

**ORDINANCE NO. 11-2019**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF COCOA TO REMOVE CERTAIN EXISTING WASTEWATER AND WATER UTILITY RATES, FEES, AND CHARGES FROM THE CITY CODE, WHICH ARE OTHERWISE ADOPTED BY RESOLUTION AND TO MAKE FURTHER HOUSEKEEPING AMENDMENTS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is granted the authority, under Section 2(b), Art. VIII of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law; and

**WHEREAS**, the City Council has established, in Sections 22-18 and 22-26 of the City Code, enabling legislation to allow adoption of wastewater and water rates, fees, and charges by resolution of the City Council; and

**WHEREAS**, the City Council has historically directed that wastewater and water rates and impact fees be published in the City Code; and

**WHEREAS**, the City Council desires to remove the publication of such rates and fees from the City Code to reduce administrative burdens of such publication and to ensure accuracy of published rates and fees, which will continue to be available by resolution and in other sources as directed by resolution; and

**WHEREAS**, the City Council also desires to make necessary housekeeping amendments to Sections 22-18 and 22-26 and to streamline such sections so that the City Council may continue to adopt other miscellaneous fees and charges by resolution or in the City's Utility Handbook, which is also amended from time to time by resolution; and

**WHEREAS**, nothing in this Ordinance is intended to repeal current utility rates, fees, and charges, but is merely intended to affect the location of their publication; and

**WHEREAS**, the City Council of the City of Cocoa, Florida, hereby finds this ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Cocoa.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COCOA HEREBY ORDAINS, AS FOLLOWS:**

**Section 1. Recitals.** The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the City Council of Council.

**Section 2. Code Amendment.** The City of Cocoa Code of Ordinances, Chapter 22, is hereby amended as follows (underlined type indicates additions and ~~strikeout~~ type indicates deletions, while asterisks (\* \* \*) indicate a deletion from the Ordinance of text existing in Chapter 22. It is intended that the text in Chapter 22 denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this ordinance):

## CHAPTER 22 – WATER AND SEWER

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### ARTICLE II. – RATES AND FEES

\* \* \*

#### DIVISION 1. – WASTE WATER

\* \* \*

#### **Sec. 22-18. – Schedule of rates and fees for waste water.**

The rates and fees charged to customers of Cocoa's waste water treatment facility shall be calculated upon the following schedule:

- (a) *Service and consumption.* Any user of the services of the wastewater department of the city shall pay a charge or rate as established from time to time by the city council by resolution for service and consumption charges. ~~See Schedule A following this section.~~
- (b) *Off-site improvements.*
  1. The developer shall pay the city the replacement costs for off-site improvements utilized by the connection. The utilities engineer shall determine said costs and shall consider the following:
    - a. Percentage of force main capacity utilized.
    - b. Percentage of lift station capacity utilized.
    - c. Cost of additional pumps, piping or electrical improvements required to accommodate the additional flows.
  2. All sums collected for off-site improvements shall be segregated from all other funds held by the city and placed in a special fund. This fund shall be the system development fund. Sums collected shall not be transferred or used for any purpose other than to expand or upgrade the wastewater collection, treatment, and/or

transmission system to meet increased demands for service. Improvements within the system which are designed to benefit existing customers shall not be paid for with funds from the system development fund.

- (c) *Connection charges.* A connection charge shall be charged in an amount equal to any actual cost or expenses incurred by the city in regard to a particular sewer connection and not otherwise recovered.
- (d) *Impact fees.*
1. All new sewer connections and existing sewer connections which require an increased water meter size shall require payment of an impact fee as established from time to time by the city council by resolution.
  2. All sums collected for impact fees shall be segregated from all other funds held by the city and placed in either the pledged sewer impact fee account or the unpledged sewer impact fee account as prescribed in any applicable city bond covenant ~~the Resolution No. 93-28 relating to the water and sewer system refunding and system improvement revenue bonds Series 1993A and 1993B.~~ Sums collected shall not be transferred or used for any purpose other than to pay for the sewer impact fee debt service component of long-term debt or the expansion or upgrade of the wastewater treatment/disposal system to meet increased demands for service. Improvements within the system which are designed primarily to benefit existing customers shall not be paid for with funds from the pledged sewer impact fee account or the unpledged sewer impact fee account. ~~See Schedule A following this section.~~
- (e) *Schedule for payment of impact fees, connection charges and off-site improvement charges.* All wastewater charges and fees shall be paid at or before the time of application for water service.
- (f) *Deposits.* A deposit is required for all water and sewer customers of the city ~~except as specified in the City's Utility Handbook, adopted by resolution of the City Council, below.~~ ~~Interest on deposits is credited to customer accounts quarterly. Upon termination of the account, any deposit held by the city will be applied against the final bill. Any remaining balance will be forwarded to the customer of record.~~
- ~~(1) *Single family residential customers:* A new single family residential customer must pay a deposit unless he/she:~~
- ~~A. Has been a customer of any water utility in the United States within one hundred twenty (120) days of application to the city; and~~
  - ~~B. Can provide a letter of reference from the utility showing that he/she has met the following criteria:~~
    - ~~1. Has been a customer for a minimum of twelve (12) consecutive billings; and~~
    - ~~2. During the last twelve (12) billings, had none of the following:~~
      - ~~— Involuntary processing for non-payment or~~

