

MEMORANDUM

Date: February 27, 2014

To: Peter Lund, Manager
Utility Billing and Customer Service

From: Teresa Cannon, Deputy Clerk
Minutes & Records Department

Re: Validated Ordinance 2014-08

Attached for your records is a **copy** of the document referenced above (**Item #17D**) adopted by the Board of County Commissioners on **Tuesday, February 25, 2014**.

The original document will be held in the Minutes and Records Department for the Board's Official Record.

If you have any questions, please feel free to call me at 252-8411.

Thank you.

Attachment

**COLLIER COUNTY WATER-SEWER DISTRICT UNIFORM BILLING,
OPERATING AND REGULATORY STANDARDS ORDINANCE**

ORDINANCE NO. 2014 - 08

AN ORDINANCE AMENDING ORDINANCE NO. 2001-73, AS AMENDED, KNOWN AS THE COLLIER COUNTY WATER-SEWER DISTRICT UNIFORM BILLING, OPERATING AND REGULATORY STANDARDS ORDINANCE, BY AMENDING: SECTION ONE, DISTRICT RATES, FEES, CHARGES AND REGULATIONS; SECTION TWO, SUBMETERING; AND SECTION THREE, CITY OF NAPLES SERVICE AREA, IN ORDER TO REFLECT RECENT AMENDMENTS TO THE COLLIER COUNTY CONSOLIDATED IMPACT FEE ORDINANCE AS CODIFIED IN CHAPTER 74 OF THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR INCLUSION INTO THE COLLIER COUNTY CODE OF LAWS AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the original Collier County Water-Sewer District, also known as the County Water-Sewer District of Collier County (District), was approved on November 4, 1969, by voters of Collier County in accordance with the requirements of Chapter 153, Part II, Florida Statutes; and

WHEREAS, the Board of County Commissioners of Collier County, Florida, (Board) is the Ex-officio governing Board of the District; and

WHEREAS, in 2001, the Board enacted Collier County Ordinance No. 2001-73 to create a more simplified and efficient mechanism for water and sewer utility systems and for readers to more easily understand these regulations, which are applicable to the District's water, wastewater, and non-potable services; and

WHEREAS, the Board subsequently amended Ordinance No. 2001-73 through its adoption of Ordinance No. 2006-27 and Ordinance No. 2013-44; and

WHEREAS, the Board desires to further amend Ordinance No. 2001-73, as amended, in order to reflect recent amendments to Chapter 74 of the Collier County Code of Laws and Ordinances, relating to the timing of impact fee payments.

Words Underlined are added; Words ~~Struck-Through~~ are deleted.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AS EX-OFFICIO THE GOVERNING BOARD OF THE COLLIER COUNTY WATER-SEWER DISTRICT, that:

SECTION ONE: AMENDMENT TO SECTION ONE OF ORDINANCE NO. 2001-73, AS AMENDED.

Section One is hereby amended as follows:

SECTION ONE: District Rates, Fees, Charges and Regulations

* * * * *

1.4 District Regulation.

A. Application For Service.

* * * * *

3. The applicant property owner shall furnish to the District their full name and, street address, and a legal description of the property where service is to be rendered with respect to such application. The applicant may furnish contact details such as telephone number and email address and the full street address of the billing address if different from the service address, together with contact details. All ~~system development charges, impact fees,~~ connection and installation fees, new account and any other fees, rates and charges established by the District shall be paid in full at the time of application for service. The applicant shall also furnish the name of any tenant who may occupy the property and any subsequent changes of tenant.

* * * * *

F. Dates Bills Due and Delinquent; Discontinuance of Service for Non-Payment; Reinstatement Following Discontinued Service.

* * * * *

5. Billing for potable water, ~~sewer,~~ or IQ water services shall begin upon installation of the meters, billing for sewer services shall commence upon issuance of the Certificate of Occupancy, or Certificate of Completion.

Words Underlined are added; Words ~~Struck-Through~~ are deleted.



SECTION TWO: AMENDMENT TO SECTION TWO OF ORDINANCE NO. 2001-73, AS AMENDED.

Section Two is hereby amended as follows:

SECTION TWO – Submetering.

* * * * *

2.10 A landlord who is a property owner within the District and who provides water and/or sewer and/or IQ water services through a single master meter to multiple rental units or lots, within a single parcel, and who sells any of the units or lots, such that they become individual parcels, shall be responsible for notifying the District of the transactions. Separately metered water services, and as appropriate sewer services, and/or IQ water services are required to be provided to each new property resulting from the sale of such units or lots, prior to the issuance of Certificates of Occupation, or Certificates of Completion, or on change of ownership. The District will provide details of the approved administrative process and requirements that must be met to effect the requested change.

SECTION THREE: AMENDMENT TO SECTION THREE OF ORDINANCE NO. 2001-73, AS AMENDED.

Section Three is hereby amended as follows:

SECTION THREE – City of Naples Service Area.

* * * * *

3.3. The governing board of the District may attach reasonable conditions to the issuance of permits for distribution water main extensions ~~which conditions may include, but not be limited to, provisions for payment of system development charges or impact fees which are, or may be enacted by the County.~~

* * * * *

Words Underlined are added; Words ~~Struck Through~~ are deleted.



SECTION FOUR: CONFLICT AND SEVERABILITY.

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION FIVE: INCLUSION IN THE CODE OF LAWS AND ORDINANCES.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinances may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION SIX: EFFECTIVE DATE.

This Ordinance shall become effective upon being filed with the Secretary of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier County, Florida, this 25th day of February, 2014.

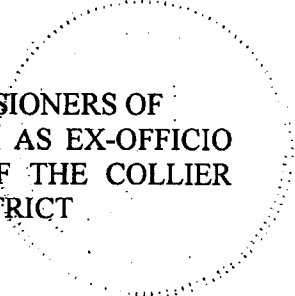
ATTEST:
DWIGHT E. BROCK, Clerk

BOARD OF COUNTY COMMISSIONERS OF
COLLIER COUNTY, FLORIDA; AS EX-OFFICIO
THE GOVERNING BOARD OF THE COLLIER
COUNTY WATER-SEWER DISTRICT

By: *Dwight E. Brock*
Attest as to Chairman's Deputy Clerk
signature only.

By: *Tom Henning*
TOM HENNING, CHAIRMAN

Approved as to form and legality:
Scott R. Teach
Scott R. Teach
Deputy County Attorney



Words Underlined are added; Words ~~Struck Through~~ are deleted.





FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

February 27, 2014

Honorable Dwight E. Brock
Clerk of the Circuit Court
Collier County
Post Office Box 413044
Naples, Florida 34101-3044

Attention: Martha Vergara, Deputy Clerk

Dear Mr. Brock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Collier County Ordinance No. 2014-08, which was filed in this office on February 27, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr
Enclosure

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