

**CUSTOMER RULES  
AND REGULATIONS**



**RESOLUTION NO: 06-10-05 A**

**October 5, 2006**

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## CUSTOMER RULES AND REGULATIONS

**The Public Health Security and Bioterrorism Preparedness and Response Act, PL 107-188, June 2002, established new penalties for tampering with a water system:**

- **Tampering is a felony punishable by up to 20 years in prison and a \$1,000,000 fine.**
- **Attempted or threatened tampering is a felony punishable by up to 5 years in prison and \$100,000 fine.**

**Tampering per PL 107-188 is introducing a contaminant into, or otherwise interfering with the operation of a public water supply with the intention of harming persons. A similar federal law for wastewater is anticipated.**

### 1.0 DEFINITIONS

1.1 "ADMINISTRATOR" – Englewood Water District Administrator.

1.2 "APPLICANT" is the owner of real property (a parcel or parcels) who has applied for water/wastewater/reuse water service for said real property.

1.3 "ASSESSMENT" - a fee imposed against any parcel benefited by construction of water/wastewater/reuse water infrastructure.

1.4 "AVAILABLE" – means that District water and/or wastewater systems(s), which has adequate permitted capacity to serve the parcel, is capable of being connected to any potable water or wastewater installations (to include but not limited to pipes, lines, valves, pumps, fixtures, appliances or apparatus of every kind) within the parcel and meets the following criteria:

1.4.1 For a residential or commercial parcel which has an estimated or actual water usage of less than 1,000 gallons/day, water and/or wastewater service is considered available if service exists in a public easement or right-of-way that abuts a property line of the parcel.

1.4.2 For a residential or commercial parcel which has an estimated or actual water usage of 1,000 gallons per day or more, or for a proposed residential subdivision with 50 lots or less, water and/or wastewater service is considered available if service is within 50 feet of a property line of the parcel or subdivision as accessed via existing right-of-way or utility easement.

1.4.3 For a proposed residential subdivision with more than 50 lots, for a proposed commercial subdivision, and for areas zoned or used for an industrial, or manufacturing purpose or its equivalent, water and/or wastewater service is considered available if service exists within one-fourth mile as measured and accessed via right-of-ways or utility easements.

1.4.4 For purposes of establishing availability, service shall mean the presence of a water main/line or wastewater gravity line, low pressure line, vacuum line or force main as appropriate for service requested.

1.5 "AWWA" - AMERICAN WATER WORKS ASSOCIATION

1.6 "BASE CHARGE" - a minimum charge to a Customer for fixed costs. This does not include any usage charges for water/wastewater/reuse water variable production costs that is a separate charge.

1.7 "BOARD"- Board of Supervisors of the Englewood Water District.

1.8 "CAPITAL CAPACITY CHARGE" - a charge imposed on new service to pay for capacity in the following systems:

1.8.1 WATER: (1) Plant Capacity/Transmission Systems with an

Allowance for Funds Prudently Invested  
(2) Distribution System

1.8.2 WASTEWATER: (1) Plant Capacity/Transmission System with an  
Allowance for Funds Prudently Invested  
(2) Collection System

1.9 "COLLECTION SYSTEM"- gravity lines, low pressure lines, or vacuum lines from the stub-out up to but not including the Lift Station, and/or vacuum lines up to and including the Vacuum Station.

1.10 "CROSS-CONNECTION" - any physical arrangement whereby the District water supply is connected, directly or indirectly, with any other water supply system, wastewater system, drain, conduit, pool, storage, reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewage or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the District water supply as the result of backflow. By-pass arrangements, jumper connections, removable sections, swivel or changeable devices and other temporary or permanent devices through which or because of which backflow could occur are considered to be cross-connections.

1.11 "CUSTOMER" - an Applicant or authorized agent of the Applicant, who has executed an application for water/wastewater/reuse water service, paid the applicable charges or fees, and to whom the District has agreed to supply water/wastewater/reuse water. A customer may be an individual, firm, partnership, corporation or other legal entity with capacity to enter into an agreement or contract.

1.11.1 "RESIDENTIAL CUSTOMER" - an Applicant or agent who has made application to the District for water, wastewater and/or reuse water service for a residential unit or units; who has paid the applicable charges or fees; and to whom the District has agreed to supply said water, wastewater and/or reuse water.

1.11.2 "COMMERCIAL CUSTOMER" - an Applicant or agent who has made application to the District for water/wastewater/reuse water service for a non-residential parcel(s) and has paid the applicable charges and fees, and to whom the District has agreed to supply said water/wastewater/reuse water.

1.11.3 "BULK CUSTOMER" - any Applicant that owns, operates and maintains a water, wastewater or reuse water system which provides service to more than two independent entities. Bulk Customers may include public utilities, or franchised or certificated private utilities.

1.11.4 "TEMPORARY WATER CUSTOMER" - any Customer of the District that accepts water from a hydrant or similar source utilizing a temporary water meter and has not paid Capital Capacity Charges. (A temporary water customer is an exception to the definition which requires ownership of the property serviced.)

1.11.5 "RENTAL CUSTOMER" - a tenant who is authorized by the landlord/parcel owner to be his agent for purposes of maintaining an account with the District. Also see 1.36, Rental Accounts.

1.12 "CUSTOMER'S INSTALLATION" - All pipes, shutoffs, valves, fixtures and appliances or apparatus of every kind and nature which are located on the Customer's side of the "Point of Delivery" and/or "Point of Collection" and used in connection with or forming a part of the installation necessary for rendering service to the Customer's premises, regardless of whether such installation is owned by the Customer or used by the Customer under lease or other agreement. (For low pressure wastewater systems, this definition is exclusive of the grinder pump and control panel installed and owned by the District.)

1.13 (Intentionally not used).

- 1.14 "DISTRIBUTION SYSTEM" – water lines providing service directly to Customers.
- 1.15 "DISTRICT" – the Englewood Water District (EWD,) to include its Board of Supervisors, employees and agents.
- 1.16 "ENABLING ACT" – Chapter 2004-439 Laws of Florida re-codifies EWD as an Independent Special District of the State of Florida.
- 1.17 "ERC" - Equivalent Residential Capacity. The average metered consumption of water in gallons per day for a typical single family residential unit in the District. The average wastewater demand in gallons per day for a typical single family residential unit in the District. The wastewater demand is a calculated average percentage of a water ERC.
- 1.18 "EWD" - Englewood Water District
- 1.19 "INACTIVE ACCOUNT" - an account for which the property has been liened for non-payment.
- 1.20 "I&I (Infiltration & Inflow) SURCHARGE" – applied when wastewater generated exceeds water consumed as determined by using industry standards for determining I&I contribution to flow.
- 1.21 "LIEN" - a legal claim against specific properties that can be enforced in Court to secure payment. District liens are 'government' liens in parity with County taxes.
- 1.22 "LOCK-OUT" - a process whereby a locking device is placed on a water meter to ensure termination of service as a result of non-payment of account.
- 1.23 "MAIN" - A pipe, conduit or facility used for conveying water, wastewater and/or reuse water.
- 1.24 "METER" - a device that registers flows of water, wastewater and/or reuse water.
- 1.25 "METER RE-INSTALLATION" - The installation of a water meter that was previously removed.
- 1.26 "METER REMOVAL" – The final step after Lock-Out and Account Inactivation for non-payment of an account.
- 1.27 "PARCEL" - Any real property with a unique property identification number assigned by a county for purposes of taxation.
- 1.28 "PAYMENT EXTENSION" – an additional time period for payment to be made granted to a Customer at the sole discretion of the District.
- 1.29 "PAYMENT SCHEDULE" - an agreement between a Customer and the District to pay for fees or services over a period of time.
- 1.30 "PLANT CAPACITY" – treatment capacity as specified by the Department of Environmental Protection.
- 1.31 "POINT OF COLLECTION" - the point of physical connection between the Customers' wastewater line and the District's line or inlet of wastewater meter.
- 1.32 "POINT OF DELIVERY" - the point of physical connection between the Customers' water and/or reuse water line and the outlet of the District's water meter/meter box.

