

RESOLUTION NO. 21-10-103

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AMENDING THE WASTEWATER UTILITY RATE SCHEDULE ADOPTED IN ORDINANCE NO. 06-13, AS AMENDED BY RESOLUTION NO. 09-06-49, RESOLUTION NO. 11-03-14, RESOLUTION NO. 13-07-43, AND RESOLUTION NO. 19-09-77; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDED WASTEWATER UTILITY RATE SCHEDULE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on May 25, 2006, the Village Council of Islamorada, Village of Islands, Florida (the "Village Council") adopted Ordinance No. 06-13, thereby adopting a Wastewater Utility Rate, which was codified within Chapter 62 of the Village Code of Ordinances (the "Code"); and

WHEREAS, pursuant to Section 62-32 of the Village code, the Village Council may amend the Wastewater Utility Rate Schedule by Resolution; and

WHEREAS, on June 26, 2009, the Village Council adopted Resolution No. 09-06-49, thereby amending the portion of the Wastewater Utility Rate Schedule setting forth the rates, fees, and charges for wastewater service, and which specifically amended and replaced in its entirety that portion of the Wastewater Utility Rate Schedule attached as Exhibit "A" to Ordinance No. 06-13; and

WHEREAS, on March 24, 2011, the Village Council adopted Resolution No. 11-03-14, thereby further amending the portion of the Wastewater Utility Rate Schedule setting forth the rates, fees, and charges for wastewater service, and which specifically amended and replaced in its entirety that portion of the Wastewater Utility Rate Schedule attached as Exhibit "A" to Resolution No. 09-06-49; and

WHEREAS, on July 25, 2013, the Village Council adopted Resolution No. 13-07-43, further amending the portion of the Wastewater Utility Rate Schedule setting forth the rates, fees, and charges for wastewater service, and which specifically amended and replaced in its entirety that portion of the Wastewater Utility Rate Schedule attached as Exhibit "A" to Resolution No. 13-07-43; and

WHEREAS, on September 4, 2019, the Village Council adopted Resolution No. 19-09-77, further amending the portion of the Wastewater Utility Rate Schedule setting forth the rates, fees, and charges for wastewater service, and which specifically amended and replaced in its entirety that portion of the Wastewater Utility Rate Schedule attached as Exhibit "A" to Resolution No. 19-09-77; and

WHEREAS, the Village Council desires to consider new rates, fees, and charges for wastewater service to specifically establish special lower rates on the residential account of any person 60 years of age or older and who meets the low income standards or a 100% disabled American veteran as set forth in Exhibit "A" attached hereto; and

WHEREAS, adoption of this Resolution shall amend, supersede and replace in its entirety that portion of the Wastewater Utility Rate Schedule attached to Resolution No. 19-09-77 as Exhibit "A;" and

WHEREAS, the amended rates, fees and charges set forth in the Wastewater Utility Rate Scheduled attached hereto as Exhibit "A" shall be applicable Village-wide, including existing customers of the North Plantation Key Service Area and the Remaining Wastewater Service Area of the Village and all future service and customers within the North Plantation Key Service Area and the Remaining Wastewater Service Area of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Amending Wastewater Utility Rate Schedule. The Village Council hereby resolves that the portion of the Wastewater Utility Rate Schedule setting forth rates, fees and charges for wastewater service adopted in Ordinance No. 06-13, as subsequently amended in Resolution No. 09-06-49, Resolution No. 11-03-14, Resolution No. 13-07-43 and Resolution No. 19-09-77, is hereby amended, superseded and replaced in its entirety with the Rate Schedule

attached hereto as Exhibit "A", setting forth rates, fees and charges for wastewater service and adding special lower rates on the residential account of any person who is 60 years of age or older and meets the low income standards or a 100% disabled American veteran.

Section 3. Authorization of Village Officials. The Village Manager and/or his designee are authorized to take all actions necessary to implement the terms and conditions of the amended Wastewater Utility Rate Schedule as attached hereto as Exhibit "A" and this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon its adoption.