~~—Two (2) or more dishonored checks.—~~

~~A current single-family residential customer transferring service to a new location on the city's system will not be required to pay a deposit if he/she meets the following criteria:—~~

~~A.— Has been a customer of the city for a minimum of twelve (12) consecutive billings; and—~~

~~B.— During the last twelve (12) billings, had none of the following:—~~

~~—Involuntary processing for non-payment or—~~

~~—Two (2) or more dishonored checks.—~~

~~A current single-family residential customer who does not have a deposit on his/her account will be billed a deposit if within any consecutive twelve-month period:—~~

~~A.— The service is processed for non-payment or—~~

~~B.— Two (2) or more checks are dishonored.—~~

~~A deposit on a single-family residential account will be applied to the active account when the following criteria are met:—~~

~~A.— The customer has been a customer for and has paid a minimum of twelve (12) consecutive billings; and—~~

~~B.— During the last twelve (12) billings, had none of the following:—~~

~~—Involuntary processing for non-payment or—~~

~~—Two (2) or more dishonored checks.—~~

~~(2) —Commercial and multifamily dwelling accounts:—~~

~~A.— A deposit is required for all commercial and multifamily dwelling accounts metered by a master meter, without exception. Deposit requirements are reviewed when an existing customer terminates service or if service has been terminated by the city for non-payment to determine if the deposit requirement is adequate. The new customer will be required to place a deposit equal to two and one-half (2½) times the average monthly billing based on the previous six (6) months billings. The city may periodically review commercial deposits. If the deposit exceeds two and one-half (2½) times the average monthly billing based on the previous six (6) months billings, the amount in excess of two and one-half (2½) times the average monthly billing may be applied to the bill. If the deposit is less than two and one-half (2½) times the average monthly billing based on the previous six (6) months billings, the city has the option of billing the difference.—~~

~~B.— The deposit requirement for a multifamily dwelling account with individual meters is the same as the deposit requirement for a single family residential account.—~~

~~C.— A deposit received for a commercial account will be returned only upon termination of the account.—~~

~~(3) — Government entities. All government entities are exempt from the deposit requirement.~~

(g) *Force main infrastructure charge.* Any new user of the city's wastewater services shall pay a force main infrastructure charge as established by resolution of the city council, as may be amended from time to time. Such charge shall be payable at or before the time of application for water service.

(h) *Collection of delinquent account fees.* The city shall be entitled to recover all costs including, but not limited to, reasonable attorney's fees and/or collection service charges incurred in collecting delinquent wastewater fees and charges. Any fee or charge due under this section which shall not be paid when due may be recovered by referring the account to a third party collection agency and/or by bringing an action at law. In addition to any other remedies or penalties provided by this section, failure of any user of the city's wastewater system to pay said charges promptly when due shall subject such user to discontinuance of city water service, and the city manager of the city, or the city manager's designee, is hereby empowered and directed to enforce this provision as to any and all delinquent users.

~~SCHEDULE A <sup>121</sup>~~

~~(a) — The following rates shall apply for use of the wastewater system.—~~

	Current Charge—		New Charge—	
	Inside Cocoa—	Outside Cocoa—	Inside Cocoa—	Outside Cocoa—
<del>Fixed Monthly Charge— Wastewater—</del>				
<del>.75 inch meter—</del>	<del>\$14.41—</del>	<del>\$18.02—</del>	<del>\$15.13—</del>	<del>\$18.92—</del>
<del>1.0 inch meter—</del>	<del>\$26.96—</del>	<del>\$33.70—</del>	<del>\$28.31—</del>	<del>\$35.39—</del>
<del>1.5 inch meter—</del>	<del>\$54.08—</del>	<del>\$67.60—</del>	<del>\$56.78—</del>	<del>\$70.98—</del>
<del>2.0 inch meter—</del>	<del>\$135.11—</del>	<del>\$168.88—</del>	<del>\$141.87—</del>	<del>\$177.32—</del>

