

ORDINANCE NO. 2010- 03

AN ORDINANCE AMENDING ORDINANCE NO. 2003-45, AS AMENDED; SPECIFICALLY AMENDING SECTION 3, RULES AND REGULATIONS; SECTION 6. RATES FOR WATER SERVICES; SECTION 7. RATES FOR WASTEWATER SERVICES; REPLACING EXHIBIT A. RATE SCHEDULE: AMELIA ISLAND - SINGLE-FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL MASTER METER SERVICE, GENERAL SERVICE, AND METERED IRRIGATION SERVICE; EXHIBIT B. RATE SCHEDULE: AMELIA ISLAND - PF - PRIVATE FIRE PROTECTION SERVICE; EXHIBIT C. WATER SERVICE AVAILABILITY CHARGES; EXHIBIT D. WATER MISCELLANEOUS SERVICE CHARGES; EXHIBIT E. WASTEWATER SERVICE - RATE SCHEDULE: AMELIA ISLAND - GS AND MF - GENERAL AND MULTI-FAMILY MASTER METER SERVICES; EXHIBIT F. WASTEWATER SERVICE RATE SCHEDULE: AMELIA ISLAND-RS-SINGLE FAMILY RESIDENTIAL SERVICE; EXHIBIT G. RATE SCHEDULE: AMELIA ISLAND-RWO; RESIDENTIAL WASTEWATER ONLY SERVICE; EXHIBIT H. WASTEWATER SERVICE RATE SCHEDULE: AMELIA ISLAND - EF, EFFLUENT SERVICE; EXHIBIT I. WASTEWATER SERVICE AVAILABILITY CHARGES; EXHIBIT J. WASTEWATER MISCELLANEOUS SERVICE CHARGES; AND ADDING EXHIBIT K. CUSTOMER DEPOSITS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Nassau County Ordinance No. 2003-45, as amended, established rules, regulations, and rates to be imposed by Nassau-Amelia Utilities for use of water and sewer services; and

WHEREAS, the Board of County Commissioners of Nassau County, Florida, has contracted with the firm of Post Buckley, Schuh, and Jernigan, Inc., (hereinafter "the engineering firm") to perform a Utilities Rate Study for the Nassau-Amelia Utilities to ensure adequate financial performance and compliance with the covenants of the outstanding indebtedness and to comply with the provisions of the Consumptive Use Permit issued by the St. Johns Water

Management District for the Nassau-Amelia Utilities that require it to implement a water conservation rate structure; and

WHEREAS, the engineering firm and its sub-consultant, Burton and Associates, have developed proposed rate adjustments that would result in a water conservation rate structure in order to satisfy the requirements of the Nassau-Amelia Utilities Consumptive Use Permit; and

WHEREAS, Nassau-Amelia Utilities is proposing other miscellaneous rate and policy revisions, in order to conform to accepted industry practice and legal precedence; and

WHEREAS, the customers of Nassau-Amelia Utilities were notified of the proposed rate adjustments and the reasons for said adjustments, as well as the date, time, and location of the Board's public hearing for consideration of the proposed rate adjustments; and

WHEREAS, the Board has found it necessary to further amend Ordinance No. 2003-45.

NOW, THEREFORE, BE IT ORDAINED this 8th day of March, 2010, by the Board of County Commissioners of Nassau County, Florida, that Ordinance No. 2003-45, as amended, shall be further amended as follows:

1. SECTION 3. Rules and Regulations.

a. GENERAL INFORMATION – The Utility's Rules and Regulations insofar as they are inconsistent with any Statute or Law shall be null and void. These Rules and Regulations are a part of the rate schedules and applications and contracts of the Utility and, in the absence of specific written agreement to the contrary, apply without modifications or change to each and every customer to whom the Utility renders water and wastewater service.

In the event that a portion of these Rules and Regulations is declared unconstitutional or void for any reason by any court of competent jurisdiction, such decision shall in no way affect

the validity of the remaining portions of the Rules and Regulations for service unless such court order or decision shall so direct.

The Utility may provide service to all customers requiring such service upon such terms as are set forth in this Ordinance.

b. WASTEWATER SERVICE – To obtain wastewater service, application shall be made at any office of the Nassau County Clerk of the Court.

c. WATER SERVICE – To obtain water service, application shall be made at any office of the Nassau County Clerk of the Court.

d. SIGNED APPLICATION REQUIRED – Water and/or Wastewater service is furnished only after a signed application or the Utility accepts agreement and payment of the initial connection fee. The conditions of such application or agreement are binding upon the Customer as well as upon the Utility. A copy of the application or agreement for water and/or wastewater service accepted by the Utility will be furnished to the applicant on request. The Applicant shall furnish to the Utility the correct name and street address or lot and block number at which water and/or wastewater service is to be rendered.

e. APPLICATIONS BY AGENTS – Applications for water and/or wastewater service requested by firms, partnerships, associations, corporations, and others shall be rendered only by duly authorized parties. When water and wastewater service is rendered under agreement or agreements entered into between the Utility and an agent of the principal, the use of such water and/or wastewater service by the principal shall constitute full and complete ratification by the principal of the agreement or agreements entered into between the agent and the Utility and under which such water and wastewater service is rendered.

f. WITHHOLDING SERVICE – The Utility may withhold or discontinue water and wastewater service rendered under application made by any member or agent of a household, organization or business unless all prior indebtedness to the Utility of such household, organization, or business for water and/or wastewater service has been settled in full in accordance with Rule 25-30.320, Florida Administrative Code.

