

*CITY OF CLERMONT*  
**ORDINANCE NO. 2017-51**

**AN ORDINANCE OF THE CODE OF ORDINANCES OF THE CITY OF CLERMONT, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 66, UTILITIES, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, EFFECTIVE DATE AND PUBLICATION.**

**THE CITY COUNCIL OF THE CITY OF CLERMONT, LAKE COUNTY FLORIDA HEREBY ORDAINS:**

**SECTION 1.**

Chapter 66, Utilities, Section 66-7(a) is hereby amended as follows:

No person, unless authorized by the City, has the right to turn off or turn on water at the curbstop, corporation stop or valve, or to in any way disconnect or remove any water meter or otherwise molest any water connection, meter or water main belonging to the City. In the event that meter padlocks are cut or curbstops are damaged, a meter tampering fee will be charged to the account holder. The meter tampering fee amount will be included in a fees schedule established by resolution and kept on file in the City Clerk's office.

**SECTION 2.**

Chapter 66, Utilities, Section 66-144 is hereby amended as follows:

A stormwater management utility fee is hereby imposed upon developed lots and parcels within the City for services and facilities provided by the stormwater management utility system. For purposes of imposing the stormwater management utility fee, all lots and parcels within the City are classified as residential or non-residential. The City Manager or his designee is directed to prepare a list of lots and parcels within the City and assign a classification of residential or non-residential to each parcel. All developed lots and parcels are subject to the stormwater management utility fee, with the exception of public rights of ways and governmental owned and operated facilities.

**SECTION 3.**

Chapter 66, Utilities, Section 66-145 is hereby amended as follows:

- (a) The City Council shall by resolution establish reasonable rates for the stormwater management utility system. For each single-family dwelling unit (SFU) a flat fee shall be established. For residential accounts not individually metered, the account holder of the master meter shall be billed the fee established for an SFU, multiplied by the number of residential units.

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- (b) For nonresidential properties, the number of equivalent residential units (ERU) shall be determined periodically and shall be included in the rate resolution. All non-residential properties not covered by Subsection (a) of this Section shall be billed based on the total impervious area of the property divided by the ERU and then multiplied by the rate established for a residential unit. The total impervious area of the property and the number of ERUs shall be updated by the director based upon any additions to the impervious area as approved through the permitting process. For nonresidential properties that are not separately metered, the total bill will be sent to the account holder of the master meter.
  
- (c) Properties with approved on-site drainage retention are eligible for a credit equal to forty (40) percent of the single-family dwelling unit fee. The on-site drainage retention area must have been engineered by a Florida Registered Profession Engineer to meet or exceed the requirements of the City of Clermont Stormwater Code. In no case shall the fee be less than the monthly residential change per month per unit with approved drainage retention.

**SECTION 4.**

Chapter 66, Utilities, Section 66-148(a) is hereby amended as follows:

The stormwater drainage utility fee shall be billed and collected with the monthly utility bill for those lots or parcels of land utilizing city utilities and billed and collected separately as stormwater management utility fees for those lots or parcels of land and owners thereof not utilizing other City utilities. All such bills for stormwater management utility fees shall be rendered monthly by the Finance Department and shall become due and payable in accordance with the rules and regulations of the Finance Department pertaining to the collection of utility fees. The stormwater management utility fee is part of a consolidated statement for utility customers which is generally paid by a single payment. If a partial payment is received, the payment shall be first applied to garbage and trash, next applied to stormwater drainage, next applied to sewer and finally applied to the water account. In the event a property tenant or owner has vacated the building and discontinued other City services, the property owner shall continue to be charged the stormwater management utility fee.

**SECTION 5.**

All Ordinances or parts of this Ordinance in conflict herewith are hereby repealed.

**SECTION 6.**

Should any Section or part of this Section be declared invalid by any court of competent jurisdiction, such adjudications shall not apply to or affect any other provision of this Ordinance, except to the extent that the entire Section or part of the Section may be inseparable in meaning and effect from the Section to which such holding shall apply.

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**SECTION 7.**

This Ordinance shall take effect immediately upon final adoption by the City Council of the City of Clermont, Lake County, Florida.

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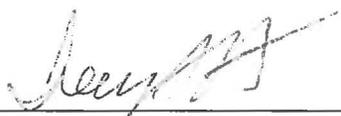
**PASSED AND ADOPTED BY** the City Council of the City of Clermont, Lake County,  
Florida on this 28th day of November, 2017.

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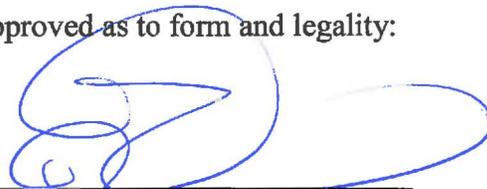


  
Gail L. Ash, Mayor

**ATTEST:**

  
Tracy Ackroyd Howe, City Clerk

Approved as to form and legality:

  
Daniel F. Mantzaris, City Attorney