<del>3.0 inch meter</del>	<del>\$540.72</del>	<del>\$675.90</del>	<del>\$567.76</del>	<del>\$709.70</del>
<del>4.0 inch meter</del>	<del>\$811.09</del>	<del>\$1,013.85</del>	<del>\$851.64</del>	<del>\$1,064.54</del>
<del>6.0 inch meter</del>	<del>\$1,459.96</del>	<del>\$1,824.95</del>	<del>\$1,532.96</del>	<del>\$1,916.20</del>
<del>8.0 inch meter</del>	<del>\$2,336.05</del>	<del>\$2,920.06</del>	<del>\$2,452.85</del>	<del>\$3,066.06</del>
<del>10.0 inch meter</del>	<del>\$3,358.09</del>	<del>\$4,197.61</del>	<del>\$3,525.99</del>	<del>\$4,407.49</del>
<b><del>Monthly Wastewater Usage Rate per 1,000 gallons</del></b>				
	<del>\$6.83</del>	<del>\$8.55</del>	<del>\$7.17</del>	<del>\$8.98</del>

(b) ~~Impact fees.~~ The city council hereby adopts by resolution the following impact fees:-

~~All new wastewater connections and existing wastewater connections that require an increased water meter size shall require payment of an impact fee of one thousand two hundred fifty dollars (\$1,250.00) per ERC. For the purpose of this schedule A, an equivalent residential connection (ERC) is wastewater flow of two hundred fifty (250) gallons per day. For all commercial customers (other than single family residential customers) flows may be calculated by:-~~

- ~~(1) Utilizing the actual number of apartments, condominiums, duplexes, mobile homes or other living units;-~~
- ~~(2) Utilizing the flows designated in the current Brevard County Septic Tank Ordinance for fixtures to be serviced;-~~
- ~~(3) Utilizing flows for similar facilities as documented to the satisfaction of the utilities engineer; or-~~
- ~~(4) Providing a written certified estimate provided by an engineer registered in accordance with Florida Statutes.-~~

~~The city reserves the right to review commercial water consumption after twelve (12) months of use and to adjust the impact fee if the average water consumption has been greater than estimated flows furnished the city to determine the impact fee in the first instance. The property owner shall have thirty (30) days to pay any additional impact fee charged as a result of a low initial estimate of flows. Additional charges shall be based on the existing impact fee at the time of review.-~~

(c) ~~Force main infrastructure charge. Any new user of the city's wastewater services shall pay a force main infrastructure charge of one thousand four hundred fifty dollars (\$1,450.00) per ERC.~~

\* \* \*

**Sec. 22-26. – Water rates and charges.**

- (a) *Policy.* Prior to obtaining utility service, the customer must pay all required connection charges, impact fees, and deposits. No free connections or service not in accordance with the established rate schedule will be furnished. In the event water or related services are requested in a form that is not addressed by City Code or the Utilities Handbook, the city manager or designee will establish charges that are in accordance with the city's bond covenants. All users of the utility services provided by the city will pay rates, fees, and charges as established from time to time by the city council by resolution.
- (b) *Fire protection service charge.* The city charges an annual fire protection service charge for all fire lines in the city's water system. This charge covers testing and maintenance of the fire line and backflow prevention assembly. Prior to ~~installation of a new fire line~~ the preconstruction meeting for the utility extension, the first year's charge must be paid in advance. After the initial payment, the charge is billed monthly on the water bill.
- (c) *Impact fees.* Water service customers who require new connections or increased meter size must pay a non-refundable, non-transferable impact fee based on the number of Equivalent Residential Connections (ERC's). Water service impact fees shall be established from time to time by the city council by resolution. For water, an ERC is defined as an average daily flow of two hundred sixty-five (265) gallons per day.

ERC's are determined in accordance with the following schedule:

Unit Description	ERC/Unit
Single Family Residence	1.00 ERC
Apartment or Condo: 1 Bath	0.80 ERC
Apartment or Condo: 2 or more Bath	1.00 ERC
Hotel/Motel	0.60 ERC

Commercial, Industrial, Institutional and Residential not Previously Described: Estimated flows (gallons per day) divided by two hundred sixty-five (265) gallons per day equals the number of ERC's.