Service may also be discontinued for any violation made by the Customer or Consumer of any Rule or Regulation set forth in this Ordinance.

g. PROPERTY GRADE – On the initial application for water and/or wastewater service, the Customer shall furnish the Utility with the final grade of the property, and the Utility shall set the meter box and meter accordingly. If, when the final grade is made of the Customer's property, the meter and the meter box are incorrectly set, due to the Customer's not having given the Utility any finished grade at the time of application, or due to the Customer's having given the Utility the wrong finished grade, the Utility will re-set the meter and/or meter box, and the Customer shall pay the actual cost for said work.

h. EXTENSIONS – Extensions will be made to the Utility's facilities in compliance with the Ordinance.

The Utility will make such extensions to its existing facilities as may be required by one or more Customers provided the revenues to be derived therefrom shall be sufficient to afford a fair and reasonable return on the cost of providing and rendering the water service. Otherwise, the Utility shall require from the Customer or future Customer pre-payments, cash advances, minimum guarantees, service guarantees, contribution in aid of construction, or other arrangements with the Customer, whereby the Utility will be enabled to earn a fair and reasonable return on the cost of providing and rendering the required water service. Required

prepayments, cash advances, other guarantees, or contributions in aid of construction will be approved by the Utility.

i. LIMITATION OF USE – Water and wastewater service purchased from the Utility shall be used by the Customer only for the purposes specified in the Application for Water and/or wastewater service. Water and/or wastewater service shall be rendered to the Customer for the Customer's own use and shall be collected directly into the Utility's main water and/or wastewater lines.

In no case shall a Customer, except with the written consent of the Utility, extend his lines across a street, alley, lane, court, property line, avenue, or other way in order to furnish water and/or wastewater service to the adjacent property through one meter, even though such adjacent property may be owned by him. In case of such unauthorized extension, re-metering, sale, or disposition of service, the Customer's water and/or wastewater service will be subject to discontinuance until such unauthorized extension, re-metering, sale, or disposition of service is discontinued and full payment is made to the Utility for water and/or wastewater service rendered by the Utility (calculated on proper classification and rate schedules) and until reimbursement in full is made to the Utility for all extra expenses incurred for clerical work, testing, and inspections.

j. CONTINUITY OF SERVICE – The Utility will at all times use reasonable diligence to provide continuous water and/or wastewater service and, having used reasonable diligence, shall not be liable to the Customer for failure or interruption of continuous water and/or wastewater service. The Utility shall not be liable for any act or omission caused directly or indirectly by labor troubles, accidents, litigations, breakdowns, shutdowns for emergency

repairs, or adjustments, acts of sabotage, enemies of the United States, wars, Federal, State, municipal, or other governmental interference, acts of God, or other causes beyond its control.

If, at any time, the Utility shall interrupt or discontinue its service, all customers affected by said interruption or discontinuance shall be given not less than twenty-four (24) hours written notice, unless interruption is caused by sudden, accidental, and/or unforeseen occurrence.

k. TYPE AND MAINTENANCE – The Customer’s pipes, apparatus, and equipment shall be selected, installed, used, and maintained in accordance with standard practice and shall conform with the Rules and Regulations of the Utility and shall comply with all laws and governmental regulations applicable to same. The Utility shall not be responsible for the maintenance and operation of the Customer’s pipes and facilities. The Customer expressly agrees not to utilize any appliance or device which is not properly constructed, controlled, and protected or which may adversely affect the water and/or wastewater service, and the Utility reserves the right to discontinue or withhold water and/or wastewater service to such apparatus or device.

l. CHANGE OF CUSTOMER’S INSTALLATION – No change or increases in the Customer’s installation, which materially affect the proper operation of the pipes, mains, or stations of the Utility, shall be made without written consent of the Utility. The Customer shall be liable for any change resulting from a violation of this Rule.

m. INSPECTION OF CUSTOMER’S INSTALLATION – All Customer’s water and/or wastewater service installations or changes shall be inspected upon completion by a competent authority to ensure that the Customer’s piping, equipment, and devices have been installed in accordance with accepted standard practice and any Nassau County Ordinance or State requirements as may be in effect. Where governmental inspection is required, the Utility

cannot render water and/or wastewater service until such inspection has been made and a formal notice of approval from the inspecting authority has been received by the Utility.

Notwithstanding the above, the Utility reserves the right to inspect the Customer's installation prior to rendering water and/or wastewater service, and from time to time thereafter, but assumes no responsibility whatsoever for any portion thereof.

n. INDEMNITY TO UTILITY – The Customer shall indemnify, hold harmless, and defend the Utility from and against any and all liability, proceedings, suits, costs, or expense for loss, damage, or injury to persons or property, in any manner directly or indirectly connected with, growing out of the transmission and use of water by the Customer at or on the Customer's side of the Point of Delivery.

o. PROTECTION OF UTILITY'S PROPERTY – The Customer shall exercise reasonable diligence to protect the Utility's property on the Customer's premises and shall knowingly permit no one, but the Utility's agents or persons authorized by law, to have access to the Utility's pipes and apparatus.

In the event of any loss or damage to property of the Utility caused by or arising out of carelessness, neglect, or misuse by the Customer, the cost of making good such loss or repairing such damage shall be paid by the Customer.

p. ACCESS TO PREMISES – The duly authorized agents of the Utility shall have access at all reasonable hours to the premises of the Customer for the purpose of installing, maintaining, inspecting, or removing Utility property; reading the meter; temporarily shutting off service at the meter or at any point of the Utility's property while repairs or investigations are performed; or for the performance under or termination of the Utility's agreement with the Customer; and in so doing, the Utility shall not be liable for trespass. This shall include the right

of access to individual units, for any of the purposes stated above, where the meter is or will be located within a unit of a condominium, apartment, cooperative, or multi-family complex.

q. RIGHTS-OF-WAY OR EASEMENTS – The Customer shall grant or cause to be granted to the Utility, and without cost to the Utility, all rights easements, permits, and privileges which are necessary for the rendering of water and/or wastewater service.