Motion to adopt by Councilman Henry Rosenthal, seconded by Councilman Mark Gregg.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Joseph B. Pinder III	YES
Vice Mayor Pete Bacheler	YES
Councilman Mark Gregg	YES
Councilman Henry Rosenthal	YES
Councilman David Webb	YES

PASSED AND ADOPTED THIS 14TH DAY OF OCTOBER, 2021.



JOSEPH B. PINDER III, MAYOR

ATTEST:



KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS ONLY:



ROGET V. BRYAN, VILLAGE ATTORNEY

EXHIBIT A

WASTEWATER UTILITY RATE SCHEDULE

Effective December 1, 2021, the rates, fees and charges for wastewater service are set forth herein. All customers with available wastewater service shall receive a monthly minimum bill equal to the Customer Charge plus the Base Facility Charge, which is calculated on the number of Equivalent Dwelling Units (EDUs) served. The monthly wastewater bill shall also include a Volumetric Charge as set forth below.

CUSTOMER CHARGE

The Customer Charge for each wastewater bill rendered shall be billed monthly as follows:

Customer Charge	\$ 10.56
-----------------	----------

BASE FACILITY CHARGE

The Base Facility Charge shall be billed monthly based on the number of EDUs served.

Base Facility Charge per EDU

– North Plantation Key (NPK) Service Area ^[1]	\$ 30.04
– The Remaining Service Area (RSAs) ^[1]	\$ 40.41

For any person 60 years of age or older who meets the low income standards or a 100% disabled American veteran:

Base Facility Charge per EDU

– North Plantation Key (NPK) Service Area ^[1]	\$ 0.00
– The Remaining Service Area (RSAs) ^[1]	\$ 0.00

USAGE CHARGE (Per 1,000 Gallons)

The Usage Charge shall be billed monthly per thousand (1,000) gallons of metered water use:

Residential, Individually Metered

Monthly Usage Range	
0-12,000 gallons (per thousand gallons)	\$6.52
Above 12,000 gallons per month	\$0.00

All other Customer Classes

All Usage Levels (per thousand gallons)	\$6.52
---	--------

Notes:

[1] For purposes of billing the monthly Base Facility Charge, the following shall apply:

- (a) The North Plantation Key (NPK) Service Area consists of the following Assessment Areas: the North Plantation Key Assessment Area created in Resolution No. 05-08-42 (Initial Assessment Resolution) and Resolution No. 05-09-49 (Final Assessment Resolution); the Woods Corner Assessment Area created in Resolution No. 08-07-41 (Initial Assessment Resolution) and Resolution No. 08-08-49 (Final Assessment Resolution); and the North Plantation Key Supplemental Assessment Area created in Resolution No. 09-08-68 (Initial Assessment Resolution) and Resolution No. 09-09-77 (Final Assessment Resolution).
- (b) The Remaining Service Area (RSA) consists of all remaining Wastewater Service Areas within the Village as created in Resolution No. 11-06-38 (Initial Assessment Resolution) and Resolution No. 11-07-47 (Final Assessment Resolution), less and except the North Plantation Key (NPK) Service Area as defined in [1](a) above.
- (c) The number of EDUs shall be based on i) the EDUs associated with each account based on the non-ad valorem assessment, System Development Charge, or similar measure of wastewater capacity as determined by the Village. For those properties having service availability as of October 1, 2013, the Base Facility Charge will be calculated according to the equivalent EDUs imposed for monthly wastewater billing purposes as of September 2013, until such time as such properties increase wastewater capacity and modified EDUs may be determined.
- (d) Laundry Facilities shall be billed as one (1) EDU per monthly bill. "Laundry Facility" means a stand-alone laundry business that provides self-service and non-self-service laundry facilities to the public, consisting of washing machines and clothing dryers, in any combination. "Laundry Facility" does not include laundry facilities that are located in or otherwise associated with any Commercial Accommodation. "Commercial Accommodation" means a hotel, motel, or other similar facility, or a facility (such as a mobile home park RV park or tent camping facility) regulated under Chapter 513, Florida Statutes. All units that are part of a hotel, motel, or other similar facility, or a property regulated under Chapter 513, Florida Statutes, are deemed to be a part of the Commercial Accommodation.