The engineering manager or designee may utilize the following methods to formulate an estimate:

1. Flow submitted on Brevard County's Concurrency Evaluation form or FDEP construction permit application as calculated and certified by a registered engineer or architect.
  2. Flow calculated from data contained in Florida Administrative Code 64E-6.008, Table I "For System Design".
  3. Metered flow data documented by the most recent twelve-month flow history of four similar establishments.
- (d) *Miscellaneous water service charges.* Additional charges related to water service are established from time to time by the city council in the City's Utility Handbook, adopted by resolution and may include, without limitation and include the following:
- meter calibration
  - temporary construction meter installation
  - temporary jumper meter installation
  - meter installation
  - standard meter relocation
  - service line installation
  - spray truck meter installation
  - meter change-out
  - backflow prevention assembly installation
  - new fire hydrant
  - hydrant residual flow test
  - backflow prevention assembly testing & maintenance
  - water used during construction
  - plan review and construction inspection
  - fire line painting (finish coat)

- meter station painting (finish coat)
- Port Canaveral access
- Cross-Connection Control Program administration

(e) *Administrative charges.* Additional charges related to customer service are established from time to time by the city council in the City's Utility Handbook, adopted by resolution, and include the following:

~~• *Non-payment processing charge.* Charge for processing turn-offs for non-payment. This charge covers the administrative and field service costs to collect the delinquent amount.~~

~~• *Meter removal charge.* If a meter is removed for non-payment or tampering, a meter-removal charge will be billed at the time of removal and must be paid prior to obtaining further service.~~

~~• *Check service charge.* For returned checks/bank drafts/ E checks, this charge covers the cost of processing the returned item.~~

~~• *Administrative service charge.* A non-refundable charge will be made for establishing service to new or transferred accounts.~~

~~• *Tampered meter charge.* When a meter has been turned off for non-payment and the lock or cap has been removed, broken, or tampered with and the water has been turned back on by the customer, the customer will be charged on the next bill. Legal action may also be taken at the discretion of the utilities director.~~

~~• *Unmetered (illegal) usage charge.* City staff will estimate the volume of water illegally used. That usage (minimum of one hundred thousand (100,000) gallons) plus incidental costs to end the illegal usage and investigate the incident will be billed to a customer found to have an unmetered connection to the city's water system. Legal action may also be taken at the discretion of the utilities director.~~

~~• *Late payment charge.* All bills not paid by the due date will incur a late payment charge.~~

~~• *Customer requested re-read charge.* A charge on the bill for a customer requested re-read of the meter. If the meter was read incorrectly, this charge will be waived.~~

~~• *Recording cost recovery charge.* This charge is billed to the property owner to recover the actual amount paid by the city to Brevard County to record legal documents such as a lien or release of lien. The amount billed may be adjusted administratively to match Brevard County's fee schedule.~~

~~• *Trip charge.* This cost recovery charge is billed after each trip to perform a field service requested by the customer other than (a) to initiate or relocate service (covered by other~~

~~charges), (b) for a customer requested re-read, and (c) to turn off/turn on for leak repair (courtesy of the city).~~

~~• *Meter lock charge.* This cost recovery charge is billed to the customer to recover the costs to install a padlock, instead of a pin lock, when requested by the customer or when required to deter meter tampering.~~

~~• *Telephone (credit card) processing charge.* This cost recovery charge is billed to the customer to recover the administrative in-house costs for a customer service representative to process a credit card payment received over the telephone. It does not recover the fee charged by the credit card company.~~

(f) *Connection charges.* The following charges are determined by cost estimate developed by the engineering manager or designee and may apply to connections for service: permit fees to other agencies, over-sizing of service lines, asphalt or concrete restoration, and density testing for FDOT open cuts.

(g) *Area-specific connection charges* All developers in areas subject to a connection charge who apply for water meters must pay to the city a lump sum equivalent to the number of completed or approved or accepted lots within the proposed subdivision multiplied by the connection charge per ERC. Payment must be made prior to installation by the city of the first water meter within the subdivision or phase accepted by the city or as otherwise required by a connection charge agreement approved by the city council. In the following cases, an area-specific connection charge must be paid at the time the meter application is made:

- Lots within a platted subdivision recorded prior to the effective date of the connection charge.

- Out parcels.

- Subdivisions within the limits of the Suntree P.U.D. as defined in an Agreement dated June 27, 1974, between the City of Cocoa and Suntree Development Corporation.

- Lots with the South Mainland Water Service Area pursuant to Agreements between the City of Cocoa and the Viera Company, dated August 26, 1988 and as amended.

All area-specific connection charges are available for review at the office of the utilities director.

(h) *Deposits.* A deposit is required for all water and sewer customers of the city ~~except as specified in the City's Utility Handbook, adopted by resolution of the City Council. below.~~ Interest on deposits is credited to customer accounts quarterly. Upon termination of the account, any deposit held by the city will be applied against the final bill. Any remaining balance will be forwarded to the customer of record.