r. EVIDENCE OF CONSUMPTION – The initiation or continuation or resumption of water service to the Customer’s premises shall constitute the initiation or continuation or resumption of water and/or wastewater service to the Customer’s premises regardless of occupancy.

s. BILLING PERIODS – Bills for water and/or wastewater service will be rendered monthly and are due when rendered and shall be considered as received by the Customer when delivered or mailed to the service address or some other place mutually agreed upon. Non-receipt of bills by the Customer shall not release or diminish the obligation of the Customer with respect to payment thereof.

t. ADJUSTMENT OF BILLS – When a Customer has been overcharged or undercharged as a result of incorrect application of the rate schedules, incorrect reading of a water meter, or other similar reasons, the amount may be credited or billed to the Customer, as the case may be pursuant to Rule 25-30.350, Florida Administrative Code. In the event of a leak in the Customer’s private plumbing, an adjustment for the water leaked may be requested pursuant to the following conditions:

- a. The leak must be repaired by a licensed plumber and a copy of the bill must be submitted along with a letter requesting the adjustment.
- b. The Customer must contact the customer service office and request a service order to verify the leak address and obtain a current meter reading. There will be no premise charge for this service.

- c. The adjusted amount in gallons will be determined using the normal average monthly usage over the previous twelve (12) month period.
- d. Single-family and multi-family master metered residential water leaked shall be charged at the second tier rate, while general service water leaked shall be charged at the current water usage rate.
- e. Sewer adjustments will be given to residential customers only when the twelve (12) month average usage is below 6000 gallons.
- f. Sewer charges are subject to adjustments for multi-family and commercial customers using average monthly data from the previous twelve (12) month period. Additionally, a copy of a licensed plumbers bill along with a letter requesting said adjustment must be submitted.

Any adjustment request not to exceed Five Thousand Dollars (\$5,000.00) will be submitted to the Director of Nassau-Amelia Utilities for review and will be at the Director's discretion.

u. BACKBILLING – The Utility may backbill Customers for a period of no greater than twelve (12) months for any undercharge in water and/or wastewater billing which is the result of the Utility's mistake. The Utility shall allow the Customer to pay for the unbilled water and/or wastewater service over the same period as the time period during which the underbilled occurred or some other mutually agreeable time period.

v. MULTIPLE SERVICE ON SINGLE SERVICE – When one water and/or wastewater service is to supply more than one house and/or store, as subdivided by partitioning walls, billing will be in accordance with the Nassau-Amelia Utility Rules and Regulations.

w. REIMBURSEMENT FOR EXTRA EXPENSES – The Customer shall reimburse the Utility for all extra expenses (such as special trips, inspections, additional clerical expenses, etc.) incurred by the Utility on account of the Customer's violation of the contract for service or of the Utility's Rules and Regulations.

x. DELINQUENT BILLS – Bills are due when rendered. However, the Utility shall not consider the Customer delinquent in paying any bill until the twenty-first (21st) day after the Utility has mailed or presented the bill to the Customer for payment. Water and/or wastewater service may then be discontinued only after the Utility has mailed or presented within five (5) working days a written notice to the Customer in accordance with Rule 25-30.320, Florida Administrative Code. Water and/or wastewater service shall be restored only after the Utility has received payment for all past-due bills and penalties and re-connect charges from the Customer.

There shall be liability of any kind against the Utility for the discontinuance of water and/or wastewater service to a Customer for the Customer's failure to pay the bills on time.

y. NO PARTIAL PAYMENT – The Utility will not accept partial payment of a bill for water and/or wastewater service rendered, except by the Utility's agreement thereof or by direct order from the Commission.

z. PAYMENT OF WATER AND WASTEWATER SERVICE BILLS CONCURRENTLY – When both water and wastewater service are provided by the Utility, payment of any water service bill rendered by the Utility to a Customer shall not be accepted by the Utility without the simultaneous or concurrent payment of any water and/or wastewater service bill rendered by the Utility. The Utility may discontinue both water service and wastewater service to the Customer's premises for non-payment of the water service bill or water and/or wastewater service bill, or if payment is not made concurrently.

The Utility shall not reestablish or reconnect water service and/or wastewater service until such time as all water and wastewater service charges and all the other expenses or charges established or provided for by these Rules and Regulations are paid in full.

aa. TEMPORARY DISCONTINUANCE OF SERVICE – If service is terminated and resumed at the same address to the same Customer within twelve (12) months or less from the date of termination, a monthly standby charge equivalent to the Base Facility Charge, will be collected by the Utility as a condition precedent to restoration of service to that Customer. If the Base Facility Rate Structure is not in effect, one-half (1/2) of the approved minimum bill will be charged for each billing period. The standby charge will be collected for each month, not to exceed twelve (12) months.

During a period that service is not being furnished to the premises, upon application to the Utility by the Customer, as confirmed by the Utility, a standby charge will be made.

bb. CHANGE OF OCCUPANCY – When a change of occupancy takes place on any premises supplied by the Utility with water and/or wastewater service, written notice thereof shall be given at the office of the Utility not less than three (3) days prior to the date of change of the outgoing Customer. The outgoing Customer shall be held responsible for all water and/or wastewater service used on such premises until such written notice is so received by the Utility, and the Utility has had reasonable time to discontinue the water and/or wastewater service. However, if such written notice has not been received, the application of a succeeding occupant for water and/or wastewater service will automatically terminate the prior account. The Customer's deposit may be transferred from one service location to another, if both locations are supplied water and/or wastewater service by the Utility; the Customer's deposit may not be transferred from one name to another.