- 1.33 "PROGRAM FEES" - a monthly charge on the utility bill that offsets a future fee or charge.
- 1.34 "RAW WATER" – untreated water from the wellfield to the water treatment plant.
- 1.35 "RE-ACTIVATION" – activation of account service once a delinquent account is paid in full and lien has been satisfied.
- 1.36 "RENTAL ACCOUNTS" – an account established with a tenant authorized to be the agent of the parcel owner (principal), for limited purposes of maintaining an account with the District.
- 1.37 "RESIDENTIAL UNIT" – a structure, a room or rooms which provides for independent housekeeping to include sleeping, sanitation and cooking functions. The Residential Unit may be connected to, separate from, within or without another structure.
- 1.38 "REUSE WATER" – reclaimed water which is the final product of the wastewater treatment process which meets all State standards and is suitable for irrigation of land generally accessible to the public.
- 1.39 "SERVICE" - water, domestic wastewater and/or reuse water service provided by the District to the Customer. May also include lift station maintenance services provided by separate agreements. For purposes of establishing availability, service shall mean the presence of a water main/line, gravity wastewater line, low pressure or vacuum line, or force main.
- 1.40 "SERVICE AREA" - The geographical area described in the District's Enabling Act and areas acquired by acquisition within Charlotte and Sarasota Counties.
- 1.41 "SERVICE FEES" - the rate(s) or charge(s) for a particular service.
- 1.42 "STUB-OUT" - same as "Point of Collection".
- 1.43 "SYSTEM" - everything necessary for the treatment, delivery, and or collection of water, wastewater and/or reuse water.
- 1.44 "TAMPERING" - Any act (direct or indirect) by the Customer, or by others, which act will or may harm any EWD system. Harm would include, but not be limited to: contamination of a system, reduction in operational efficiency, damage to infrastructure, loss of revenues or additional cost to EWD. Key elements are Customer's knowledge of the act and the act has the potential to harm (whether known or unknown) an EWD system. Also see PL 107-188 for Federal Definition of Tampering and federal penalties.
- 1.45 TAMPERING CHARGE. A charge imposed by the Administrator up to a maximum approved by the Board of Supervisors herein for tampering as defined above. The purpose of a Tampering Charge is to discourage acts which may harm any EWD system.
- 1.46 "TRANSMISSION SYSTEM"
- 1.46.1 Wastewater - lines coming out of vacuum stations or lift stations which go to the Water Reclamation Facility (WRF.)
- 1.46.2 Water - lines coming from the water treatment plant to distribution lines.
- 1.46.3 Reuse Water - lines coming from the WRF up to point of delivery.
- 1.46.4 Raw Water – lines coming from the wellfield to the water treatment plant.

1.47 "TURN ON/TURN OFF" – customer requested service by which EWD turns water on or off at the meter to avoid loss of water during extended periods of absence or under emergency conditions.

1.48 "USAGE" – the amount of flow registered through a meter.

1.49 "WASTEWATER" - an untreated domestic sewage and/or commercial water-based waste product.

1.50 "WATER" - a potable product of the water treatment plant.

1.51 "WATER CONSERVATION SURCHARGE" – A temporary surcharge placed on water usage rates when directed by Board resolution to encourage the conservation of water for a specific purpose.

## 2.0 GENERAL POLICIES AND INFORMATION

2.1 These rules and regulations are a part of the rate schedules, applications and contracts of the District, and in the absence of specific agreement to the contrary or action by the Board, apply without modification or change to each and every Customer to whom the District renders service.

2.1.1 In the event that a portion of these rules and regulations are declared null and void for any reason, by any court of competent jurisdiction, such decision shall in no way affect the validity of the remaining portions of the rules and regulations, unless such court order or decision shall so direct.

2.1.2 The District shall provide service to all Customers requiring such service within the territory described in its Enabling Act or acquisition documents upon such terms as are set forth in these rules and regulations. Service may be denied if it will create a financial hardship for the District to make service available.

2.1.3 The Enabling Act authorizes and empowers the District to require and enforce the use of its facilities whenever and wherever they are accessible in accordance with applicable general law and applicable local government comprehensive plans. All developed parcels with potable water and/or wastewater "customer" installation (to include but not limited to pipes, lines, valves, pumps, fixtures, appliances or apparatus of every kind) within the parcel must connect to the District's water and/or wastewater system when service is available within the shortest connection period as established by the following conditions:

- a. Within 30 days upon the failure of the onsite potable water well or the onsite sewage treatment and disposal system;
- b. As part of the construction of a modification to the Residential Unit or non-residential structure which would cause the onsite potable water well or the onsite sewage treatment and disposal system to be insufficient to provide the necessary capacity to provide service; connection must be made prior to the issuance of the Certificate of Occupancy by the local government responsible for the permitting of such modification; or
- c. Within 365 days after the date of written Notification of Water or Wastewater Service Availability. The District will provide written notification by first class mail to each property for which service is available.

NOTE: An existing, developed property with a water and/or wastewater "customer" installation will be considered connected to the District's system at the expiration of the connection period, **whether actual connection to the central system has been made or not**, with all fees, charges (except monthly usage charges until physically connected) and obligations being incurred per these Customer Rules and Regulations.

2.1.4 The Board may waive connection to an available District system under the following conditions:

- a. **Applicant Hardship Exception:** If the requirement for connection of a primary residential unit which is classified as one (1) Equivalent Residential Capacity, creates an economic hardship on the part of the property owner, and which has an onsite system(s) which is functioning properly in accordance with State and local regulations, such property may be exempt from connection to the District's system(s) during that time of economic hardship. Economic hardship is defined based on the eligibility criteria established by HCCC (The Housing Corporation of Charlotte County) for the administration of State Housing Initiative Partnership funds as it relates to homeowner rehabilitation assistance (which an Applicant must complete and submit to the HCCC annually for their review on behalf of the District.) Economic Hardship shall be granted on an annual basis. Subsequent to the determination of the economic hardship status of an Applicant, if i) the onsite system(s) fails or does not meet State and local regulations and must be upgraded or replaced; or ii) if the Applicant conveys or transfers the property, or the property is no longer Applicant's primary residence, the Applicant must connect to the District's system in accordance with Section 2.1.3 above.
- b. **Residential Acreage Exception:** If a residential unit which is classified as one (1) Equivalent Residential Capacity, is located on a parcel of land of five (5) acres or more and has an onsite system(s) which is functioning properly in accordance with State and local regulations, such property may be exempt from connection to the District's system(s). If the owner of such property has agreed in writing, to connect to the District's system(s) or subdivides the property, then the provisions for connection as provided herein shall apply. All other classes of customers shall be subject to connection to available District system(s) regardless of parcel size.
- c. **District Hardship Case Exception:** If the requirement for connection would create an economic hardship on behalf of the District.