(1) ~~*Single family residential customers:* A new single family residential customer must pay a deposit unless he/she:~~

~~A. Has been a customer of any water utility in the United States within one hundred twenty (120) days of application to the city; and~~

~~B. Can provide a letter of reference from the utility showing that he/she has met the following criteria:~~

~~1. Has been a customer for a minimum of twelve (12) consecutive billings; and~~

~~2. During the last twelve (12) billings, had none of the following:~~

~~—Involuntary processing for non-payment or~~

~~—Two (2) or more dishonored checks.~~

~~A current single-family residential customer transferring service to a new location on the city's system will not be required to pay a deposit if he/she meets the following criteria:~~

~~A. Has been a customer of the city for a minimum of twelve (12) consecutive billings; and~~

~~B. During the last twelve (12) billings, had none of the following:~~

~~—Involuntary processing for non-payment or~~

~~—Two (2) or more dishonored checks.~~

~~A current single-family residential customer who does not have a deposit on his/her account will be billed a deposit if within any consecutive twelve-month period:~~

~~A. The service is processed for non-payment or~~

~~B. Two (2) or more checks are dishonored.~~

~~A deposit on a single-family residential account will be applied to the active account when the following criteria are met:~~

~~A. The customer has been a customer for and has paid a minimum of twelve (12) consecutive billings; and~~

~~B. During the last twelve (12) billings, had none of the following:~~

~~—Involuntary processing for non-payment or~~

~~—Two (2) or more dishonored checks.~~

~~(2) Commercial and multifamily dwelling accounts:~~

~~A. A deposit is required for all commercial and multifamily dwelling accounts metered by a master meter, without exception. Deposit requirements are reviewed when an existing customer terminates service or if service has been terminated by the city for non-payment to determine if the deposit requirement is adequate. The new customer~~

~~will be required to place a deposit equal to two and one half (2½) times the average monthly billing based on the previous six (6) months billings. The city may periodically review commercial deposits. If the deposit exceeds two and one half (2½) times the average monthly billing based on the previous six (6) months billings, the amount in excess of two and one half (2½) times the average monthly billing may be applied to the bill. If the deposit is less than two and one half (2½) times the average monthly billing based on the previous six (6) months billings, the city has the option of billing the difference.~~

~~B. The deposit requirement for a multifamily dwelling account with individual meters is the same as the deposit requirement for a single family residential account.~~

~~C. A deposit received for a commercial account will be returned only upon termination of the account.~~

~~(3) Government entities. All government entities are exempt from the deposit requirement.~~

(i) *Customer accounts.* Customers are billed on a cyclical basis twelve times per year at approximately monthly intervals. The fixed monthly charge (base rate) is prorated. Bills are due twenty (20) days after the billing date. Failure to receive a bill will not avoid the necessity of payment. Should the bill not be paid in time to be credited to the account prior to the following month's billing, the subsequent bill will indicate the amount due for the current month and the unpaid charges from the previous month (noted as "previous balance"). Delinquent notices are courtesy reminders that are sent to all customers with outstanding balances not paid within 45 days of the date of the original bill. Delinquent notices carry a past due date that is seven (7) days from the billing date of the delinquent bill. If the past due amount on a delinquent statement is not paid by the past due date, service will be processed for non-payment. Once service has been processed for non-payment, the full amount outstanding (current charges plus previous charges) must be paid before service will be restored. A non-payment processing charge will be charged to the customer on the next bill to cover the administrative and field service costs to collect the delinquent amount.

**SCHEDULE A <sup>131</sup>**

~~(a) Fixed monthly charges, usage rates. The following rates shall apply for use of the water system.~~

	Current Charge		New Charge	
	Inside Cocoa	Outside Cocoa	Inside Cocoa	Outside Cocoa
<b>Fixed Monthly Charge — Water</b>				
<del>.75 inch meter</del>	<del>\$14.91</del>	<del>\$16.40</del>	<del>\$15.66</del>	<del>\$17.23</del>