Notwithstanding the above, the Utility will accept telephone orders, for the convenience of its Customers, to discontinue or transfer water and/or wastewater service from one service

address to another and will use all reasonable diligence in the execution thereof. However, oral orders or advice shall not be deemed binding or be considered formal notification to the Utility.

cc. UNAUTHORIZED CONNECTIONS – WASTEWATER – Connections to the Utility’s wastewater system for any purpose whatsoever are to be made only by employees of the Utility. Any unauthorized connections to the Customer’s wastewater service shall be subject to immediate discontinuance without notice. Wastewater service shall not be restored until such unauthorized connections have been removed and until settlement is made in full to the Utility for all wastewater service estimated by the Utility to have been used by reason of such unauthorized connection.

dd. STOPPAGE IN WASTEWATER SERVICE LINE – The Customer is responsible for cleaning and maintaining the wastewater service line to the wastewater main. The Utility is not responsible for roots from trees, shrubbery, or foreign matter entering the wastewater lateral at any point prior to entering the main line.

ee. STORM AND WELL WATER – The Customer shall not drain or dispose of any storm water or any water from water wells into the wastewater system installed by the Utility or service lines installed by the Customer.

ff. CUSTOMER DEPOSITS – ESTABLISHMENT OF CREDIT – Before rendering wastewater service, the Utility will require an Application for service to establish credit satisfactorily, but such establishment of credit shall not relieve the Customer from complying with the Utility’s rules for prompt payment of bills. Credit will be deemed so established, if:

- a. The Applicant for service furnishes a satisfactory guarantor to secure payment of bills for the service requested;
- b. The Applicant pays a cash deposit; and/or

- c. The Applicant for service furnishes an irrevocable letter of credit from a bank or a surety bond.

The amounts of initial deposit are shown in the ~~Schedule of Customer Deposits in Section VII~~ set forth on Exhibit "K" attached hereto.

gg. ADDITIONAL DEPOSIT – The Utility may require a new deposit, where previously waived or returned, or an additional deposit, in order to secure payment of current bills. The utility shall provide the Customer with reasonable written notice of such deposit of not less than thirty (30) days, such request or notice being separate and apart from any bill for service. The total amount of the required deposit shall not exceed an amount equal to the average actual charge for wastewater service for two (2) monthly billing periods for a twelve-month period immediately prior to the date of the notice. In the event the Customer has had service less than twelve (12) months, the Utility shall base its new or additional deposit upon the average actual monthly billing available.

hh. INTEREST ON DEPOSIT – ~~The Utility may pay interest at the rate of six percent (6%) per annum on Customer deposits pursuant to Rule 25-30.311(4), Florida Administrative Code. The Utility shall pay interest at a rate of seven percent (7%) per annum on deposits of non-residential customers when the Utility elects not to refund such a deposit after twenty-three (23) months. The deposit interest shall be simple interest in all cases, and payment of interest shall be made once each year as a credit on regular bills, or, when service is discontinued, as a credit on final bills. No Customer depositor will receive interest on his/her deposit until and unless Customer relationship and the deposit have been in existence for a continuous period of six (6) months. At such time, the Customer depositor shall be entitled to receive interest from the day of commencement of the Customer relationship and the placement of the deposit. The Utility shall not pay interest on customer deposits.~~

ii. REFUND OF DEPOSIT – Pursuant to ~~Rule 25-30.311(5), Florida Administrative Code, after a Customer has established a satisfactory payment record and has had continuous service for a period of twenty three (23) months, the Utility shall refund the residential Customer's deposits and shall, at its option, either refund or pay the higher rate of interest specified above for non-residential deposits, providing the Customer has not, in the preceding twelve (12) months:~~ Deposit refunds shall be applied as a credit to the Customer's account after a Customer has established a satisfactory payment record and has continuous service for twenty-three (23) months providing the Customer has not, in the preceding twelve (12) months:

- a. Made more than one (1) late payment of a bill (after the expiration of twenty (20) days from the date of mailing or delivery by the Utility);
- b. Paid with a check refused by a bank;
- c. Been disconnected for non-payment;
- d. At any time, tampered with the meter; or
- e. At any time, used service in a fraudulent or unauthorized manner.

Nothing in this Rule shall prohibit the Utility from refunding, at any time, a Customer's deposit with any accrued interest.

Upon termination of service, any remaining deposit ~~and accrued interest~~ may be credited against the final account, and the balance, if any, shall be returned to the Customer no later than fifteen (15) days after service is discontinued.

jj. RATES – The Utility reserves the right to revise the rates and charges for water and wastewater service.

kk. MISCELLANEOUS SERVICE CHARGES – The Utility may charge the following miscellaneous service charges in accordance with the terms stated herein. If both

water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Utility require multiple actions.

- a. INITIAL CONNECTION – This charge would be levied for service initiation at a location where service did not exist previously.
- b. NORMAL RECONNECTION - This charge would be levied for transfer of service to a new customer account at previously served location or reconnection of service subsequent to a customer requested disconnection.
- c. VIOLATION RECONNECTION – This charge would be levied each time service has to be disconnected or reconnected for existing customers who have been disconnected for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.
- d. PREMISES VISIT CHARGE (IN LIEU OF DISCONNECTION) – This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of due and collectible bill and does not discontinue service because the customer pays the service representative or otherwise make satisfactory arrangements to the bill. These charges are shown in the “Miscellaneous” section.

2. SECTION 6. Rates for water services.

The rates for the System for water services (“Water Services”) relating to single-family residential, general, multi-family master meter, and irrigation services, as set forth on Exhibit “A” attached hereto, are hereby established.

The rates for the System for Water Services relating to private fire protection services, as set forth on Exhibit “B” attached hereto, are hereby reaffirmed at current levels.

The service availability charges for Water Services, as set forth on Exhibit “C” attached hereto, are hereby reaffirmed at current levels.

The miscellaneous service charges for Water Services as set forth on Exhibit “D” attached hereto, are hereby reaffirmed at current levels with the exception of the after hours service charge which is hereby established.

