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ORDINANCE NO. 79-1

AN ORDINANCE RELATING TO THE LIBERTY COUNTY, FLORIDA, HOSFORD-TELOGIA WATER DISTRIBUTION SYSTEM; PROVIDING FOR THE USE OF COUNTY WATER, ESTABLISHING RATES TO BE CHARGED FOR THE USE OF COUNTY WATER, ESTABLISHING RULES, REGULATIONS AND PENALTIES; PROVIDING MEANS FOR ENFORCEMENT OF PAYMENT FOR WATER SERVICES; PROVIDING REQUIREMENTS FOR CONNECTION TO SAID COUNTY WATER SYSTEM, SETTING UP MAINTENANCE REQUIREMENTS; PROHIBITING FREE WATER SERVICE; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE.

AMENDED By
NO. - 81-02

WHEREAS, the Board of County Commissioners of Liberty County, Florida, has constructed in the Hosford-Telogia area of the County, a water production and distribution system, through a community development block grant from the U. S. Department of Housing and Urban Development; and

WHEREAS, it is necessary for the Board of County Commissioners of Liberty County, Florida, to establish a procedure for the operation and management of said water system, establish water rates, and to otherwise provide policy for the management and operation of said water system; and

WHEREAS, the Board of County Commissioners of Liberty County, Florida, has found and determined this Ordinance should be adopted immediately as an emergency Ordinance, the emergency being that the water system is ready for operation and certain citizens and inhabitants of the Hosford-Telogia area are awaiting the use of the water system and the immediate operation of said water system will promote and benefit the health and welfare of the inhabitants of the Hosford-Telogia area desiring the use of said water system.

BE IT ORDAINED by the Board of County Commissioners of Liberty County, Florida, as follows:

Section 1: There is hereby created, the position of Water Superintendent for the Hosford-Telogia Water System who shall be appointed and serve at the pleasure of the Board of County Commissioners at such compensation as the Board of County

Commissioners may from time to time fix. The Water Superintendent shall have the responsibility of reading water meters, repairing, maintaining and operating the water system under the guidelines established by this Ordinance and Resolutions of the Board of County Commissioners of Liberty County, Florida, together with such other duties and responsibilities as the Board of County Commissioners may from time to time fix by Resolution.

Section 2: The Clerk of the Circuit Court of Liberty County, Florida, shall have responsibility for all fiscal matters relating to the water system including billing, receipt of funds, accounting and bookkeeping.

Section 3: The Clerk of the Circuit Court of Liberty County, Florida, shall establish with a bank selected by the Board of County Commissioners, a water system account into which all revenues from the water system shall be deposited and from which all expenditures shall be made. All vouchers for expenditures shall be approved and signed in the same manner as expenditures of other County funds are handled.

Section 4: The Board of County Commissioners of Liberty County, Florida, has established, created and constructed a water distribution system in the area of Hosford and Telogia in Liberty County, Florida, known as the Hosford-Telogia Water System, in order to better provide for the residents, inhabitants and citizens of that area and the use of County water is encouraged in order to promote the health, safety and welfare of the residents of that area.

Section 5: All use of County water from the Hosford-Telogia Water System shall be made in accordance with the rules and regulations not inconsistent with this Ordinance which shall be adopted hereafter from time to time by the Board of County Commissioners of Liberty County, Florida.

Section 6: All users of the service of the water system herein described shall pay therefor a monthly charge or rate as follows:

- A. The first 4,000 gallons, \$5.00 minimum;
- B. The next 3,000 gallons, \$1.10 per thousand;
- C. The next 3,000 gallons, \$.95 per thousand;
- D. All over 10,000 gallons, \$.80 per thousand.

Section 7: Users shall be defined as any residential or commercial user of County water of the Hosford-Telogia Water System. Rates as set forth herein are to be charged to and assessed to each resident and to each commercial establishment or places of business, regardless of whether or not the water is provided for each residence or place of business or other facility through an individual or master meter. This definition shall apply to, but shall not necessarily be limited to, residents of apartment buildings, residents of mobile home parks, and occupants of shopping centers or shopping center complexes. Thus, where water may be sold or provided to the owner of an apartment building or shopping center complex, or mobile home park, or other facility through a master meter, the rates set forth herein shall apply to each separate apartment, each occupant of the shopping center or shopping center complex, each occupant of mobile homes or occupants of a mobile home park or other facility.

Section 8: No water shall be furnished free of charge to any person, firm or corporation whatsoever, and each and every user of the water system shall pay therefor the rates fixed by this Ordinance.

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 \$1.00. In the event of nonpayment for a period of twenty (20) days from the due date of the water bill, the water service to the customer or consumer shall be discontinued and such service shall remain discontinued until all past due charges and disconnection charges, together with the reconnection charge of \$10.00 have been paid.

Section 10: A deposit of \$20.00 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 will be a connection charge as follows:

A. The first meter shall be free.

B. If a second meter is requested, the cost shall be \$32.00, or the actual cost thereof, whichever is greater, together with a \$5.00 service fee.

C. If it is necessary to run lines for a distance greater than one city block, a charge of actual cost of labor and materials.

Section 11: The owners of all properties or users shall be responsible for maintaining all plumbing on such property and the pipe leading to and connecting from the water distribution line. No allowance or adjustment of any water bill shall be made for leaks of any nature occurring on the consumers side of the meter. In the event any meter on the consumers premises is destroyed or otherwise caused to fail to register, the consumer shall be billed for the period involved on the basis of previous consumption.

Section 12: No person shall interconnect a privately owned water system with a separate source of water to the water system which is furnished by the Hosford-Telogia Water System.

Section 13: In the event water is expended for fire protection with property not on the system, the owner of such property shall be assessed for the amount of water used at the rates set forth in this Ordinance. The estimate of the Head of the Water Department as to the amount of water used shall be conclusive.

Section 14: All meters, valves, pipes, cutoffs and other materials installed and provided by the County or its

contractors, shall remain the property of the System and any usage thereof or destruction thereof by anyone, without prior permission of the Board of County Commissioners, is expressly prohibited.

Section 15: Any violation of Sections 12 and/or 14 of this Ordinance shall constitute a misdemeanor in the second degree and any person convicted of violating the provisions of Sections 12 and/or 14 of this Ordinance shall be punished by a fine of not more than \$100.00 or imprisonment for not more than thirty (30) days in the County Jail, or both. In case of a continuing violation, each day of violation shall constitute a separate offense.

Section 16: This Ordinance shall become effective immediately as an emergency ordinance upon its adoption.

PASSED AND ADOPTED IN REGULAR SESSION THIS 8 DAY OF MAY, 1979.

BOARD OF COUNTY COMMISSIONERS OF
LIBERTY COUNTY, FLORIDA

BY: Ray W. Kevel
Its Chairman



ATTESTED BY:

DUNCAN HOSFORD
Clerk of Circuit Court
Liberty County, Florida

By: Geneva C. Feagle
Deputy Clerk