<del>1.0 inch meter</del>	<del>\$36.11</del>	<del>\$39.72</del>	<del>\$37.92</del>	<del>\$41.71</del>
<del>1.5 inch meter</del>	<del>\$65.50</del>	<del>\$72.05</del>	<del>\$68.78</del>	<del>\$75.66</del>
<del>2.0 inch meter</del>	<del>\$163.84</del>	<del>\$180.22</del>	<del>\$172.03</del>	<del>\$189.23</del>
<del>3.0 inch meter</del>	<del>\$393.30</del>	<del>\$432.63</del>	<del>\$412.97</del>	<del>\$454.27</del>
<del>4.0 inch meter</del>	<del>\$589.95</del>	<del>\$648.95</del>	<del>\$619.45</del>	<del>\$681.40</del>
<del>6.0 inch meter</del>	<del>\$1,114.40</del>	<del>\$1,225.84</del>	<del>\$1,170.12</del>	<del>\$1,287.13</del>
<del>8.0 inch meter</del>	<del>\$1,548.74</del>	<del>\$1,703.61</del>	<del>\$1,626.18</del>	<del>\$1,788.80</del>
<del>10.0 inch meter</del>	<del>\$1,982.90</del>	<del>\$2,181.19</del>	<del>\$2,082.05</del>	<del>\$2,290.26</del>

**Monthly Water Usage Rate per 1,000 gallons**

<del>1<sup>st</sup> Tier</del>	<del>\$3.10</del>	<del>\$3.41</del>	<del>\$3.26</del>	<del>\$3.59</del>
<del>2<sup>nd</sup> Tier</del>	<del>\$5.94</del>	<del>\$6.53</del>	<del>\$6.24</del>	<del>\$6.86</del>
<del>3<sup>rd</sup> Tier</del>	<del>\$7.74</del>	<del>\$8.51</del>	<del>\$8.13</del>	<del>\$8.94</del>
<del>4<sup>th</sup> Tier</del>	<del>\$10.43</del>	<del>\$11.47</del>	<del>\$10.95</del>	<del>\$12.05</del>

**Tier Structure — Water (thousand gallon increments)**

<del>Current Structure</del>					<del>New Structure — Oct. 1, 2010</del>			
<del>Meter Size</del>	<del>1st Tier</del>	<del>2nd Tier</del>	<del>3rd Tier</del>	<del>4th Tier</del>	<del>1st Tier</del>	<del>2nd Tier</del>	<del>3rd Tier</del>	<del>4th Tier</del>

.75"	<del>0—8</del>	<del>9—16</del>	<del>17—24</del>	<del>over 24</del>	<del>0—6</del>	<del>7—12</del>	<del>13—24</del>	<del>over 24</del>
1.0"	<del>0—20</del>	<del>21—40</del>	<del>41—60</del>	<del>over 60</del>	<del>0—15</del>	<del>16—30</del>	<del>31—60</del>	<del>over 60</del>
1.5"	<del>0—40</del>	<del>41—80</del>	<del>81—120</del>	<del>over 120</del>	<del>0—42</del>	<del>43—84</del>	<del>85—168</del>	<del>over 168</del>
2.0"	<del>0—100</del>	<del>101—200</del>	<del>201—300</del>	<del>over 300</del>	<del>0—102</del>	<del>103—204</del>	<del>205—408</del>	<del>over 408</del>
3.0"	<del>0—400</del>	<del>401—800</del>	<del>801—1,200</del>	<del>over 1,200</del>	<del>0—420</del>	<del>421—840</del>	<del>841—1,680</del>	<del>over 1,680</del>
4.0"	<del>0—600</del>	<del>601—1,200</del>	<del>1,201—1,800</del>	<del>over 1,800</del>	<del>0—690</del> <del>691—1,380</del>	<del>1,381—2,760</del>	<del>over 2,760</del>	
6.0"	<del>0—2,000</del>	<del>2,001—4,000</del>	<del>4,001—6,000</del>	<del>over 6,000</del>	<del>0—3,300</del>	<del>3,301—6,600</del>	<del>6,601—13,200</del>	<del>over 13,200</del>
8.0"	<del>—</del>	<del>—</del>	<del>—</del>	<del>—</del>	<del>0—12,000</del>	<del>12,001—24,000</del>	<del>24,001—48,000</del>	<del>over 48,000</del>
10"	<del>0—20,000</del>	<del>20,001—40,000</del>	<del>40,001—60,000</del>	<del>over 60,000</del> <del>0—21,000</del>	<del>21,001—42,000</del>	<del>42,001—84,000</del>	<del>over 84,000</del>	

(b) *Potable water impact fees.* The following water impact fee is hereby adopted: The current water impact fee is one thousand dollars (\$1,000.00) per equivalent residential connection (ERC). If a single family residence (SFR) has a physical connection to a live reclaimed water distributions system that serves the entire property at the time the impact fee is due for the property requiring service, the water impact fee is six hundred fifty dollars (\$650.00) per ERC.

a. Effective October 1, 2010, the water impact fee shall be one thousand four hundred dollars (\$1,400.00) per equivalent residential connection (ERC). If a single family

residence (SFR) has a physical connection to a live reclaimed water distribution system that serves the entire property at the time the impact fee is due for the property requiring service, the water impact fee is one thousand dollars (\$1,000.00) per ERC.