Any base rate charges on an account terminated during the first ten (10) days of any given month shall be pro-rated to the date the service is terminated. All accounts continuing beyond the tenth (10th) day shall pay the full monthly base charge.

The rates for the System for Water Services shall be increased by two and one-half percent over the rates in effect on October 1 of each year, unless contrary action is taken by the Nassau County Board of County Commissioners. The rates increased shall be those shown on Exhibits "A" and "B". A complete schedule of current rates shall be filed annually with the County Coordinator.

3. SECTION 7. Rates for Wastewater Services.

The rates for the System for wastewater services ("Wastewater Services") relating to general and multi-family master meter services, as set forth on Exhibit "E" attached hereto, are hereby established.

The rates for the System for Wastewater Services relating to single-family residential service, as set forth on Exhibit "F" attached hereto, are hereby established.

The rates for the System for Wastewater Services relating to residential wastewater only services, as set forth on Exhibit "G" attached hereto, are hereby reaffirmed at current levels.

The rates for the System for Wastewater Services relating to effluent services, as set forth on Exhibit "H" attached hereto, are hereby reaffirmed at current levels.

The service availability charges for the System for Wastewater Services, as set forth on Exhibit "I" attached hereto, are hereby reaffirmed at current levels.

The miscellaneous services charges for the System for all utility services, including Wastewater Services, as set forth on Exhibit "J" attached hereto, are hereby reaffirmed at current levels with the exception of the after hours service charge which is hereby established.


Any base rate charges on an account terminated during the first ten (10) days of any given month shall be pro-rated to the date the service is terminated. All accounts continuing beyond the tenth (10th) day shall pay the full monthly base charge.

The rates for the System for Wastewater Services shall be increased by two and one-half percent over the rates in effect on October 1 of each year, unless contrary action is taken by the Nassau County Board of County Commissioners. The rates increased shall be those shown on Exhibits "E", "F", "G", and "H". A complete schedule of current rates shall be filed annually with the County Coordinator.

4. SECTION 14. **Effective Date.**

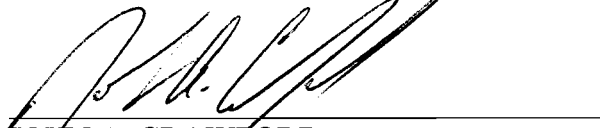
This Ordinance is enacted on the 8th day of March, 2010, upon the affirmative vote of a majority of the Board of County Commissioners and shall become effective April 1, 2010.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



MICHAEL H. BOYLE
Its: Chairman

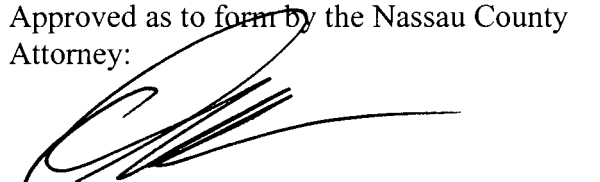
ATTEST AS TO CHAIRMAN'S SIGNATURE:



JOHN A. CRAWFORD
Its: Ex-Officio Clerk

EOK
3/8/10

Approved as to form by the Nassau County
Attorney:



DAVID A. HALLMAN

EXHIBIT SUMMARY

<u>EXHIBIT NUMBER</u>	<u>SERVICE/RATE CATEGORY</u>	<u>CUSTOMER CLASS</u>	<u>ANNUAL INDEX?</u>	<u>INDEX AMOUNT</u>
Exhibit A - P1	WATER SERVICE	SF	YES	2.50%
Exhibit A - P2	WATER SERVICE	MF	YES	2.50%
Exhibit A - P3	WATER SERVICE	GS	YES	2.50%
Exhibit A - P4	WATER SERVICE	IR	YES	2.50%
Exhibit B	FIRE PROTECTION	ALL	YES	2.50%
Exhibit C	WATER SAC	ALL	NO	N/A
Exhibit D	WATER MSC CHG	ALL	NO	N/A
Exhibit E	WASTEWATER SERVICE	GS & MF	YES	2.50%
Exhibit F	WASTEWATER SERVICE	SF	YES	2.50%
Exhibit G	WASTEWATER ONLY SERVICE	RES	YES	2.50%
Exhibit H	WASTEWATER EFFLUENT SVC	ALL	YES	2.50%
Exhibit I	WASTEWATER SAC	ALL	NO	N/A
Exhibit J	WASTEWATER MSC CHG	ALL	NO	N/A
Exhibit K	CUSTOMER DEPOSITS	ALL	NO	N/A

EXHIBIT "A"

WATER SERVICE - RATE SCHEDULE: AMELIA ISLAND
SINGLE-FAMILY RESIDENTIAL

RATE:

Base Facility Charge:

<u>Meter Size</u>	<u>Charge Per Billing Period</u> Effective: April 1, 2010	
5/8" x 3/4"	\$	6.10
3/4"	\$	8.72
1"	\$	13.96
1 1/2"	\$	27.06
2"	\$	42.78
3"	\$	84.70
4"	\$	131.86
6"	\$	262.86
8"	\$	420.06
10"	\$	603.46

Gallonge Charge (Per Thousand Gallons):

Up to 3,000 Gallons	\$	0.62
Between 3,001 - 10,000 Gallons	\$	1.41
Between 10,001 - 20,000 Gallons	\$	2.39
Between 20,001 - 30,000 Gallons	\$	3.95
Use Over 30,000 Gallons	\$	5.73

Minimum Charge:

Base Facility Charge

Prorated Charge:

Any base rate charges on an account terminated during the first ten (10) days of any given month, shall be prorated to the date the service is terminated. All accounts continuing beyond the tenth (10th) day shall pay the full monthly base charge.

