

RESOLUTION NO. 42-2020 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, PROVIDING FOR RATES, FEES AND CHARGES FOR USE OF SEWAGE DISPOSAL SYSTEM OF THE CITY OF LAKE WORTH BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING RESOLUTIONS OR PARTS OF RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake Worth Beach, Florida, is authorized and required to fix uniform and adequate rates for its service; and

WHEREAS, an evaluation of the level of sewer system rates establishes a need to revise the rates and charges as set forth herein in order to meet the several objectives identified by the evaluation; and

WHEREAS, the City Commission finds that the rates established herein are fair and equitable and serve a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1. The following schedules, except as otherwise provided, shall be the rates, fees and charges for the use of and for the services and facilities furnished or to be furnished by the sewage disposal system, to be paid by the owner, tenant or occupant of each lot or parcel of land which may be connected with or may use the sewage disposal system by or through any part of the sewer system of the City of Lake Worth Beach. These charges are those necessary to cover operation, maintenance and replacement costs.

Accounts, which are served and metered by the Lake Worth Beach Utilities Water System.

1. Customer Charge effective as of the dates listed:

Effective Date:	10/1/2020
Charge:	\$5.83

A fixed charge based on the cost of preparing and delivering a bill, which will be applied to each sewer account receiving a bill.

Base Facility Charge:

Residential Accounts:

A fixed charge designed to recover a portion of the fixed costs of the sewer system will be applied to each Equivalent Residential Unit (ERU), which is defined as follows:

“ERU” shall stand for “Equivalent Residential Unit” and shall mean the

average amount of wastewater discharged by a residential facility in terms of the reserved capacity needed to serve that facility. One ERU is, by definition, equal to one single family residence. Each residential unit in a multi-family complex or mobile home park unit is equivalent to 66% of one ERU or as calculated in accordance with Chapter 18, Article IV, Code of Ordinances of the City of Lake Worth Beach.

Base Facility Charge effective as of the dates listed:

Effective Date:	10/1/2020	
Charge:	\$12.18	per ERU
Charge:	\$8.04	per multi-family residential unit or mobile home unit (66% of 1 ERU)

Commercial and Industrial Use Accounts:

A fixed charge designed to recover a portion of the fixed costs of the sewer system will be applied to each water meter based upon the size of the meter:

Base Facility Charge effective as of the dates listed:

Effective Date:	10/1/2020
5/8 X 3/4" Meter	\$12.18
1" Meter	\$30.44
1-1/2" Meter	\$60.89
2" Meter	\$97.43
3" Meter	\$194.84
4" Meter	\$304.43
6" Meter	\$608.88
8" Meter	\$906.71

For meter sizes larger than those shown in the table, the Director shall determine the charge on a case by case basis.

2. Volume Charge effective as of the dates listed:

Effective Date:	10/1/2020
Charge:	\$0.545

A volume charge based on those costs related directly to the transmission, treatment and disposal of sewage generated.

Residential use:

A residential use is defined as a use consisting of a minimum of one dwelling unit but shall not include transient facilities.

A volume charge will be applied to each hundred gallons of water consumed up to a maximum of twelve thousand (12,000) gallons per ERU for individually metered, single or multi-unit residential accounts or six thousand (6,000) gallons per ERU for master-metered, multi-unit residential accounts.

Commercial use:

A commercial use shall include all non-residential uses, including but not limited to motels, hotels, nursing homes, restaurants, commercial businesses and institutions.

A volume charge will be applied to each hundred gallons of water consumed.

Industrial Use Class:

An industrial use shall be defined as a commercial use that is able to demonstrate that over fifty percent (50%) of its water usage is not returned to the City sewer system.

A volume charge would be applied to each hundred gallons of water consumed up to a maximum flow as approved by the Water Utilities Director. This limitation for this charge is established to provide for the use of water for industrial and other uses that do not generate sewage.

Accounts, which are not served by the Lake Worth Beach Water Utilities System.

1. Customer Charge effective as of dates listed:

Effective Date:	10/1/2020
Charge:	\$5.83

A fixed charge based on the cost of preparing and delivering a bill, which will be applied to each sewer account receiving a bill.

