

*Amended*

**ORDINANCE NO. 2011- 1**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY FLORIDA ESTABLISHING POLICY ON SERVICE DEPOSITS; ESTABLISHING POLICY ON DAMAGE AND REPLACEMENT OF METERS; ESTABLISHING POLICY ON TAMPERING; ESTABLISHING POLICY ON BILLING PRACTICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE**

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COLUMBIA COUNTY  
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**WHEREAS**, Columbia County operates water and sewer systems, including water transmission and service lines and wastewater collection lines, in the unincorporated area of the County; and

**WHEREAS**, the County adopted Ordinance No. 2010-11 at a duly noticed public meeting on August 19, 2010 which established the initial water and sewer capacity charges, water service connection charges and water and sewer monthly service charges, deposits and miscellaneous charges to be charged to and collected from Customers receiving water and/or wastewater services; and

**WHEREAS**, The Columbia County Board of County Commissioners wishes to adopt additional policies on deposits, damage and replacement of meters, tampering, and billing practices.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLUMBIA COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. Service Deposits:**

- a) In accordance with Ordinance No 2010-11 Section 1.05 (v), the County shall charge a service deposit at the time of initiation of service. Any deposit collected shall be refundable after 23 months of continuous service if, within the preceding 12 months, the customer has not:
  - 1) made more than one late payment;
  - 2) paid by a check refused by a bank;
  - 3) been disconnected for non payment;
  - 4) tampered with the meter; or
  - 5) used service in a fraudulent or unauthorized manner.
- b) The County shall have the option to increase the deposit after a second delinquency within a 12 month period. The increased amount of the deposit shall not exceed twice the amount of the average service bill during the previous 12 months.

- c) Any interest earned on a customer's deposit shall annually be refunded as a credit on the customer's bill or, after a final billing, shall be paid to the customer with the final refund.

**SECTION 2. Damage and Replacement of Meters:**

- a) Where Meters or appurtenances are broken or damaged by the negligence of the owners, tenants or occupants of the premises, the cost of repair or replacement and any mobilization costs shall be paid by the customer.
- b) If the cost of the repair or replacement is not paid upon the submission of the bill or acceptable payment arrangements are not made, the water supply shall be shut off and shall not be turned on again until payment of such amount due is made.

**SECTION 3. Tampering Prohibited:**

- a) No person shall turn off or turn on water at the water meter, curb stop, corporation stop or valve, or in any way disconnect or remove the water meter or disturb, alter or damage any water connection, meter or water main belonging to Columbia County unless authorized by the County Manager or his/her designee.
- b) No person shall, without authority from the County, remove, open, hitch to, dig out, sod or curb over any fire plug or hydrant, valve, valve box, meter box, manhole or other fixture belonging to Columbia County's water or sanitary sewer systems, or without approval of the County, use water directly from a line, hydrant, valve or other fixture without a water meter installed by the Columbia County Utilities Services
- c) No customer shall furnish water to any other person either by use of pipes or fixtures on his own premises or by extending pipes to the premises of other persons unless this connection existed prior to the adoption of 2010-14.
- d) No person shall construct a fence, shed or other structure or plant trees or shrubs which has the effect of obstructing or limiting access by the County to a water meter, water and/or sanitary sewer lines, valves or other fixture belonging to the County located within a utility easement or right of way. In addition to any other remedies under the law, the County shall have the right, upon failure of the property owner to modify or remove the obstacle within 30 days following notification to do so, to remove or modify the obstacle to provide access to the fixture. In the case of an emergency, the County shall have the right to take whatever measures are reasonably necessary to repair, replace or otherwise protect the County owned water and/or sanitary sewer systems.

- e) No unauthorized person shall cause storm water, ground water, or any other unauthorized water or material to enter the sanitary sewer system, including sanitary sewerage from septic tank trucks. This shall include the connection of downspouts or air conditioning condensate lines into the sanitary sewer system; raising manhole lids or opening sanitary sewer line cleanouts to allow drainage; dumping garbage, refuse or other wastes in manholes; draining of swimming pools into the sanitary sewers; or any other means of causing or allowing any substance not considered sanitary sewerage or not legally paid for as sanitary sewerage to enter into the sanitary sewer system.

**SECTION 4. Billing Practices:**

- a) Until changed by the Board of County Commissioners, all water and wastewater service bills will become due on the first day of the month and past due on the 20<sup>th</sup> day of the month.
- b) After the 20<sup>th</sup> day of the month, all bills will be considered past due and a \$10.00 late fee will be added to the bill. Service will be scheduled for disconnection 10 days after the bill becomes past due. If payment is not received in the office within these 10 days, service will be shut off until payment of such amount past due plus any late fees and reconnection charges are made.
- c) Service will not be disconnected for non-payment over a weekend or holiday but will occur after 12:00 noon on the next business day.
- d) Senior rates may only be charged when the individual named on the account and responsible for the account reaches or exceeds 65 years of age. The customer must notify the County utility office with proof of age to change their existing rate to the senior rate.

**SECTION 5. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provisions of the Ordinance.

**SECTION 6. REPEALER.** All Ordinances, Resolutions and Rules or parts of Ordinances, Resolutions and Rules in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION 7. CODIFICATION.** The provisions of this Ordinance shall be made a part of the Columbia County Code. The codifier of the Code shall change headings and re-letter and renumber sections hereof as necessary for that purpose.