EXHIBIT "A"

WATER SERVICE - RATE SCHEDULE: AMELIA ISLAND
MULTI-FAMILY RESIDENTIAL MASTER METER SERVICE

RATE:

Base Facility Charge:

<u>Meter Size</u>	<u>Charge Per Billing Period</u> Effective: April 1, 2010	
5/8" x 3/4"	\$	6.10
3/4"	\$	8.72
1"	\$	13.96
1 1/2"	\$	27.06
2"	\$	42.78
3"	\$	84.70
4"	\$	131.86
6"	\$	262.86
8"	\$	420.06
10"	\$	603.46

Gallonge Charge (Per Thousand Gallons):

Up to 3,000 Gallons	\$	0.62
Use Over 3,000 Gallons	\$	1.41

Minimum Charge:

Base Facility Charge

Prorated Charge:

Any base rate charges on an account terminated during the first ten (10) days of any given month, shall be prorated to the date the service is terminated. All accounts continuing beyond the tenth (10th) day shall pay the full monthly base charge.

EXHIBIT "A"

WATER SERVICE - RATE SCHEDULE: AMELIA ISLAND
GENERAL SERVICE

RATE:

Base Facility Charge:

<u>Meter Size</u>	<u>Charge Per Billing Period</u> Effective: April 1, 2010	
5/8" x 3/4"	\$	6.10
3/4"	\$	8.72
1"	\$	13.96
1 1/2"	\$	27.06
2"	\$	42.78
3"	\$	84.70
4"	\$	131.86
6"	\$	262.86
8"	\$	420.06
10"	\$	603.46

Gallonge Charge (Per Thousand Gallons):

All Gallonge	\$	1.41
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Minimum Charge:

Base Facility Charge

Prorated Charge:

Any base rate charges on an account terminated during the first ten (10) days of any given month, shall be prorated to the date the service is terminated. All accounts continuing beyond the tenth (10th) day shall pay the full monthly base charge.

EXHIBIT "A"

WATER SERVICE - RATE SCHEDULE: AMELIA ISLAND
METERED IRRIGATION SERVICE

RATE:

Base Facility Charge:

<u>Meter Size</u>	<u>Charge Per Billing Period</u>	
	<u>Effective:</u>	
	<u>April 1, 2010</u>	
5/8" x 3/4"	\$	6.10
3/4"	\$	8.72
1"	\$	13.96
1 1/2"	\$	27.06
2"	\$	42.78
3"	\$	84.70
4"	\$	131.86
6"	\$	262.86
8"	\$	420.06
10"	\$	603.46

Gallage Charge (Per Thousand Gallons):

<u>5/8 X 3/4" meter</u>		
Up to 10,000 Gallons	\$	2.39
Between 10,001 - 20,000 Gallons	\$	3.95
Use Over 20,000 Gallons	\$	5.73
<u>3/4" meter</u>		
Up to 15,000 Gallons	\$	2.39
Between 15,001 - 30,000 Gallons	\$	3.95
Use Over 30,000 Gallons	\$	5.73
<u>1" meter</u>		
Up to 25,000 Gallons	\$	2.39
Between 25,001 - 50,000 Gallons	\$	3.95
Use Over 50,000 Gallons	\$	5.73
<u>1 1/2" meter</u>		
Up to 50,000 Gallons	\$	2.39
Between 50,001 - 100,000 Gallons	\$	3.95
Use Over 100,000 Gallons	\$	5.73
<u>2" meter</u>		
Up to 80,000 Gallons	\$	2.39
Between 80,001 - 160,000 Gallons	\$	3.95
Use Over 160,000 Gallons	\$	5.73
<u>3" meter</u>		
Up to 160,000 Gallons	\$	2.39
Between 160,001 - 320,000 Gallons	\$	3.95
Use Over 320,000 Gallons	\$	5.73
<u>4" meter</u>		
Up to 250,000 Gallons	\$	2.39
Between 250,001 - 500,000 Gallons	\$	3.95
Use Over 500,000 Gallons	\$	5.73
<u>6" meter</u>		
Up to 500,000 Gallons	\$	2.39
Between 500,001 - 1,000,000 Gallons	\$	3.95
Use Over 1,000,000 Gallons	\$	5.73
<u>8" meter</u>		
Up to 800,000 Gallons	\$	2.39
Between 800,001 - 1,600,000 Gallons	\$	3.95
Use Over 1,600,000 Gallons	\$	5.73
<u>10" meter</u>		
Up to 1,150,000 Gallons	\$	2.39
Between 1,151,001 - 2,300,000 Gallons	\$	3.95
Use Over 2,300,000 Gallons	\$	5.73

Minimum Charge:

Base Facility Charge

Prorated Charge:

Any base rate charges on an account terminated during the first ten (10) days of any given month, shall be prorated to the date the service is terminated. All accounts continuing beyond the tenth (10th) day shall pay the full monthly base charge.

EXHIBIT "B"

FIRE SERVICE - RATE SCHEDULE: AMELIA ISLAND
PRIVATE FIRE PROTECTION SERVICE

RATE:

Base Facility Charge:

<u>Meter Size</u>	<u>Charge Per Billing Period</u> <u>Effective:</u> <u>April 1, 2010</u>
2"	\$ 4.39
3"	\$ 8.82
4"	\$ 13.78
6"	\$ 27.53
8"	\$ 44.03
10"	\$ 63.31

Gallonage Charge:

Not Applicable

Minimum Charge:

Base Facility Charge

Prorated Charge:

Any base rate charges on an account terminated during the first ten (10) days of any given month, shall be prorated to the date the service is terminated. All accounts continuing beyond the tenth (10th) day shall pay the full monthly base charge.

EXHIBIT "C"

Water Service Availability Charges

Impact Fees:

	<u>Charge Per Billing Period</u> Effective: April 1, 2010
<u>Per ERC (ERC = 350 gpd)</u> <u>Water Impact Fee</u>	\$ 1,602.00

Allowance for Funds Prudently Invested (AFPI):

Transmission / Distribution

The charge per ERC for all ERC's connecting is \$660.00 (ERC=217 gpd).