2.1.5 For Residential and Commercial Customers, the District provides service to a parcel, not an individual. All aspects of District provided service to include, but not limited to, capital improvements, assessments, purchased capacity, liens, legal notice, billings, fees and charges "run with the land."

## 2.2 "EQUIVALENT RESIDENTIAL CAPACITY" (ERC)

The use of equivalent capacities ensures all customers are similarly charged for equivalent levels of service. An ERC, as used within this document, is a historically defined gallons-per-day unit of measure specific to the District. ERC units are used to calculate Capital Capacity Charges (CCC), assessment fees, monthly base facility fees, and usage charges. The gallons per day (GPD) per one (1) ERC may change from time to time based on District production/treatment data. ERC units calculated and assigned to non-single family residential accounts may also change from time to time as account usage changes. Account capacity requirements will be expressed as ERCs and will be calculated as follows:

- 2.2.1 **A single-family residence by definition is one (1) ERC.** Any individual Residential Unit, to include those within a multi-residential complex (such as a condominium, apartment, townhouse, duplex or other multiplex,) will be considered to be single family residences and by definition will be one (1) ERC.
- 2.2.2 As an exception to 2.2.1, a single parcel that is not homesteaded with 4 or more rental units with common ownership that are served by a master meter shall be considered to be a business. ERCs shall be determined as in subparagraph 2.2.3, below. Should the Applicant/owner reside in one of the units in a multi-residential rental complex, said unit will be considered a single family residence and the remaining units will be considered to be a



business. The Applicant's residential unit should be separately metered from the business.  
(Amended by Res.# 07-05-17 A)

- 2.2.3 Capacity requirements for a non-residential parcel (commercial customers) will be converted to equivalent residential capacities by dividing the account's metered or estimated (using accepted engineering practice) annual average daily flow (AADF) by the GPD (as assigned herein) for one (1) ERC.
- 2.2.4 The minimum ERC assigned to any parcel or Point of Collection or Point of Delivery shall be one (1) ERC. (A single parcel with a Point of Collection and a Point of Service is 1 ERC for water and wastewater.)

### 2.3 CAPITAL CAPACITY CHARGES (CCC)

The District invests millions of dollars in capital infrastructure to meet future service demands as new customers connect to District systems. Florida Growth Management laws allow utilities to charge "new growth" for costs of providing service to new customers. The District bills Capital Capacity Charges to recoup a portion of the cost of capital infrastructure as new customers utilize available capacity within District systems. CCCs are grouped per paragraph 1.8.

2.3.1 Once CCCs are paid, the purchased capacity expressed in ERCs shall become a part of the real property and shall remain with the real property when title is transferred to a new owner.

2.3.2 For new development, the District will approve the expected annual average daily flow (AADF) for the development in ERCs based on accepted engineering guidelines or historical flows from similar facilities and will calculate the CCCs. Since the initial developer agreement or request for service is based on an estimate, the ERCs and CCCs are subject to upward adjustment should actual flows within the first 5 years exceed the initial estimates. The initial estimate and upward adjustment, if needed, are considered to be a one-time billing event. The estimate and a one-time adjustment minimize the risk for both the Customer and the District. A downward adjustment will not be made unless there is a governmental rezoning or restriction subsequent to the service agreement that would reduce the potential AADF from what was initially envisioned.

2.3.3 Also see paragraph 13.2.

### 2.4 FREE SERVICE

The District will not render, or cause to be rendered, any service without charge.

### 2.5 POLICY DISPUTE

Any dispute between the District Administrator and the Customer, prospective Customer, or former Customer, regarding the meaning or application of any provision of these rules and regulations shall, upon written request, be resolved by the Board of Supervisors.

## 3.0 APPLICATION TO ESTABLISH SERVICE.

3.1 Service is furnished only after proper application, District approval of said application and payment of all applicable charges and fees. The conditions of such application or agreement are binding upon the Customer and the District. Applications are accepted by the District with the understanding that District approval is subject to service availability.

3.2 Application for service for a single-family residence or transfer of ownership may be made by short form. A Developer Agreement will be required for new construction that will require service in excess of 1

ERC. The applicant shall furnish to the District a documented legal description of the property to include all Parcel Information Numbers (PIN), the street addresses at which service is to be rendered, and the mailing address where the District bill will be sent.

3.3 Application for service for all parcels within the District's service area must be made to the District. However, the District incurs no responsibility or liability to provide service if a financial hardship on the District would result from providing the service.

3.4 When District water and wastewater service is available to a parcel, water service will not be provided without wastewater service. Florida law requires connection to central wastewater when available. Also see 2.1.3.

#### **4.0 LIMITATION OF USE**

4.1 The use of water, wastewater and/or reuse water service(s) is limited strictly to the parcel or development, for the intended purposes and in the amounts described in the application for service or development Agreement. Resale of service or the supplying of service to any other parcel is prohibited, unless authorized in writing by the District.

4.2 In case of unauthorized extension, re-metering, sale, or disposition of service, the Customer's service will be subject to discontinuance until such unauthorized activity is discontinued and full payment of all outstanding amounts due is made.

#### **5.0 CONTINUITY OF SERVICE**

5.1 The District will use reasonable diligence to provide continuous service, and having used such reasonable diligence, shall not be liable to the Customer for failure or interruption. The District shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accidents, litigation, breakdowns, shutdowns for emergency repairs or adjustments, acts of sabotage, enemies of the United States, wars, Federal, State, Municipal or other governmental interference, acts of God or other causes beyond District's control.

5.2 Customers requiring uniform pressure of water or reuse water shall install, at their expense, the equipment needed to insure uniform pressure.

5.3 Customers requiring a large amount of water in a short period of time shall install, at their expense, adequate interceptor or storage tanks of a type approved by the District.

5.4 Customers requiring continuous service shall have parallel installations. Testing of backflow prevention devices requires a water shutdown of about one (1) hour. For facilities that require an uninterrupted supply of water, and when it is not possible to provide water service from two separate meters, provisions shall also be made for a parallel installation of backflow prevention devices. The District will not accept an unprotected bypass around a backflow prevention device when the device is in need of testing, repair or replacement.

#### **6.0 CUSTOMERS' SYSTEM CONSTRUCTION AND MAINTENANCE**

6.1 The Customer's Installation shall be installed, used and maintained in accordance with standard plumbing practice, State and County building codes, District rules and regulations, and shall comply with all laws and governmental regulations applicable to same.

6.2 The District shall not be responsible for the maintenance and operation of the Customers' Installation. The Customer shall keep all privately owned water, wastewater and/or reuse water pipes, including vacuum air inlets, low pressure lines, gravity lines, backflow assemblies, and all plumbing fixtures in repair and promptly

stop all leaks on their premises. However, the District may inspect, test and make repairs on private property to protect District systems, public health or the environment as determined to be necessary in the sole judgment of the District. Actual cost of said inspections, tests or repairs shall be charged to the Customer. Said charges may be waived at the sole discretion of the District.

6.3 The Customer expressly agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the service or the system. The District reserves the right to discontinue or withhold service to any customer utilizing such apparatus or device.

6.4 Private gravity collection systems shall be maintained and repaired to minimize stormwater or groundwater inflow and infiltration (I&I) into the system. An I&I surcharge may be applied to the account if the account is determined to be a significant contributor of I&I, relative to their service, to the District's wastewater system.

