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ORDINANCE No. 92-05 \_\_\_\_\_

AN ORDINANCE AMENDING LIBERTY COUNTY ORDINANCE NO. 79-1, AS AMENDED BY ORDINANCE NO. 81-2, AS AMENDED BY ORDINANCE NO. 91-01, SO AS TO INCREASE THE INITIAL DEPOSIT; SO AS TO INCREASE THE RATES; SO AS TO INCREASE THE CONNECTION CHARGE; SO AS TO PROVIDE FOR LATE FEES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners hereby finds and determines that it is necessary to increase the rates for water used by all consumers of the Liberty Water System; and

WHEREAS, the Board of County Commissioners hereby finds and determines that it is necessary to increase the deposit required by all consumers of the Liberty Water System to adequately protect the County in the event of a discontinuance of use of the water system by a consumer, without paying the outstanding amounts due for water used previously; and

WHEREAS, a deposit of Twenty (\$20.00) Dollars was previously required, and has been charged for some time without an amendment to the ordinance increasing said deposit; and

WHEREAS, the Board of County Commissioners desires to increase the deposit and increase the rates for all consumers; and

WHEREAS, a connection charge of One Hundred (\$100.00) Dollars was previously required for the initial hook-up fee to the Liberty Water System; and

WHEREAS, the Board of County Commission desires to increase the connection charge required to connect into the Liberty Water System; and

WHEREAS, a late fee of One (\$1.00) Dollar and a re-connection charge of Ten (\$10.00) Dollars were previously charged for non-payment of water service; and

WHEREAS, the Board of County Commissioners desires to clarify the provisions for charging late fees;

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

Section 1. Increase in Rates. Section 6 of Liberty County Ordinance No. 79-1, as amended by Ordinance No. 81-2, as amended by Ordinance No. 91-01, is hereby amended as follows by deleting the present Section 6, and substituting therefor the following:

- Section 6. All users of the services of the water system herein described shall pay therefor a monthly charge or rate as follows:
  - A. The first 3,000 gallons . . . . . \$7.00 minimum
  - B. The next 3,000 gallons . . . . . \$1.25 per thousand gallon, or .00125 per gallon

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C. The next 4,000 gallons . . . . . \$1.05 per thousand  
gallon, or .00105 per gallon

D. All over 10,000 gallons . . . . . .0.95 per thousand  
gallon, or .00095 per gallon

**Section 2. Late Fees and Reconnection Charges.** Section 9 of Liberty County Ordinance No. 79-1, as amended by Ordinance No. 81-2, as amended by Ordinance No. 91-01, is hereby amended as follows by deleting the present Section 9, and substituting therefore the following:

Section 9. All bills for water service will be due when rendered. If any bill for water service shall remain unpaid for a period of ten (10) days, the same shall be subject to a penalty of One (\$1.00) Dollar. In the event of nonpayment for a period of twenty (20) days from the due date of the water bill (the 20th day of each month), the water service to the customer or consumer shall be discontinued and such service shall remain discontinued until all past due charges plus disconnection charges of Ten (\$10.00) Dollars, together with the reconnection charge of Ten (\$10.00) Dollars have been paid.

**Section 3. Increase in Connection Charge and Increase in Initial Deposit.** Section 10 of Liberty County Ordinance No. 79-1, as amended by Ordinance No. 81-2, as amended by Ordinance No. 91-01, is hereby amended as follows by deleting the present Section 10, and substituting therefor the following:

Section 10. A deposit of Fifty (\$50.00) Dollars shall be required for all consumers. This deposit is refundable to the depositor 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 initial hook-up fee shall be Two Hundred (\$200.00) Dollars, or for the actual cost of labor, materials and meter, whichever is greater.

B. If more than one meter is requested, ~~the~~ cost shall be One Hundred Fifty (\$150.00) Dollars for each additional meter, or the actual cost of labor, materials and meter, whichever is greater.

**Section 3. Conflict.** All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 4. 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 a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

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**Section 5. Effective Date.** This Ordinance shall take effect as provided by law.

DULY PASSED AND ADOPTED by the Board of County Commissioners of Liberty County, Florida, this 7<sup>th</sup> day of May, 1992.

BOARD OF COUNTY COMMISSIONERS, LIBERTY COUNTY, FLORIDA.

By: *John T. Sanders*  
John T. Sanders, Chairman

ATTEST:

*Duncan Hosford*  
Duncan Hosford  
Clerk of the Circuit Court

APPROVED AS TO FORM:

*Jack Con*  
County Attorney