<del>Meter Size</del>	<del>ERC</del>	<del>Reclaimed Water Not Connected</del>	<del>Reclaimed Water Connected</del>
<del>.75 inch meter (SFR only)</del>	<del>1.00</del>	<del>\$1,400.00</del>	<del>\$1,000.00</del>
<del>.75 inch meter (not SFR)</del>	<del>1.00</del>	<del>\$1,400.00</del>	<del>\$1,400.00</del>
<del>1.00 inch meter</del>	<del>2.50</del>	<del>\$3,500.00</del>	<del>\$3,500.00</del>
<del>1.50 inch meter</del>	<del>6.00</del>	<del>\$8,400.00</del>	<del>\$8,400.00</del>
<del>2.00 inch meter</del>	<del>13.00</del>	<del>\$18,200.00</del>	<del>\$18,200.00</del>

For meters larger than 2", the impact fee will be calculated case by case.

<del>Unit Description</del>	<del>ERC</del>	<del>Reclaimed Water Not Connected</del>	<del>Reclaimed Water Connected</del>
<del>Single Family Residence</del>	<del>1.00</del>	<del>\$1,400.00</del>	<del>\$1,000.00</del>
<del>Apartment or Condo 1 Bath</del>	<del>0.80</del>	<del>\$1,120.00</del>	<del>\$1,120.00</del>
<del>Apartment or Condo 2 Bath</del>	<del>1.00</del>	<del>\$1,400.00</del>	<del>\$1,400.00</del>
<del>Hotel/Motel</del>	<del>0.60</del>	<del>\$840.00</del>	<del>\$840.00</del>

b. Effective October 1, 2011, the water impact fee shall be one thousand seven hundred fifty dollars (\$1,750.00) per equivalent residential connection (ERC). If a single family residence (SFR) has a physical connection to a live reclaimed water distribution system

that serves the entire property at the time the impact fee is due for the property requiring service, the water impact fee is one thousand three hundred dollars (\$1,300.00) per ERC.

<del>Meter Size</del>	<del>ERC</del>	<del>Reclaimed Water Not Connected</del>	<del>Reclaimed Water Connected</del>
<del>.75 inch meter (SFR only)</del>	<del>1.00</del>	<del>\$1,750.00</del>	<del>\$1,300.00</del>
<del>.75 inch meter (not SFR)</del>	<del>1.00</del>	<del>\$1,750.00</del>	<del>\$1,750.00</del>
<del>1.00 inch meter</del>	<del>2.50</del>	<del>\$4,375.00</del>	<del>\$4,375.00</del>
<del>1.50 inch meter</del>	<del>6.00</del>	<del>\$10,500.00</del>	<del>\$10,500.00</del>
<del>2.00 inch meter</del>	<del>13.00</del>	<del>\$22,750.00</del>	<del>\$22,750.00</del>

For meters larger than 2", the impact fee will be calculated case by case.

<del>Unit Description</del>	<del>ERC</del>	<del>Reclaimed Water Not Connected</del>	<del>Reclaimed Water Connected</del>
<del>Single Family Residence</del>	<del>1.00</del>	<del>\$1,750.00</del>	<del>\$1,300.00</del>
<del>Apartment or Condo 1 Bath</del>	<del>0.80</del>	<del>\$1,400.00</del>	<del>\$1,400.00</del>
<del>Apartment or Condo 2 Bath</del>	<del>1.00</del>	<del>\$1,750.00</del>	<del>\$1,750.00</del>
<del>Hotel/Motel</del>	<del>0.60</del>	<del>\$1,050.00</del>	<del>\$1,050.00</del>

(c) ~~Reclaimed water system rates.~~ The following rates shall apply for use of the reclaimed water system.