## **7.0 NO CHANGE OF CUSTOMERS' INSTALLATION**

No changes in the Customers' installation, which will materially affect the proper operation of a District system, shall be made without written consent of the District. The Customer will be liable for any costs resulting from a violation of this rule.

## **8.0 INSPECTION OF CUSTOMERS' INSTALLATION**

All service connections and changes thereto shall be installed and maintained in accordance with all applicable rules including State and County plumbing/building codes and District rules and regulations. The District shall inspect the Customers' initial connection to any District line prior to rendering service. District reserves the right to inspect any Customer Installation from time to time thereafter for proper maintenance and compliance with plumbing/building codes, but assumes no responsibility whatsoever for any portion thereof.

## **9.0 PROTECTION OF DISTRICT PROPERTY**

The Customer shall protect the District's property on the Customer's premises, and shall permit no one but the District's agents, or persons authorized by law, to have access to the District owned property. The Customer shall be liable for a tampering charge, any costs to the District arising out of the willful action, and possible loss of service; also refer to paragraph 23.1. Tampering with the intent to harm persons, under current federal law is subject to imprisonment up to 20 years and fines up to \$1,000,000.

## **10.0 CROSS CONNECTION AND BACKFLOW PREVENTION PROGRAM.**

The purpose of the District's Cross Connection Control and Backflow Prevention Program is to protect the District's potable water distribution system from the possibility of contamination or pollution by containment of a potential contaminant or pollutant within the Customer's Installation where it arose. The Customer's Installation shall conform to all applicable rules including county and state building codes and Health Department requirements to eliminate the possibility of contamination or pollution of potable water within the Customer's Installation. The District's Cross Connection Control and Backflow Prevention Program shall comply with standards set forth by the Florida Department of Environmental Protection as provided within F.A.C. Chapter 62-555.360, Cross-Connection Control for Public Water Systems, F.A.C. Chapter 62-555.330(6), Guidance Documents for Public Water Systems which incorporates AWWA Manual M-14, and F.A.C. 62-610.450 which establishes public access reuse requirements as amended. Failure to comply with any provision of these Cross Connection and Backflow Prevention rules may result in immediate termination of service.

10.1 CROSS CONNECTION CONTROLS. There shall be no connection of a potable private well, irrigation private well, reuse irrigation system, wastewater system or similar systems of any kind to the District's potable water distribution system.

10.2 BACKFLOW PREVENTION. Every potable water Point of Delivery will incorporate a backflow prevention device or assembly appropriate for the degree of potential hazard (health/high hazard or non-health/low hazard). Selection of the appropriate backflow prevention device or assembly (using principles within AWWA Manual M-14) to be used at any Point of Delivery to best protect the District's water distribution system shall be at the sole judgment of the District.

10.2.1 Health/High Hazards. All new potable water Points of Delivery capable of creating a health/high hazard per AWWA Manual M-14, or as determined by the District shall be installed with an above-ground, approved (meets AWWA standard C511) reduced pressure backflow prevention assembly (RPBA) prior to receiving service. Any change in use of an existing Point of Delivery which will create the possibility of a health/high hazard will require installation of an approved RPBA. All costs associated with the installation of a RPBA shall be the responsibility of the Customer. The Customer shall be responsible for annual testing and maintenance of the RPBA. A copy of the certified annual test results will be provided to the District.

- a. Hospitals, mortuaries, clinics, laboratories, petroleum storage facilities (gas stations), sewage facilities, commercial laundries, food and beverage processing facilities (butcher counters, restaurants, etc.) docks, dockside facilities, marinas, beauty shops, chemical facilities, or facilities where inspection is limited (to list a few examples from AWWA M-14) are classified as having potential health/high hazard risks and will be isolated from the District's distribution system by an approved RPBA.
- b. All Commercial accounts with a meter or a master meter 1 inch or larger in size shall be isolated from the District's distribution system by an approved RPBA.
- c. A residential parcel with a potential health/high hazard, such as dock side facilities, will be isolated from the District's distribution system by an approved RPBA

10.2.2 Non-Health/Low Hazards. All new, non-health/low hazard potable-water Points of Delivery shall be installed with a 5/8 inch below-ground District approved Double Check Meter Assembly (DCMA) or an above-ground, approved (meets AWWA Standard 510) Double Check Valve Assembly (DCVA) in combination with a residential meter 1 inch or larger before service is provided. Existing non-health/low hazard Points of Delivery without an existing backflow prevention device of any kind shall be provided with a DCVA or DCMA upon change of ownership before service will be provided to the new owner. Non-health/low hazard backflow prevention devices shall be tested by certified technician every 60 months.

- a. The District shall be responsible for installing, maintaining and testing all below-ground, 5/8 inch Double Check Meter Assemblies at non-health/low hazard Points of Delivery (which may include service for a private swimming pool and/or a District supplied potable water or ruse water irrigation system without chemical additives) at a cost to the customer as provided herein. Meters assemblies will be replaced by the District, at District expense, approximately every 15 years.
- b. All existing DCVA's at non-health/low hazard Points of Delivery shall be maintained and tested at the sole cost of the customer until such time that the meter assembly is replaced by the District with a 5/8 inch Double Check Meter Assembly. A copy of the certified test result shall be provided to the District.
- c. Residential, non-health/low hazard Points of Delivery which required a 1 inch or larger meter or master meter shall be installed with an above-ground, approved DCVA. The DCVA shall be installed, maintained and tested at the sole cost of the customer. A copy of the certified test results shall be provided to the District.

10.2.3 Fire sprinkler systems without chemical corrosion or anti-freeze additives are classified as non-health/low hazards and will be isolated from the District’s distribution system with an approved DCVA.

**TABLE 10 - Backflow Prevention Assembly Application**

	Non-Health/Low Hazard	Heath/High Hazard
Residential 5/8” meter	DCMA	RPBA
Residential 1” or > meter	DCVA	RPBA
Commercial 5/8” meter	DCMA	RPBA
Commercial 1” or > meter	RPBA	RPBA
Fire Sprinklers	DCVA	RPBA (w/chemicals)

DCMA – Double Check Meter Assembly below-ground provided by District (test 5 years)  
 DCVA - Double Check Valve Assembly above-ground provided by Customer (test 5 years)  
 RPBA - Reduced Pressure Backflow Assembly above-ground provided by Customer (test 1 year)

**11.0 ACCESS TO PREMISES**

The District shall have access to District property within private property at all reasonable hours for the purpose of meter reading, installing, maintaining, inspecting or removing the District’s property,, emergency mitigation as required in the sole judgment of the District to protect District systems, public health and/or the environment, and other purposes incident to the performance under or termination of the District’s agreement with the Customer, and in such access shall not be liable for trespass. Access to the water meter or other District property shall not be obstructed by animals, bushes, fences or any other condition that would prevent the District’s personnel safe access.

**12.0 RIGHTS-OF-WAY OR EASEMENTS REQUIRED FOR CUSTOMER'S SERVICE**

The Customer shall grant or cause to be granted to the District and without cost to the District, all rights, easements, permits and privileges which are necessary for the rendering of the requested service for the benefit of the Applicant.

**13.0 BILLS FOR SERVICE**

Bills for water and/or wastewater service will be rendered monthly, and for reuse service will be billed quarterly. Bills will be considered received by the Customer when mailed to the service address or other address as designated by the Customer. Non-receipt of bills by the Customer shall not release or diminish the obligation of the Customer with respect to payment thereof.

