

ORDINANCE NO. 91-01

AN ORDINANCE AMENDING LIBERTY COUNTY ORDINANCE NO. 79-1, AS AMENDED BY ORDINANCE NO. 81-2, SO AS TO INCREASE THE INITIAL HOOK-UP FEE FOR THE HOSFORD-TELOGIA WATER DISTRIBUTION SYSTEM TO ONE HUNDRED DOLLARS (\$100.00); PROVIDING FOR A MORATORIUM ON INITIAL HOOK-UP FEES UNTIL MARCH 1, 1991; PROVIDING FOR CREDITS TOWARD MONTHLY WATER SERVICE CHARGES FOR HOOK-UP FEES PREVIOUSLY PAID; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners hereby finds and determines that it is necessary to increase the initial hook-up fees for the Hosford-Telogia water distribution system in order to accurately reflect the costs of water service connection; and

WHEREAS, an increased initial hook-up fee of one hundred dollars (\$100.00) has been charged for some time without an amendment to the ordinances originally establishing the hook-up fees; and

WHEREAS, the Board of County Commissioners also hereby finds that it is in the overall best interests of the Hosford-Telogia water distribution system and its customers to encourage the maximum possible use of the system in order to provide more effective service at lower rates; and

WHEREAS, the Board of County Commissioners desires to waive hook-up charges for a short period of time in order to encourage connection to the Hosford-Telogia water distribution system, but feels that it would only be equitable to refund, through water service credits on monthly bills, the increased hook-up charges previously paid by existing customers;

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

Section 1. Increase in Hook-up Fee.

Subsections 10.C. and 10.D. of Liberty County Ordinance No. 79-1, as amended by Ordinance No. 81-2, are hereby amended to read as follows:

Section 10: A deposit of \$20.00 shall be required for all consumers. This deposit is refundable to the depositor

Coding: Words in outlined type are deletions from existing law; words underlined are additions.

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at any time that the water service is discontinued and all outstanding obligations to the system have been satisfied. There shall be a connection charge as follows:

A. The first meter shall be free.

B. The initial service fee shall be \$5.00.

C. The initial hook-up fee shall be ~~\$6.00;~~ \$100.00 or, ~~this fee is charged~~ for running the water line a distance greater than one city block, ~~or for~~ \$100.00 or the actual cost of labor and materials, whichever is greater.

D. If ~~a second~~ more than one meter is requested, the cost shall be \$32.00 for each meter over the first one, or the actual cost thereof, whichever is greater, together with the \$5.00 service fee.

Section 2. Hook-up Fee Moratorium.

No initial hook-up fee shall be charged to new customers of the Hosford-Telogia water distribution system until March 1, 1991.

Section 3. Rebate of Hook-up Fees.

The Clerk of the Circuit Court is hereby authorized and directed to rebate, through monthly water service credits, any initial hook-up fee of \$100.00 previously paid by a new customer of the Hosford-Telogia water distribution system. Such rebate shall be credited toward monthly service charges until fully refunded, but only if the current customer for the account is the one who paid the hook-up fee. Identification of customers who previously paid a \$100.00 initial hook-up fee may be made by the Clerk from all available County records or by proof submitted by a customer which establishes both the fact of payment and the identity of the payor as the current customer.

Section 4. Conflict.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

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Section 5. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date.

In accordance with Section 125.66, Florida Statutes, a certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment, and this ordinance shall take effect upon receipt of official acknowledgment that said ordinance has been filed.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Liberty County, Florida, this 8th day of January, 1991.

BOARD OF COUNTY COMMISSIONERS,
LEON COUNTY, FLORIDA

By: Willard Reddick
Chairman

ATTEST:

Duncan Hosford
Duncan Hosford
Clerk of the Circuit Court

APPROVED AS TO FORM:

County Attorney