2. Base Facility Charge effective as of dates listed:

Effective Date:	10/1/2020	
Charge:	\$12.18	Per ESU
Charge:	\$8.04	Per mutli-family or mobile home (66% of 1 ESU)

A fixed charge designed to recover a portion of the fixed costs of the sewer system will be applied to each Equivalent Service Unit (ESU), which is defined as follows:

A single-family residence: Each residential unit in a multi-family complex such as duplexes, triplexes, apartment buildings and condominiums. Each separate living unit in a mobile home or trailer park complex. Each washing machine in a commercial laundry. Each multiple of four (4) sewer fixtures or fraction thereof, in a commercial or institutional establishment such as an office, store, hotel, motel, combination store/apartment, office/apartment, nursing home, etc.

3. Fixture Charge effective as of dates listed:

Effective Date:	10/1/2020
Charge:	\$12.18

A fixture charge applied to each sewer fixture.

Collection of Sewer Service Charge:

The sewer service charges shall become effective as to each lot or parcel of land which may be connected with the sewage disposal system by or through any part of the sewer system of the City of Lake Worth Beach, upon the placing of the sewage disposal system in operation and the construction of all connections thereto from the sanitary sewer serving such lot or parcel.

In cases where water is furnished by the Lake Worth Beach Utilities System, the amount of the sewer service charges shall be included in the bills for water rendered by the City of Lake Worth Beach. In all cases where water is furnished by any plant or system other than the Lake Worth Beach Utilities System, bills shall be rendered for the amount of such sewer service charges in the same manner as bills are rendered for water. If the amount of such sewer service charges shall not be paid by the due date shown on the bill, the City of Lake Worth Beach may discontinue furnishing water to such premises, and shall disconnect the same from the Lake Worth Beach Utilities System, and shall proceed forthwith to recover the amount of such sewer service charges in such lawful manner as it may deem advisable. The City of Lake Worth Beach may enter into contracts with the County of Palm Beach, City of West Palm Beach, or any municipality, public utility, special authority or government unit in Palm Beach County for the treatment and disposal of sewage collected outside the territorial limits of the City of Lake Worth Beach and pumped and delivered to some part of the sewer system of the City of Lake Worth Beach; provided, however, that notwithstanding any of the other provisions of this resolution, the charges to be paid for the treatment and disposal of such sewage shall not be less than an amount which is fair and equitable taking into account the cost to the City of Lake Worth Beach of such treatment and disposal and the principal and interest requirements of the bonds issued pursuant to Lake Worth Utilities Authority Resolution No. U-18-75. That certain State Bond Loan Agreement between the Lake Worth Utilities Authority and the

Department of Environmental Regulation of the State of Florida is dated January 6, 1976. User charges will be reviewed periodically to assure adequate revenue to cover operation, maintenance and replacement costs and a proportional distribution of costs among users. Users will receive annually, a notification of the current rate structure.

Section 2. With respect to any premises or users situated outside the corporate limits of the City of Lake Worth Beach, which premises or users now or hereafter have active connections to the sewage disposal system of the City, there shall be charged a rate equal to the charge established for service to residents of the City, plus a surcharge equal to twenty-five percent (25%) of such charge.

The foregoing surcharge shall apply to users with whom the City has now or shall hereafter contract for services at charges established in such contracts unless the contract does not allow for a surcharge.

Section 3. Average Billing Calculation. The average billing process will establish a monthly bill which will be based on the average sewer bill for the preceding twelve (12) calendar months. If the residence or apartment has been occupied for the last twelve (12) months and the customer can qualify as an existing customer, the previous tenant's or owner's bill may be used to estimate the average monthly billing.

The average billing calculation will be reviewed and adjustments made to correct for changes in rates, or usage or other factors to be implemented on the bills issued during June and December of each year.

Section 4. Should any section or provision of this resolution or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or any part thereof other than the part declared to be invalid.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 6. This resolution shall be in effect for billings issued on or after October 1, 2020.

The passage of this resolution was moved by Commissioner _____, seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo
Vice Mayor Andy Amoroso
Commissioner Scott Maxwell
Commissioner Omari Hardy
Commissioner Herman Robinson

The Mayor thereupon declared this resolution duly passed and adopted this _____ day of September 2020.

LAKE WORTH BEACH CITY COMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Deborah M. Andrea, CMC, City Clerk