	<del>Current Charge</del>	<del>New Charge</del>

	<del>Inside Cocoa</del>	<del>Outside Cocoa</del>	<del>Inside Cocoa</del>	<del>Outside Cocoa</del>
<b><del>Base Rate – Reclaimed Water</del></b>				
<del>.75 inch meter</del>	<del>\$8.75</del>	<del>\$10.93</del>	<del>\$9.19</del>	<del>\$11.48</del>
<del>1.0 inch meter</del>	<del>\$8.75</del>	<del>\$10.93</del>	<del>\$9.19</del>	<del>\$11.48</del>
<del>1.5 inch meter</del>	<del>\$43.80</del>	<del>\$54.76</del>	<del>\$45.99</del>	<del>\$57.50</del>
<del>2.0 inch meter</del>	<del>\$58.39</del>	<del>\$72.99</del>	<del>\$61.31</del>	<del>\$76.64</del>
<del>3.0 inch meter</del>	<del>\$233.56</del>	<del>\$291.96</del>	<del>\$245.24</del>	<del>\$306.56</del>
<del>4.0 inch meter</del>	<del>\$350.34</del>	<del>\$437.93</del>	<del>\$367.86</del>	<del>\$459.83</del>
<b><del>Monthly Reclaimed Water Usage Rate per 1,000 gallons</del></b>				
	<del>Inside Cocoa</del>	<del>Outside Cocoa</del>	<del>Inside Cocoa</del>	<del>Outside Cocoa</del>
<del>1<sup>st</sup> Tier 0 – 30,000 gallons</del>	<del>included in base</del>	<del>included in base</del>	<del>included in base</del>	<del>included in base</del>
<del>2<sup>nd</sup> Tier 31,000 – 60,000 gallons</del>	<del>\$0.60</del>	<del>\$0.75</del>	<del>\$0.63</del>	<del>\$0.79</del>
<del>3<sup>rd</sup> Tier &gt; 61,000 gallons</del>	<del>\$0.87</del>	<del>\$1.09</del>	<del>\$0.91</del>	<del>\$1.14</del>

(d) ~~[ Fire line and hydrant rates . The following rates shall apply for use of fire lines and hydrants.]~~

	<del>Current Charge</del>	<del>New Charge</del>

	<del>Inside Cocoa</del>		<del>Outside Cocoa</del>	
<b><del>Fixed Monthly Charge — Fire Lines</del></b>				
<del>4.0 inch line</del>	<del>\$62.61</del>	<del>\$68.86</del>	<del>\$65.74</del>	<del>\$72.30</del>
<del>6.0 inch line</del>	<del>\$76.73</del>	<del>\$84.42</del>	<del>\$80.57</del>	<del>\$88.64</del>
<del>8.0 inch line</del>	<del>\$100.10</del>	<del>\$110.12</del>	<del>\$105.11</del>	<del>\$115.63</del>
<del>10.00 inch line</del>	<del>\$123.47</del>	<del>\$135.82</del>	<del>\$129.64</del>	<del>\$142.61</del>

<b><del>Public Fire Protection per Each Fire Hydrant (Cities)</del></b>	
<del>Current charge</del>	<del>New charge</del>
<del>\$23.49</del>	<del>\$24.66</del>
<b><del>Public Fire Protection per County Customer</del></b>	
<del>Current charge</del>	<del>New charge</del>
<del>\$2.32</del>	<del>\$2.44</del>

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**Section 3. Current Utility Rates Unaffected.** This Ordinance deletes utility rates currently existing in the City Code of Cocoa. However, the deletion of the utility rates from the City Code is not intended to repeal such existing rates, which have been duly adopted by resolution. Such existing utility rates shall remain unaffected and in full force and effect. The deletion of utility rates as provided in this Ordinance is intended merely to remove the publication of such rates from the City Code of Cocoa. Utility rates will continue to be adopted by resolution of the City Council and published in locations as directed in the adopting resolution.

**Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions.** Except as provided in Section 3, all prior inconsistent ordinances and resolutions adopted by the City Council, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**Section 5. Incorporation Into Code.** This Ordinance shall be incorporated into the City Code of Cocoa and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this Ordinance and the City Code may be freely made.

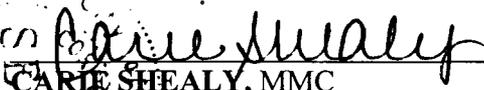
**Section 6. Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

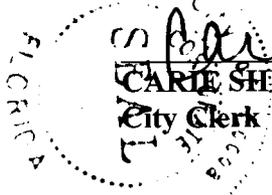
**Section 7. Effective Date.** This Ordinance shall become effective immediately upon adoption by the City Council of the City of Cocoa, Florida.

ADOPTED by the City Council of the City of Cocoa, Florida, in a regular meeting assembled on the 24th day of July, 2019.

  
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JAKE WILLIAMS, JR., Mayor

ATTEST:

  
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CARRIE SHEALY, MMC  
City Clerk



First Reading:	<u>07/10/2019</u>
Second Reading:	<u>07/24/2019</u>
Legal Ad Published:	<u>07/14/2019</u>
Effective Date:	<u>07/24/2019</u>

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