13.1 At a Customer’s written request the District will send bills to and receive payment from, an agent or tenant. This accommodation will in no way relieve the owner/principal of liability for charges, and the District shall not be obligated to notify the owner/principal of non-payment of bills by such agents or tenants.

**13.2 CHARGES**

13.2.1 Monthly Base Facility Charges will commence on the effective date of the service agreement in that capacity is reserved as of the effective date. Typically the date of application for a single family home will be the effective date of the agreement. Base Facility Charges for new customers will typically be based on purchased capacity expressed in ERCs. Base Facility

Charges for “long-term” customers will typically be based on metered usage, Annual Average Daily Flow (AADF) expressed in ERCs. The Base Facilities Charge applied to a monthly bill will be based on the greater of purchased ERCs or usage ERCs. ERCs for purposes of Base Facilities Charges may increase with time due to increased usage, without purchase of additional capacity, CCCs.

- 13.2.2 Monthly usage charges will typically not start until the date of installation of the meter; tap of the wastewater main; or connection to the wastewater stub-out, which ever occurs first. Once a water meter is provided, usage charges will begin for both water and wastewater services, if both are available for use. Rates will be depicted in thousand of gallons increments, and monthly charges will be calculated on a per gallon basis.
- 13.2.3 Capital Capacity Charges (CCCs), are a one-time charge for new demand placed upon available system capacity. Also see Sections 1.8 and 2.3.
- a. CCCs for new development or expansion/change-of-use of existing facilities are due as of the effective date of the service agreement.
  - b. CCCs for existing facilities, when the service is brought to the existing Residential or Commercial facility, may be financed with the District per terms as provided herein.
  - c. CCCs imposed by special assessment (typically for distribution or collection lines) shall be due per the terms of the special assessment resolutions which may supercede these Rules.
- 13.2.4 The terms of a negotiated Developer Agreement may be unique to a specific development. However, CCCs under a Developer Agreement are typically payable on or before the submittal of the Department of Environmental Protection (DEP) Certification of Completion of Construction. In cases where a DEP Certification is not required, the CCC will be payable as of the effective date as defined within the Developer Agreement.

13.3 When water and wastewater services are provided, payment for water service shall not be accepted without the concurrent payment for wastewater service. The District may discontinue any service to the Customers’ premises for non-payment of any District bill in full. The District shall not re-establish or reconnect service until such time as all billed fees, charges and penalties are paid.

13.4 When the District determines that a Customer has been overcharged or undercharged, the amount shall be credited or billed to the Customer as the case may be.

### 13.5 WATER/WASTEWATER ADJUSTMENT RULES

Based on circumstances, facts and evidence available, the Administrator may authorize, at his sole discretion, a reduction to the Usage Charge portions of a Customer’s bill. There will be no adjustment of water or wastewater Base Facility Charges.

13.5.1 The Water Usage Charge portion of the bill may be reduced by 50% if all of the conditions listed below are met:

- a. The account must be in existence for a minimum period of one year.
- b. The usage must be at least three times the annual average monthly usage, based on the last 12 month consumption history.
- c. The cause of water consumption cannot easily be determined, or would not be readily apparent to the Customer, either audibly or visibly and was not the result of any carelessness or negligence on the part of the Customer, or any other party.
- d. The District has not granted an adjustment under this section to this account in the previous three (3) years.

- e. The maximum rate utilized to calculate the Water Usage Charges adjustment shall be the third tier; that is the lowest and second lowest rate shall be applied and all additional water usage shall be billed at the third lowest rate. The resulting Usage Charge shall then be shared equally between the customer and the District.

13.5.2 The Wastewater Usage Charge portion of the bill may be reduced as follows:

- a. When a known amount of metered water usage is known as a fact to have not entered the wastewater collection system (for example when a Customer reports filling a swimming pool), the measured or estimated amount of water usage known to have not entered the wastewater system may be subtracted from the total metered water gallons for the period for purposes of calculating the wastewater usage charge. There is no limitation on the number of times this adjustment may be utilized based on factual conditions.
- b. When all the conditions/limits within section 13.5.1 are met for a water usage adjustment as defined above, and it is determined or believed by the District that the excess water usage did not enter the wastewater collection system, the wastewater usage charge may be billed based on the Residential, Commercial or Rental Customer's annual average monthly usage.
- c. When all the conditions/limits within section 13.5.1 are met for a water usage adjustment and it is determined or believed by the District, that the excess water usage did enter the wastewater collection system; customer wastewater usage charges may be reduced by 50%.

13.5.3 New landscape required by the County to obtain a Certificate of Occupancy or required by code enforcement will be allowed a 90 day period for establishment of root systems. During the 90 day period the maximum water usage rate attributable to landscape irrigation will be that cost per 1,000 gallons associated with the 8,000 to 12,000 gallon usage range. When requesting an adjustment, the Customer must provide proof of County requirement and proof of landscape installation. Wastewater usage charges may also be reduced per 13.5.2 a above.

13.6 When determined by the Administrator, miscellaneous costs incurred by the District in the day-to-day administration of an individual Customer account may be "passed-on" to the Customer, without markup, as long as the Administrator's determination is applied consistently to all customers within the same class. The Administrator's determination will be made in writing with a copy to the Board. It is recognized that these costs by nature will change from time to time, and that said changes in costs are beyond the control of the District. Typical miscellaneous costs may include, but are not limited to, the following:

- a. The cost of obtaining a water-meter reading from another utility to allow wastewater billing by the District.
- b. Credit card associated charges incurred by the District when the Customer elects to utilize a credit card to pay the District.
- c. County document recording fees.

#### **14.0 DISCONTINUATION OF SERVICE**

The District may discontinue Service for any of the following reasons:

- a. Non-payment of bill(s), or portions thereof, for service, fees and/or charges as provided for herein.
- b. Willful waste of water and/or reuse water.
- c. Tampering by the Customer or by others with the Customer's knowledge.
- d. Addition of residential or commercial units without proper application.
- e. Violation of any rule or regulation of the District.

14.1 In addition to discontinuing service, the District has the right to pursue any action at law or equity when any of the forgoing actions occur.

14.2 When service has been discontinued, it will be resumed only after the conditions, circumstances, or practices that caused the service to be discontinued are corrected to the satisfaction of the District, and after payment of all charges due and payable.

14.3 A customer may request service be turned-on, turned-off or discontinued on a date certain with written notice 2 full work days (Monday through Friday less holidays) in advance of the date certain subject to charges as established herein.

14.4 When service is discontinued for any reason, the monthly base facility/availability charge(s) will continue to apply. (Amended by Res. #07-05-17 B)

14.5 When service has been discontinued due to violations of these rules, the water and/or reuse water meter may be removed at the sole discretion of the District.

### **15.0 DELINQUENT BILLS**

The Customer is responsible for the payment of all service charges, fees, penalties or other amounts owed pursuant to lawful billing by the District. There shall be no liability of any kind against the District for the discontinuance of service due to a Applicant's or Customer's failure to pay a bill or portions thereof as required herein. A delinquent bill is defined as any dollar amount owed the District which has not been paid within 20 days after the latter of the billing date or the mailing date.

15.1 Payments may be made at the District office, by mail, by bank draft, credit card or other methods that may be established by the District. If an account has not been paid in full within twenty (20) days after the bill has been mailed to the address on record, the account will be considered delinquent and a penalty as established herein shall be added to the account. After thirty (30) days from mailing of the initial bill, a Lock-Out notice will be mailed to the billing address on record.