Meter Installation Charges:

	<u>Charge Per Billing Period</u> Effective: April 1, 2010
Standard Meter:	
Per Connection - 5/8" x 3/4"	\$ 122.41
Per Connection - 3/4"	\$ 143.01
Per Connection - 1"	\$ 167.59
Per Connection - 1 1/2"	\$ 306.72
Per Connection - 2"	\$ 387.39
Per Connection - Over 2"	Actual Cost

Meter with Built-In Backflow Preventor:

 All Meter Sizes Actual Cost

Stand Alone Backflow Prevention Device:

 All Meter Sizes Actual Cost

Service Installation Charges:

Per Connection - 5/8" x 3/4"	\$ 389.94
Per Connection - 3/4"	\$ 389.94
Per Connection - 1"	\$ 389.94
Per Connection - 1 1/2"	\$ 452.44
Per Connection - 2"	\$ 452.44
Per Connection - Over 2"	Actual Cost

EXHIBIT "D"

Water Miscellaneous Service Charges

- 1. **Initial Connection -** This charge would be levied for service initiation at a location where service did not exist previously.
- 2. **Normal Reconnection -** This charge would be levied for transfer of service to a new customer account at a previously served location or reconnection of service subsequent to a customer requested disconnection.
- 3. **Violation Reconnection -** This charge would be levied each time service has to be disconnected or reconnected for existing customers who have been disconnected for non-payment or delinquency.
- 4. **Premise Visit Charge (In Lieu of Disconnection) -** This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for non-payment of a due and collectible bill and does not discontinue service because the customer has paid their bill in the interim or otherwise makes satisfactory arrangements with the billing office to pay the bill.

If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the County require multiple actions.

Charges:

<u>Type of Service:</u>	<u>Charge Per Billing Period</u>	
	Effective:	
	April 1, 2010	
Initial Connection	\$	21.78
Normal Connection	\$	21.78
Violation Reconnection	\$	21.78
Premises Visit	\$	21.78
Temporary Disconnect Turn-Offs	\$	21.78
Temporary Disconnect Turn-Ons	\$	21.78
Non-Payment Reconnect After Business Hours	\$	159.61
Covered, Obscured or Inaccessible Meters	\$	53.10
Construction Fee (Temporary Connection)	\$	60.44
Meter Removal / Service Tampering	\$	103.32
Reading or Picking up a Hydrant Meter for Non-payment	\$	35.12
Re-read for Customer Convenience	\$	21.78
 Meter Bench Test Fee:		
	5/8" x 3/4"	Actual Cost
	1"	Actual Cost
	1 1/2"	Actual Cost
	2"	Actual Cost
	Over 2"	Actual Cost
 Fire Line Connections - Tap Fees:		
	4"	\$ 806.18
	6"	\$ 981.18
	Over 6"	Actual Cost

Returned Check Charges

Applicability:

For service to all customers within the certificated service areas of the County.

Charges:

The County will charge the maximum amount allowed in accordance with Florida Statutes, Section 68.065 and Section 832.08(5). Any bank fees incurred by the County may also be charged to the maker or drawer of the instrument. The service charge and bank fees shall be added to the customer's bill.

EXHIBIT "E"

WASTEWATER SERVICE - RATE SCHEDULE: AMELIA ISLAND
GENERAL AND MULTI-FAMILY MASTER METER SERVICES

RATE:

Base Facility Charge:

<u>Meter Size</u>	<u>Charge per Billing Period</u>	
	<u>Effective:</u>	
	<u>April 1, 2010</u>	
5/8" x 3/4"	\$	16.38
3/4"	\$	24.14
1"	\$	39.66
1 1/2"	\$	78.46
2"	\$	125.02
3"	\$	249.18
4"	\$	388.86
6"	\$	776.86
8"	\$	1,242.46
10"	\$	1,785.66

Gallonge Charge (Per Thousand Gallons):

All Gallonge	\$	5.24
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Minimum Charge:

Base Facility Charge

Prorated Charge:

Any base rate charges on an account terminated during the first ten (10) days of any given month, shall be prorated to the date the service is terminated. All accounts continuing beyond the tenth (10th) day shall pay the full monthly base charge.

EXHIBIT "F"

WASTEWATER SERVICE - RATE SHEDULE: AMELIA ISLAND
SINGLE-FAMILY RESIDENTIAL SERVICE

RATE:

Base Facility Charge:

<u>Meter Size</u>	<u>Charge Per Billing Period</u> <u>Effective:</u> <u>April 1, 2010</u>	
5/8" x 3/4"	\$	16.38
3/4"	\$	16.38
1"	\$	16.38
1 1/2"	\$	16.38
2"	\$	16.38
3"	\$	16.38
4"	\$	16.38
6"	\$	16.38
8"	\$	16.38
10"	\$	16.38

Gallorage Charge (Per Thousand Gallons):

Up to 6,000 Gallons	\$	5.24
Use Greater Than 6,000 Gallons		NO CHARGE

Minimum Charge:

Base Facility Charge

EXHIBIT "G"

WASTEWATER SERVICE - RATE SCHEDULE: AMELIA ISLAND
RESIDENTIAL WASTEWATER ONLY SERVICE

RATE:

Base Facility Charge:

Meter Size
All

Charge Per Billing Period
Effective:
April 1, 2010
\$ 37.58

Gallage Charge (Per Thousand Gallons):

Not Applicable

Minimum Charge:

Base Facility Charge

Prorated Charge:

Any base rate charges on an account terminated during the first ten (10) days of any given month, shall be prorated to the date the service is terminated. All accounts continuing beyond the tenth (10th) day shall pay the full monthly base charge.

