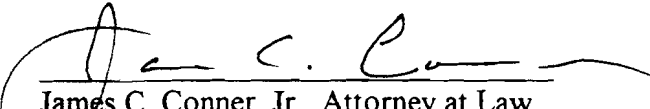
BOARD OF COUNTY COMMISSIONERS
LIBERTY COUNTY, FLORIDA

Attest:


Vernon Ross, Clerk of Court
Liberty County, Florida

By: 
John T. Sanders, Chairman

Approved as to Form:


James C. Conner, Jr., Attorney at Law
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