15.2 Fifteen (15) days after a Lock-Out notice is mailed (45 days after bill mailing) to Customer's billing address on record, if the delinquent bill remains unpaid, service will be terminated by placing a locking device on the meter. Upon termination, or District personnel arriving at the property for purposes of termination, payment of all charges due, including trip fees, shall be required to re-establish service.

15.3 After 120 days of non-payment from the date the bill was mailed, the account will be made In-Active and a Notice of Lien will be filed on the property. In addition to delinquent amounts, the cost of preparing, filing, recording and release of any lien must all be paid in full before service is restored.

15.4 If an account has been delinquent for a period of twelve (12) months since the date the bill was mailed, a certified notice shall be mailed to Customer's address, as recorded with the County Tax Assessor's Office, notifying them that all service will be terminated and the water meter removed. In addition to delinquent amounts, meter re-installation fees, trip charges and administrative fees to re-establish the account must be paid in full before service is restored.

### **16.0 RESTORING SERVICE**

When service is discontinued in accordance with Sections 14 or 15, it will be restored within forty-eight (48) hours (exclusive of weekends and holidays) after payment in full of all amounts due as established herein and corrective action has been taken to eliminate any condition in violation of District rules.

### **17.0 CHANGE OF OWNERSHIP OF APPLICANT OR CUSTOMER**



The District is not a party to the sale of real property within the District. All District fees and charges run with the land. It is the responsibility of the Buyer and Seller to determine responsibility for payment of District fees and charges associated with the real property.

17.1 When a Rental Account change of tenant is known, the tenant, landlord or owner shall inform the District prior to the date of change. Upon vacation of the parcel/property by the tenant, the District must obtain full payment of all fees and charges incurred by the tenant before the tenant may open a new account with the District. Billing will remain with the property and ultimate responsibility for payment will be with the account principle, the parcel/property owner.

17.2 When requested, the District will provide a special meter reading and bill within forty-eight (48) hours of receiving the request (excluding weekends and holidays) and will provide a statement of the amount due for service as of the date specified by the Applicant or Customer. Charge for this service will be made as provide herein.

## **18.0 UNAUTHORIZED CONNECTIONS**

Connections to the District's system(s), unless specifically authorized in writing, are to be made by or under the supervision of the District. Any unauthorized connections shall be subject to immediate discontinuance, without notice. Service shall not be restored until such unauthorized connections have been removed, and until settlement is made in full for all water, and/or wastewater and/or reuse water service estimated by the District to have been used by reason of such unauthorized connection. Customer may also be subject to tamper charges, reimbursement of District costs and other fees and charges that may be applied.

## **19.0 METERS**

19.1 In general, a single meter will be required to provide service to a single parcel. In an effort to maintain accountability for consumption, conservation, payment of bills and application of liens, master meters serving multiple parcels with multiple owners will not be allowed. Master meters installed under an executed Master Meter Agreement or a Developer Agreement will remain in effect. A master meter may be allowed at the sole discretion of the District under the following two conditions:

- a. When an owner association, by recorded legal instrument, is singularly responsible for providing water and wastewater service for all parcels within the association and the association will indemnify and defend the District against any action by any owner in cases involving breach, default or negligence by the association and providing that the District may lien any or all parcels within the association during any period of association default or breach as provided by law or as provided by District Rules and Regulations in association with administration of the account.
- b. When all parcels served by the master meter have, and continue to have, common ownership and any or all parcels are subject to District lien during any period of contractual default or breach as provided by law or as provided by District Rules and Regulations in association with administration of the account.

19.2 The District shall provide 5/8" to 2" meters at a fee established herein. The meter shall remain the property of the District, and shall be accessible and subject to District control. The location of the meter and backflow device will be designated by the District. The District will make reasonable efforts to accommodate the desires of the Customer when locating the meter and backflow device.

19.3 Maintenance of District owned meters will be the responsibility of the District. Damage to a meter due to Customer's negligent or willful act will make the Customer liable for a tampering charge, all costs to repair or replace the meter and potential loss of service. The Customer shall promptly notify the District of any defects in, or damage to the meter or the service connection. Please note the valve on the water meter is only to be operated by the District. District personnel are on-call after hours should an emergency shut-off be required.

19.4 The District shall test a meter for calibration of flow rates upon request of the Customer. If the meter is found within tolerance levels, a charge to the Customer as provided herein will be made for the test. If the meter is out of tolerance, as established herein, there will be no charge to the Customer for the test or replacement meter.

## **20.0 ALL WATER THROUGH METER**

That portion of the Customers' installation for water or reuse water service shall be so arranged to ensure that all water or reuse water shall pass through the associated meter. Temporary connections are only permitted when a Temporary Water Customer account with a temporary water meter is established with the District. Under no circumstances will any connection be allowed which may permit water or reuse water to by-pass the meter or metering equipment.

## **21.0 METER ACCURACY**

All meters used for measuring quantity of water or reuse water delivered shall be in good mechanical condition, and shall be adequate in design for the type of service that they measure. Meters are tested for accuracy before installation. The District may remove a meter for test, repair and/or maintenance at any time.

21.1 METER ERROR - When meter tests are made by the District, the accuracy of the meter shall not be more than 102% nor less than 95% of the water or reuse water flowing through it. If a meter is found to be in error, usage charges for the latest two billing periods will be adjusted based on previous billing history.

21.2 ESTIMATED BILLS - If the meter should fail to register for any reason, or if the District employee should be unable to read the meter for any reason, an estimated bill will be issued. The District may also estimate a bill as an operational cost saving measure, or to accommodate a temporary workforce shortage, or for such other reason as determined by the District. A customer's bill will not be estimated more than once a quarter when estimated for the sole purpose of reducing operational costs. Previous billing history will be used to calculate the estimated bill.

## **22.0 FILING OF CONTRACTS**

Whenever a Contract for Service, Special Contract or Developer Agreement is entered into by the District for the provision of service(s) in a manner not specifically covered by these Rules and Regulations or approved rate schedules, a copy of such contract(s) or agreement(s) shall be filed with the Clerk of the Circuit Court in the County where the service is provided. Special Contracts or Agreements will control if provisions differ from these rules and regulations.

## **23.0 WASTEWATER SERVICE**

23.1 The Customer shall not discharge or cause to be discharged, waters, such as storm water, surface water, ground water, roof run-off, surface drainage, or cooling water, into the District's wastewater system. The Customer shall be subject to a tampering charge and possible discontinuation of all service in this event.

23.2 The Customer shall not discharge or cause to be discharged into the District wastewater system any waste harmful to the system to include but not limited to the following:

- a. Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid(s), solid(s), or gas(es).
- b. Antibiotics, toxic or poisonous solids, liquid, or gases in any quantity, either singly or by interaction with other wastes, which would injure or interfere with any waste treatment process,

constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.

- c. Any waters or wastes having a pH lower than 5.5 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the wastewater facilities.
- d. Any liquid having temperature greater than 150 degrees Fahrenheit.
- e. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or otherwise interfering with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw shaving, metal, glass, rags, feathers, tar, plastics, wood, lint, un-ground garbage, whole blood, manure, hair, entrails, paper dishes, cups, containers either whole or ground by garbage grinding, excessive grease, paint thinners, floor and paint stripping compounds.
- f. Any chemical compounds producing toxic, flammable, or explosive gasses either upon acidification, alkalization, oxidation or reduction.
- g. Any waste from industrial processes, hospital procedures or commercial processes containing viable pathogenic organisms.

