

ORDINANCE NO. 2018-10

AN ORDINANCE AMENDING CHAPTER 58 UTILITIES; ARTICLE IV WATER AND SEWER SYSTEM DEVELOPMENT CHARGES; AMENDING SEC. 58-121 DEFINITIONS; AMENDING SEC. 58-123 SYSTEM DEVELOPMENT CHARGE IMPOSED; AMENDING SEC. 58-124 SEWER SYSTEM DEVELOPMENT CHARGE TO BE RELATED TO STRENGTH OF SEWAGE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Hilliard has found it necessary to enact the following amendment to Chapter 58 Utilities, Article IV Water and Sewer System Development Charges.

NOW, THEREFORE THE TOWN OF HILLIARD HEREBY ORDAINS, the following Sections of the Hilliard Town Code, Chapter 58, Utilities, Article IV Water and Sewer System Development Charges shall be amended as follows:

Section 1.

Sec. 58-121. Definitions are hereby amended to the following:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building permit means the building permit issued by the building official.

Certificate of occupancy means the building certificate of occupancy issued by the building official.

Combination accounts means accounts that contain both residential and nonresidential facilities, served through a common service.

Commercial, industrial and nonresidential. All other types of accounts not defined as an equivalent single-family residential unit will, for the purposes of establishing the applicable impact fee, be considered to consist of multiples of a single-family residential unit.

Effluent means sewage, water, or other liquid after some degree of treatment, flowing out of any treatment device or facilities.

Equivalent single-family residential unit (ERU). Each building designed for and occupied by one family (a single-family residence) served by the town through a single sewer service connection or a five-eighths-inch water meter shall constitute one equivalent single-family residential unit (one ERU). By definition, one equivalent single-family residential unit shall have the following characteristics:

- (1) Average sewage flow of ~~200~~ 130 gallons per day (GPD).
- (2) Average water consumption of ~~200~~ 130 GPD.
- (3) Sewage shall be domestic sewage.

Existing single-family residence means a single-family residence for which the building permit was issued by the building official on or before the effective date of the ordinance from which this article was derived.

Existing structure means a structure for which the building permit was issued by the building official on or before the effective date.

New water or sewer service shall mean service that was not previously provided at a given location. To the extent that service was previously provided at a location, the term only includes the water or sewer service that exceeded the previous service for which payment was made.

Each additional equivalent single-family residential unit occasioned by changes in property usage over and above the previous property usage shall be subject to a system development charge computed in accordance with whichever of the criteria contained in this article is applicable.

New structure means a structure for which a building permit was issued by the building official after the effective date.

Plumbing permit means the plumbing permit issued by the building official or such other official as may be empowered to issue plumbing permits.

Sewage means a combination of water-carried wastes from residences, business buildings, institutions, industrial establishments and other users, together with such groundwater, surface water and stormwater as may be present.

Sewer means a pipe which carries sewage and to which stormwater, surface water and groundwater are not intentionally admitted.

Sewer system means the sanitary sewer system owned, operated and maintained by the town, together with all extensions and expansions thereof and replacements thereto. It shall include the sanitary sewer collection system, force mains, pumping stations, treatment plants, effluent disposal facilities and all other related facilities required for the proper operation, maintenance, extension and expansion of the town's sanitary sewer system.

Sewer system development charge means the portion of the system development charge assigned by the town for the utilization by the user of portions of the town's sewer system.

Single-family residence means a building designed for and occupied by one family.

System development charge means the charge for the use of the town's water and sewer systems paid to the town by a user for utilizing portions of the town's water and sewer systems and held in a special fund or funds to be utilized to defray the cost of new facilities to the extent that new usage requires the expansion of the town's water and sewer systems. The system development charge is comprised of two separate charges: water system development charge and sewer system development charge, and shall be imposed accordingly.

User means any person, building or premises receiving service from the sewer or water system.

Vacant lots and/or structures means any lot and/or structure which had water and/or sewer service prior to the effective date of the ordinance from which this article is derived.

Wastewater is a term interchangeable with sewage as defined in this section.

Water system means the water system owned, operated and maintained by the town, together with all extensions and expansions thereof and replacements thereto. It shall include the water distribution system, supply wells, treatment plants, storage facilities, pumping stations, elevated tanks and all other related facilities required for the proper operation, maintenance, extension and expansion of the town's water system.

Water system development charge means the portion of the system development charge assigned by the town for the utilization by the user of portions of the town's water system.

Section 2.

Sec. 58-123. System development charge imposed is hereby amended to the following:

- (a) There is hereby imposed a system development charge, based on the equitable portion of the cost of financing the extension or expansion of the town's sewer and water systems, on the equivalent single-family residential unit (ERU) responsible for creating the need for additional construction of the water and sewer systems.

- (b) For existing structures situated inside the corporate limits of the town, the obligation for payment of the charge shall occur at the time application for water service or sewer service is made to the town. For existing structures situated outside the corporate limits of the town, the obligation for payment of the system development charge shall occur at the time application for water service or sewer service is made to the town.
- (c) For new structures situated inside the corporate limits of the town, the obligation for payment of the charge shall occur at the time the building permit is issued by the building official. For new structures situated outside the corporate limits of the town, the obligation for payment of the system development charge shall occur at the time application for water service or sewer service is made to the town.
- (d) The system development charge shall be as follows for each equivalent single-family residential unit. The methodology is outlined in the attached schedule A "Capacity Fee Analysis Report (Revised 07/04) for the Town of Hilliard by Mittauer and Associates, Inc."
 - (1) Water system development charge ~~\$514.00~~ \$330.00
 - (2) Sewer system development charge ~~1,688.00~~ \$1,885.00
 - (3) Total for both water and sewer ~~2,202.00~~ \$2,215.00
- (e) Payment of fees. System development charges shall be due and payable prior to issuance by the town building department of any building permit and no permit shall be issued until the system development charges have been paid in full.