EXHIBIT "H"

WASTEWATER SERVICE - RATE SCHEDULE: AMELIA ISLAND
EFFLUENT SERVICE

RATE:

No Charge at this time.

EXHIBIT "I"

Wastewater Service Availability Charges

Impact Fees:

	<u>Charge Per Billing Period</u> Effective: April 1, 2010
<u>Per ERC (ERC = 189 gpd)</u>	
<u>Wastewater Impact Fee</u>	\$ 2,531.00

Allowance for Funds Prudently Invested (AFPI):

Collection System

The charge per ERC for all ERC's connecting is \$1,102.00 (ERC=155 gpd).

Service Installation Charges:

		<u>Charge Per Billing Period</u> Effective: April 1, 2010
Standard Meter:	<u>Meter Size</u>	
Per Connection (Unpaved) -	4"	\$ 264.94
Per Connection (Unpaved) -	6"	\$ 264.94
Per Connection (Paved) -	4"	\$ 332.46
Per Connection (Paved) -	6"	\$ 332.46

EXHIBIT "J"

Wastewater Miscellaneous Service Charges

- 1. **Initial Connection -** This charge would be levied for service initiation at a location where service did not exist previously.
- 2. **Normal Reconnection -** This charge would be levied for transfer of service to a new customer account at a previously served location or reconnection of service subsequent to a customer requested disconnection.
- 3. **Violation Reconnection -** This charge would be levied each time service has to be disconnected or reconnected for existing customers who have been disconnected for non-payment or delinquency.
- 4. **Premise Visit Charge (In Lieu of Disconnection) -** This charge would be levied when a service representative visits a premises for the purpose of discontinuing service for non-payment of a due and collectible bill and does not discontinue service because the customer has paid their bill in the interim or otherwise makes satisfactory arrangements with the billing office to pay the bill.

If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the County require multiple actions.

Charges:

	<u>Charge Per Billing Period</u>	
<u>Type of Service:</u>	<u>Effective:</u>	
	<u>April 1, 2010</u>	
Initial Connection	\$	21.78
Normal Connection	\$	21.78
Violation Reconnection	\$	21.78
Premises Visit	\$	21.78
Non-Payment Reconnect After Business Hours	\$	159.61

Returned Check Charges

Applicability:

For service to all customers within the certificated service areas of the County.

Charges:

The County will charge the maximum amount allowed in accordance with Florida Statutes, Section 68.065 and Section 832.08(5). Any bank fees incurred by the County may also be charged to the maker or drawer of the instrument. The service charge and bank fees shall be added to the customer's bill.

EXHIBIT "K"

Customer Deposits

Single-Family Residential Service

	Effective: April 1, 2010	Effective: April 1, 2010
	<u>WATER</u>	<u>SEWER</u>
<u>Per Account</u>	\$ 50.00	\$ 67.00

Multi-Family Residential Master Meter Service

	Effective: April 1, 2010	Effective: April 1, 2010
	<u>WATER</u>	<u>SEWER</u>
<u>Per Account</u>	\$ 50.00	\$ 67.00

General Service

<u>Per Account By Meter Size</u>	Effective: April 1, 2010	Effective: April 1, 2010
	<u>WATER</u>	<u>SEWER</u>
5/8"	\$ 50.00	\$ 67.00
5/8" x 3/4"	\$ 100.00	\$ 134.00
3/4"	\$ 150.00	\$ 201.00
1"	\$ 200.00	\$ 268.00
1 1/2"	\$ 225.00	\$ 302.00
2"	\$ 250.00	\$ 335.00
3"	\$ 300.00	\$ 402.00
4"	\$ 350.00	\$ 469.00
6"	\$ 400.00	\$ 536.00
8"	\$ 450.00	\$ 603.00
10"	\$ 500.00	\$ 670.00

Metered Irrigation Service

	Effective: April 1, 2010	Effective: April 1, 2010
	<u>WATER</u>	<u>SEWER</u>
<u>Per Account</u>	\$ 50.00	N/A



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

March 19, 2010

Honorable John A. Crawford
Clerk of the Circuit Court
Nassau County
Suite 456
76347 Veteran's Way
Yulee, Florida 32097

Dear Mr. Crawford:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated March 12, 2010 and certified copy of Nassau County Ordinance No. 2010-03, which was filed in this office on March 16, 2010.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/srd

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dliis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
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ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282



JOHN A. CRAWFORD
Clerk of the Circuit Court / Comptroller
Ex-Officio Clerk to the Board of County Commissioners
Nassau County



VIA FEDERAL EXPRESS MAIL

March 12, 2010

Ms. Liz Cloud, Program Administrator
Department of State
Administrative Code Unit
R.A. Gray Building, Room 101
500 South Bronough Street
Tallahassee, FL 32399-0250

Dear Ms. Cloud:

Enclosed please find a certified copy of Ordinance No. 2010-03 adopted in Regular Session on March 8, 2010.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Crawford".

John A. Crawford
Ex-Officio Clerk

/bkl

Enclosure

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (NASSAU) COUNTY ORDINANCE #: (2010-03)
(e.g., 93-001)

PRIMARY KEYFIELD
 DESCRIPTOR: (Water and Sewer)

SECONDARY KEYFIELD
 DESCRIPTOR: (_____)

OTHER KEYFIELD
 DESCRIPTOR: (_____)

ORDINANCE DESCRIPTION: (_____)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (_____); AMENDMENT # 2: (_____)

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (_____); REPEAL # 3: (_____);
 REPEAL # 2: (_____); REPEAL # 4: (_____);

(Others repealed: list all that apply) _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: (_____)

KEYFIELD 1 CODE: (_____) KEYFIELD 2 CODE: (_____)

KEYFIELD 3 CODE: (_____)