23.3 The maximum allowable values for certain material in, or characteristics of wastewater which, when entering the District's wastewater system and measured at the point of discharge shall be governed by the standards of the U. S. Environmental Protection Agency, the Florida Department of Environmental Protection and the Water Pollution Control Federation. In defining and interpreting these values references shall be made to Standard Methods for the Examination of Water and Wastewater, American Water Works Association, latest edition. These aforementioned limitations apply to all users within the District's wastewater system. In the event that State and Federal regulatory agency regulations require a specific pretreatment concentration, the regulation more stringent shall apply.

23.4 If any waters or wastes are discharged or are proposed to be discharged into the District's wastewater system which contain or possess the restricted or prohibited characteristics enumerated in these rules, and which in the sole judgment of the District may have a deleterious effect upon the wastewater facilities, process, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the District may:

- a. Reject the wastes,
- b. Require pretreatment to an acceptable condition for discharge to the District's wastewater system,
- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover added cost of handling and treating the wastes not covered by wastewater rates and charges under the provisions of District rules.
- e. Discontinue service.

If the District permits the pretreatment or equalization of waste flows, the design and installation of the facilities and equipment shall be subject to the District's review and approval.

23.5 Grease, oil and sand interceptors shall be provided by the Customer when in the opinion of the District, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, flammable wastes, sand or other harmful ingredients. All interceptors shall be approved by the District and shall be located as to be easily accessible for cleaning and inspection. The Customer shall be

responsible for the proper inspection and maintenance of these interceptors and for the proper removal and disposal, by appropriate means, of the captured material and shall maintain records of the dates and means of disposal of the captured material. These records are subject to review by the District. Licensed waste disposal firms must perform any removal and hauling of the collected materials.

23.6 All facilities with outside grease interceptors shall provide proof of grease removal and quarterly inspections of grease interceptors to the District. Failure to do so may result in discontinuance of service.

23.7 Authorized agents and employees of the District, bearing proper credentials and identification, shall be permitted to enter all properties at regular hours for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the District system in accordance with the provision of these rules. Authorized personnel may also enter all properties upon which the District holds an easement for the aforementioned purposes. All entry and subsequent work on said easement shall be done in full accordance with the terms of any easement pertaining to the property involved.

23.8 Grease interceptors shall be cleaned as often as necessary to maintain at least 50 percent of their grease retention capacity.

23.9 Where pretreatment or flow-equalizing facilities are provided or required for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the Customer, at their expense.

23.10 When the District determines that a Customer's discharge may be injurious to the District's systems or may violate these rules, at the District's request, the Customer install a suitable structure, together with such necessary meters and other appurtenances to facilitate observation, sampling and measurement of the wastes. Such structure shall be constructed at Customer's expense and shall be accessible and safely located, and shall be constructed in accordance with plans approved by the District.

23.11 The District may require the Customer to provide information needed to determine compliance with this regulation. These requirements may include:

- a. Wastewater discharge peak rate and volume over a specified time period.
- b. Chemical analyses of wastewater.
- c. Information on raw materials, processes and products affecting wastewater volume and quality.
- d. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to wastewater use control.
- e. A plot plan of wastewater collection and pretreatment facility location.
- f. Details of wastewater collection pretreatment facilities.
- g. Details of systems to prevent and control the losses of materials through spills to any District wastewater collection system.

23.12 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Section shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Waste Water published by the American Water Works Association. Sampling methods, locations, times, duration, and frequencies are to be determined on an individual basis subject to approval by the District.

23.13 No statement contained in these rules shall be construed to prevent any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment.

23.14 The District may require the Customer to supply information concerning processes that have a direct bearing on the kind and source of discharge to the wastewater system. The Customer may withhold information considered confidential, provided that the Customer must establish that disclosure to the District is not necessary and public disclosure of the information in question might result in direct and substantial economic advantage to competitors.

23.15 While performing necessary work on private property, any duly authorized representative(s) or employee(s) of the District shall observe all reasonable safety rules applicable to the premises as established by the user or owner.

23.16 The District reserves the right to refuse waste from any source, to include residential, commercial, or industrial building or activity which does not comply with District rules, utilize District provided water or an approved well connection, supply proper metering of its waste or is not within the District's service area.

23.17 All Residential Units and non-residential structures must connect to the District's wastewater collection system when service is available per section 2.1.3.

23.18 Upon connection to the District's wastewater system, the property owner must abandon its domestic onsite sewage treatment and disposal systems in accordance with local and state regulations. The District shall inspect the abandonment of the onsite domestic sewage system and no connection to the District's wastewater system will be allowed without approval from the District. Properly permitted, constructed and operated "gray water systems" (wastewaters from only the bath, laundry, and non-kitchen sinks) need not be abandoned upon connection to the District wastewater system per FS 381.0065.

23.19 The Customer will be responsible for all costs to connect to the District's vacuum or gravity wastewater system's Point of Collection. Such costs shall include, but are not limited to: i.) the cost to construct the wastewater service lateral from the dwelling to the Point of Collection, and ii) abandonment and removal from service of the onsite sewage treatment and disposal systems. The District shall be present to inspect the Customer's connection to the Point of Collection at the time of connection. The District will not be responsible for any costs associated with the maintenance or replacement of the service lines or laterals located on the customer-side from the Point of Collection.

23.20 For new, low pressure wastewater service, the District shall provide and have installed the grinder pump and control panel, after payment of all applicable charges and fees. The Customer shall be responsible for connecting the gravity line from the house to the pump's wet-well, connecting the discharge line from the pump to the point of service at the edge of property and providing electrical power to a disconnect box adjacent to the control panel. The Customer shall also be responsible for disconnection and abandonment of existing septic tanks as applicable. The District shall own and maintain the grinder pump and control panel. The Customer shall pay the electric bill. The Customer shall provide reasonable access to the District for installation of the grinder pump and control panel. Further access shall be provided per section 11.0 herein. Should the Customer not provide the reasonable access for installation of the grinder pump and control panel, the customer will be responsible for all costs to connect to the point of service at the edge of property. The Customer provided pump station shall be a private station and the Customer will be responsible for all associated costs.

#### **24.0 RESIDENTIAL REUSE**

A District inspector must be present at the time of any connection to a residential reuse line. A District inspector is not required to be present for connection to a District provided reuse Point of Delivery within a "meter" box. Reuse irrigation systems will not be cross-connected to any potable water system. Standard "hose bib" connections are not allowed on any District supplied residential reuse system. Reuse shall not enter

a Residential Unit or a building that contains a Residential Unit. Reuse water shall not be used to fill swimming pools, hot tubs or wading pools. As a condition of Customer's application for reuse service either with EWD or with a homeowner's association, the Customer shall hold harmless and indemnify the "DISTRICT", its agents, representatives, servants, and employees, and the Customer will be solely responsible for compliance with health and safety requirements as required by the District, FAC 62-610 Part III and other State or Federal requirements that regulate the proper use of Public Access Reuse systems.

## **25.0 ASSESSMENT AREAS.**

For the purposes of calculating the amount of the assessment due, the following shall apply:

25.1 The total cost of a service provided to a special benefit or special assessment area may be paid for by those parcels that directly benefit from the service provided. The total cost will be allocated on a per ERC basis to affected parcels. A special assessment area may also be established to pay for a discrete portion of a provided service.

25.2 Each undeveloped parcel shall be charged at the estimated usage for a planned development or a minimum of 1.0 ERC if a development plan does not exist. A parcel which can not be developed and is not provided service as part of the assessment area will not be included in the assessment.