Table I provides the basis of calculation for the equivalent single-family residential unit (ERU) and system development charge for any given connection. The figures shown in table I are listed for the sole and express purpose of calculating equivalent single-family residential units and system development charges and shall be used for that purpose regardless of the actual water and sewer requirements of the individual connection. Regardless of the calculation of the ERU as determined by table I, in no event shall the ERU for any nonresidential, commercial or industrial customer be less than 1.0 for the water system development charge and 1.0 for the sewer system development charge.

TABLE I

Building Use	Equivalent Single-Family Residential Unit (ERU)
Single-family residence	1.0
Apartment	1.0
Motel and hotel room	0.5
Duplex (0.95 per unit)	2.0
Triplex (0.95 per unit)	3.0
Quadruplex (0.95 per unit)	4.0

Townhouse	1.0
Mobile home	1.0
Church, auditorium, theater (per 100 seats)	1.0
Beauty salon, barbershop (per three chairs)	1.0
Laundromat (per machine)	0.1
Office, retail store, warehouse (per 1,000 square feet floor space or per ten employees, whichever is greater per toilet or urinal.)	1.0 0.2
Gas station	1.5
Nursing home (per bed)	0.5
Hospital (per bed)	0.6
School, toilets and kitchen (for every 70 students)	1.0
School, toilets, kitchen and gym (per 70 students)	1.0
School, toilets only (per 70 students)	1.0
Restaurant (per four seats)	0.2
Funeral homes	1.5
Shopping center	Per individual use
Condominiums	Per type, apartment or townhouse
Factory or industry (1)	As determined by town
Public institutions other than listed in this section (1)	As determined by town
Other uses not described in this section (1)	As determined by town

Related facilities (2)	As determined by town
Combination accounts (3)	As determined by town

- (1) The system development charge for these building uses shall be based on any and all information deemed relevant by the town. The prospective customers will be entitled to submit any plans, specifications or other information to substantiate projections of water consumption or sewage flows and may be required by the town to submit such substantiating information. If deemed necessary by the town, the town and the prospective customer shall enter into a written agreement formalizing the various terms and conditions to be complied with by the respective parties thereto. Such terms and conditions may include provisions for the metering and sampling of sewage flows for an appropriate period of time and the monitoring of water consumption. Such metering, sampling, and monitoring would be compared with original projections of water and sewer demands and appropriate adjustments made to the system development charge.
- (2) The system development charge for laundromats, restaurants, barbershops, beauty salons, and other individual uses listed in table I which may be contained in or associated with motel, hotel, retail store, office, apartment complex, condominium complex, mobile home park or other multifamily development shall be determined by using the ERU established for such individual use by table I and shall be in addition to the system development charge determined for the motel, hotel, retail store, office, apartment complex, condominium complex, mobile home park, or other multifamily development.
- (3) Accounts that contain both residential and commercial facilities served through a common meter or common sewer service may be treated as either residential or nonresidential, whichever method of computation results in the larger system development charge.

Section 3.

Sec. 58-124. Sewer System development charge to be related to strength of sewage is hereby amended to the following:

For any commercial use not listed in section 58-123, the industrial wastewater and water improvement system development charge formula shall be applied. The industrial wastewater improvement system development charge and water improvement system development charge shall be as follows:

- (1) *Wastewater improvement system development charge.* System development charge strength formula = $(Q/200 \cdot Q/130) (SS+BOD/600) (SDC)$ where:

Q = average day flow from facility in gpd.

SS = suspended solids concentration in mg/l.

BOD = biochemical oxygen demand in mg/l.

SDC = water or wastewater system development charge per ERU in dollars.

Estimates as to water use shall be made by the town council in consultation with the building official, and the strength factor used for calculation of the wastewater improvement trust fund charge shall be the quotient of strength of discharge from the connection in question, divided by the strength of discharge of an equivalent residential

use, as set forth above, provided that the multiplier shall not be less than one, in any case.

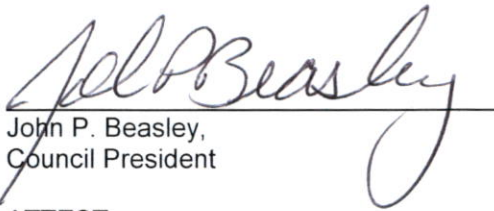
- (2) *Water improvement system development charge.* System development charge = (~~Q/200~~ Q/130) (SDC). In no case shall the multiplier be less than one.
- (3) *Adjustment for overestimated or underestimated water usage.* In the event the actual quantity of water used is ten percent or greater than the estimate quantity, after ~~three~~ twelve (12) months of metered data from normal operations is available, the user shall pay the town an additional water and/or wastewater system development charge, calculated using the difference between the actual usage and the estimated usage. Should the actual quantity of water used be ten percent or less than the estimated quantity, after ~~three~~ twelve (12) months of metered data from normal operations is available, the town shall refund to the user the difference calculated between the estimated quantity and the actual quantity used. Normal operation is defined as the quantity of water/sewer flow within ten percent of the flow as stated by the applicant on its most recent application, wherein the applicant has reached the design capacity of his operation.

Section 4.

Effective Date.


This Ordinance shall become effective upon passage.

Adopted this 18th day of October, 2018, by the Hilliard Town Council, Hilliard, Florida.



John P. Beasley,
Council President

ATTEST:



Lisa Purvis,
Town Clerk

APPROVED:



Cris W. McConnell,
Mayor

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Publication NCR: October 3, 2018
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