

BCC Mtg. Date: August 13, 2024

Effective Date: September 28, 2024

ORDINANCE NO. 2024-22

**AN ORDINANCE AMENDING ORANGE COUNTY CODE
CHAPTER 37, ARTICLE I, ENTITLED “ORANGE COUNTY
WATER, WASTEWATER AND RECLAIMED WATER
SERVICE RULES”; AMENDING SECTION 37-5 TO
UPDATE THE LEVEL OF SERVICE STANDARDS FOR
WATER AND WASTEWATER; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, the Orange County Board of County Commissioners (“BCC”) establishes the necessary regulations and Level of Service standards for water and wastewater in Orange County, Florida, pursuant to its home rule powers granted to the county by the Florida Constitution, the Orange County Charter, and Chapter 125 of Florida Statutes; and

WHEREAS, the county has authority to provide water, wastewater and reclaimed water services to its customers pursuant to Section 37-3 of the Orange County Code; and

WHEREAS, the current Level of Service Standards for water and wastewater in the county have not been updated since 2013; and

WHEREAS, the current Level of Service Standard for water service in the county is 275 gallons per day (average daily flow) per Equivalent Residential Connection (ERC); and

WHEREAS, the current Level of Service Standard for wastewater service in the county is 225 gallons per day (average daily flow) per Equivalent Residential Unit (ERU); and

WHEREAS, the Orange County Utilities Department conducted a study of the average water and wastewater flow data throughout the county to determine the optimal Level of Service Standards for water and wastewater services provided by the county to its customers; and

WHEREAS, the study has identified a decrease in average flows due to water conservation efforts, water saving fixture regulations, smaller single family residential lots for new development, and increased use of reclaimed water instead of potable water for the irrigation of new homes; and

WHEREAS, the BCC now seeks to modify the current Level of Service Standards to reflect the current flow data: 225 gallons per day per ERC for water and 200 gallons per day per ERU for wastewater.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
ORANGE COUNTY, FLORIDA:**

Section 1. Amendment to Section 37-5. Section 37-5 (“Application for water, wastewater and reclaimed water services”), Article I, is hereby amended to read as follows with underlines showing additions and strikethroughs indicating deletions:

Sec. 37-5. Application for water, wastewater and reclaimed water services.

* * *

(4) *Water capital charge.* Determination of water capital charges for development.

* * *

b. Determination of water capital charges.

1. The total water capital charges for a property shall be determined by using the following formula:

Total Water Capital Charges Due = Total ERC Value x Applicable Water Capital Charge per ERC

2. For the purpose of calculating and applying the water capital charges for a specific property use, the total ERC value for a property shall be calculated by adding the applicable ERC factors set forth in the following “ERC Factors for Specific Property Uses” chart multiplied by the number of units for each factor:

* * *

3. One (1) equivalent residential connection (ERC), for the purposes of this section, shall have an assigned value of 1.000. One (1) ERC is hereby established and determined to be equal to a flow of ~~two hundred seventy five (275)~~ two hundred twenty-five (225) GPD, on an average annual basis. Nonresidential parcels shall have a maximum of one (1) meter per detached building and a minimum of one (1) ERC per meter.

* * *

(5) *Wastewater capital charge.* Determination of wastewater capital charges for development.

* * *

b. Determination of wastewater capital charges.

1. The total wastewater capital charges for a property shall be determined by using the following formula:

Total Wastewater Capital Charges Due = Total ERU Value x
Applicable Wastewater Capital Charge per ERU

2. For the purpose of calculating and applying the wastewater capital charge for a specific property, the total ERU value for a property shall be calculated by adding the relevant ERU factors listed in the following “ERU Factors for Specific Property Uses” chart multiplied by the number of units for each factor.

* * *

3. One (1) ERU, for the purposes of this section, shall have an assigned value of 1.000. One (1) ERU is hereby established and determined to be equal to a flow of ~~two hundred twenty five (225)~~ two hundred (200) GPD, on an average annual basis. Nonresidential parcels shall be assessed a minimum of one (1) ERU per billing meter.

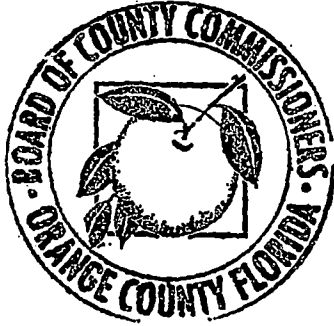
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In all other respects, Section 37-5 shall remain unchanged.

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Section 2. Effective date. This ordinance shall become effective on the date that Amendment 2024-1-B-CP-1, Orange County Comprehensive Plan 2010-2030, goes into effect.

ADOPTED THIS 13th DAY OF AUGUST, 2024.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: *Jennifer Horn-Kline*
Deputy Clerk