

ORDINANCE NO. 2023-02

AN ORDINANCE AMENDING CHAPTER 58 OF THE HILLIARD TOWN CODE; AMENDING ARTICLE 1. IN GENERAL; SECTION 58-6. EXTENSIONS OF WATER AND SEWER MAINS; ARTICLE III. RATES AND CHARGES; BILLING AND COLLECTION PROCEDURES; SECTION 58-81. FREE SERVICE; ADJUSTMENTS; REVIEW OF FEES AND CHARGES; SECTION 58-83. WATER AND SEWER USAGE RATES; SECTION 58-86. ANNUAL RATE INCREASES TIED TO INFLATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the Town Council desires to update the Town Code relating to match what is included in all approved tap-ins to be consistent with the resolution of fees and charges for the water and sewer services; and

WHEREAS the Town Council has determined that the Town Code Chapter 58 Utilities is not in compliance with the Town's Charter Section 4.11. (5) Action requiring an ordinance; and

WHEREAS the Town Code Chapter 58 Utilities states in Section 58-81. Free service; adjustments; review of fees and charges shall be set by resolution; and

WHEREAS the Town Code Chapter 58 Utilities states in Section 58-83. (a). Water and sewer use rate are established by resolution; and

WHEREAS the Town Code Chapter 58 Utilities states in Section 58-86. Annual rate increases tied to inflation shall be subject to approval or adjustment by the town council by resolution; and

WHEREAS the Town Council wishes to amend certain sections of Chapter 58 Utilities to regulate the rates charged for water and sewer consumption by ordinance and all other water and sewer services fees and charges to remain by resolution; and

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Hilliard, Florida, that the following Sections of the Hilliard Town Code, shall be amended as follows:

Section 1.

Sec. 58-6. (2) - Extensions of water and sewer mains, of the Hilliard Town Code is hereby amended to read as follows:

(2) All approved tap-ins shall include ~~up to 60 feet of~~ the standard service connection as defined by resolution for water and sewer fees and charges. ~~line at no cost to the customer.~~ Any service line exceeding ~~60 feet~~ that the town installs

shall be charged to the customer ~~shall be~~ at an amount equal to the town's cost, plus 30 percent.

Section 2.

Sec. 58-81. Free service; adjustments; review of fees and charges, of the Hilliard Town Code is hereby amended to read as follows:

No water or sewage disposal service, tap-in, turn-on or turn-off, shall be furnished or rendered free of charge, nor at any lesser rate unless so stated in an amending ordinance of the town, to any person, firm, corporation or governmental agency whatsoever. No adjustment shall be made to water or sewage bills in which the usage occurred on the customer's side of the meter, except as so stated in section 58-83(b). The town council shall conduct, annually during the budget process, a review of rates ~~charges and fees~~ for water and sewer services, and it shall set such rates ~~fees and charges~~ as are necessary to adequately maintain, repair and replace the system by ordinance. ~~resolution~~. Water and sewer usage rates shall increase annually using the Municipal Cost Index as set forth in this chapter. All other fees and charges for water and sewer services shall be reviewed annually and adjusted to adequately maintain, repair and replace the system by resolution.

Section 3.

Sec. 58-83. (a) Water and sewer usage rates, of the Hilliard Town Code is hereby amended to read as follows:

(a) The monthly water and sewer use rates are as established by ordinance ~~resolution~~ of the town council. All users of the town's water and/or sewer system that live outside of the town's geographical limits shall pay 150 percent of the customer's monthly water and/or sewer bill. Churches that have a current sales tax exemption certificate from the State of Florida, or property tax exemption, shall be charged in accordance with the residential water and/or sewer usage rates. Water and sewer usage rates shall increase annually using the Municipal Cost Index as set forth in this chapter.

Section 4.

Sec. 58-86. Annual rate increases tied to inflation, of the Hilliard Town Code is hereby amended to read as follows:

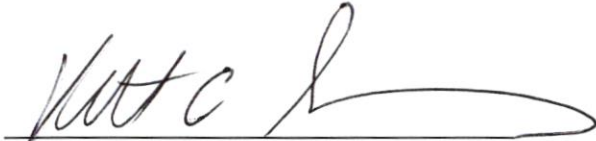
Effective October 1st of every year, the rates subject to annual cost adjustment as set forth above shall be increased by a percentage equal to the annual increase in the Municipal Cost Index ("MCI") published by American City & County Magazine. The MCI is a weighted average, using 2005 as the base year, of the consumer price index, producer price index for industrial commodities, and

construction cost index. Notwithstanding anything to the contrary herein, any such rate increase shall be subject to approval or adjustment by the town council by ordinance. ~~resolution~~.

Section 5.

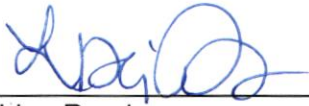
Effective date. This ordinance shall become effective upon its passage.

ADOPTED this 18th day of May, 2023, by the Hilliard Town Council.



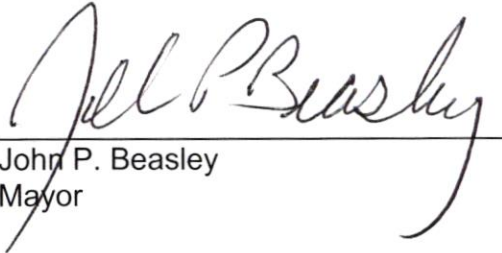
Kenneth A. Sims
Council President

ATTEST:



Lisa Purvis
Town Clerk

APPROVED:



John P. Beasley
Mayor

First Reading:	April 20, 2023
Publication Date:	May 3, 2023
Public Hearing:	May 18, 2023
Second/Final Reading:	May 18, 2023