25.3 ERCs for developed, non-residential parcels will be calculated per Section 2.2.3 with a minimum of 1.0 ERC per parcel.

25.4 A residential unit that historically uses 1000 gallons per day or less of water will be assessed to be 1.0 ERC.

25.5 A residential unit that has a historical 12 month average consumption of water in excess of 1000 gallons per day (GPD) may be assessed in excess of 1 ERC per residential unit in accordance with historical usage per Sections 2.2.2 or 2.2.3 if provided for in the Board approved resolution establishing the assessment area.

25.6 Any parcel capable of being provided service shall be assessed a minimum of 1.0 ERC. The minimum ERCs assigned to any Residential Unit shall be 1.0 ERC.

25.7 If the service provided under a special assessment has been constructed for a parcel, and the parcel is later combined with other parcels, there shall be no refund or credit for any prior payments of assessment charges for the eliminated parcel. The prior-payments shall be compensation for construction of the "abandoned" service. If the service has NOT been constructed at the time the parcel is combined with other parcels, any prior payments of assessment or capital capacity charges will be credited to the consolidated parcel. There will be no cash refunds.

25.8 After project completion and after final assessment adjustments have been made (or there is a determination that no adjustments will be made) to the initial assessment estimates of affected parcels, which parcels are affected and cost per parcel, the assessment will be "Closed." All future new connections will be billed using Capital Capacity Charges and CCC rules in effect at the time of connections.

## **26. SUSTAINABLE WATER SUPPLY.**

Whereas the Surficial and Intermediate Aquifers are the raw water supply sources for the District's lime-softening water treatment plant and reverse osmosis water treatment plant, and whereas the Intermediate Aquifer has limited recharge capacity, it is appropriate that the District take reasonable precautions to ensure these shallow aquifers remain sustainable sources of raw water supply for the District.

- 26.1.1 The District in coordination with the Southwest Florida Water Management District and the Sarasota County Health Department will not allow any irrigation well to be drilled or the conversion of a potable water well to an irrigation well within one mile of an existing District water supply well head, unless the District determines through District accepted hydrologic models, that the irrigation well will have no detrimental impacts on the aquifer or any wetlands. A detrimental impact is defined as any impact that will limit the District's ability to obtain the maximum, sustainable wellfield production.
- 26.1.2 The District will utilize an "inverted" water usage rate schedule to encourage water conservation. As water usage increases, the rate schedule, cost per 1000 gallons, shall increase. In that irrigation is an elective use of water, the lowest water rates essential to health and sanitation shall not be applicable to potable water meters dedicated to irrigation usage.
- 26.1.3 During periods of sustained drought and increased demand for irrigation, the Board may further restrict by resolution, the hours available for irrigation beyond Water Management District restrictions. In addition, the Board may also implement by resolution, water usage rates with a Water Conservation Surcharge as provided herein or as modified by Board resolution until such time that the Board by resolution discontinues the application of the Water Conservation Surcharges.

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27.0 SERVICE FEES AND CHARGES

A. WATER RATES - Water customers per ERC/month.

1. Base Facility Charge \$ 15.62 /ERC/month  
 Note: May increase a maximum of 4% annually on October 1.
  
2. Usage Charges 0-6,000 = \$1.93/1,000 gallons  
 6,001-8,000 = \$2.57/1,000 gallons  
 8,001-12,000 = \$5.14/1,000 gallons  
 12,001-18,000 = \$8.56/1,000 gallons  
 Over 18,000=\$13.38/1000 gallons
  
3. Usage Charges w/Conservation Surcharge 0-6,000 gal. = \$1.93/1,000 gal (no surcharge)  
 6,001 – 8,000 = \$2.84/1000 gallons  
 8,001-12,000 = \$5.67/1000 gallons  
 12,001-18,000 = \$12.00/1000 gallons  
 Over 18,000 = \$20.00/1000 gallons
  
4. Dedicated Irrigation and Temporary Meters
  - a. Usage Charges 0-12,000 = \$5.14/1000 gallons  
 12,001-18,000 = \$8.56/1000 gallons  
 Over 18,000 = \$13.38/1000 gallons
  
  - b. Usage w/Conservation Surcharge 0-12,000 = \$5.67/1000 gallons  
 12,001-18,000 = \$12.00/1000 gallons  
 Over 18,000 = \$20.00/1000 gallons
  
5. Government Wholesale Rate \$25.00 Billing Charge and \$2.98/1000 gal.

B. WASTEWATER RATES – Wastewater customers per ERC/month.

1. Base Facility Charge \$ 22.72/ERC/month  
 Note: May increase a maximum of 4% annually on October 1. (5 Oct 06)
  
2. Usage Charge per ERC/month All Usage = \$3.00/1,000 gallons
  
3. Wastewater Only (no water meter) Use 196 gal X 365 days/12 = 5,962 gal/month/  
 ERC to calculate Usage, plus Base Charge.
  
4. Inflow & Infiltration (I&I) 50% Surcharge 1.5 times the total wastewater bill

C. BULK WASTEWATER SERVICE – Master meters and non-District collection systems.

1. Treatment & Disposal Charge
  - a. Billing off Water Meter \$ 5.83/1000 gallons
  - b. Billing off Wastewater Meter \$ 7.28/1000 gallons
  
2. Bulk Wastewater Customers must purchase capacity in wastewater transmission and plant capital systems in addition to the monthly treatment and disposal charges.

D. REUSE WATER (a wastewater treatment product)

1. Usage to Isolated Pond \$ 0.15/1,000 gallons



2.	Pressurized Usage	\$ 0.19/1,000 gallons
E.	OTHER FEES	
1.	ACCOUNT DEPOSITS	\$ NA
2.	LATE PAYMENT (on past due balances exceeding \$10.00)	
	a. Un-paid balance up to \$133.00	\$ 2.00
	b. Un-paid balance over \$133.00	1.5% of cumulative balance
3.	RECORDING - As provided by law and/or as collected by jurisdiction where documents are recorded; currently \$10.00 for the first page and \$8.50 for each additional page in Charlotte and Sarasota Counties.	
4.	RETURN CHECK CHARGE	
	a. Standard Check or Bank Draft returned, canceled, or stopped payment.	5% of check amount, \$30 minimum
	b. Internet or Online Item Return	\$5.00
5.	USAGE REPORT (to non-customers)	\$0.25/each account; minimum \$5.00
6.	ADDITIONAL METER (after CCC is paid)	Actual Cost
7.	TEMPORARY WATER CUSTOMER	
	a. Meter Deposit	\$ 500.00
	b. Rental	\$ 15.62
	c. Usage	See 27 A(4) above
	d. Trip Charge (each move)	\$ 25.00/each
	e. Tap (Administration Fee)	\$ 500.00
	f. Construction Costs	Paid by Applicant
8.	FIRE LINE - Note: No Capital Capacity Charge	
	a. Administration Fee	\$ 500.00
	b. Monthly Availability Charge Line Diameter:	
	- up to 8"	\$ 15.00/month
	- greater than 8" to 12"	\$ 20.00/month
	- greater than 12"	\$ 25.00/month
	c. Construction Costs	Paid by Applicant
9.	TAMPERING with EWD Property	\$ 500.00 maximum
	a. Replace locking device	\$ 50.00
	b. Locking Device	\$ 10.00
	c. Chain & Locking Device	\$ 15.00
10.	RESEARCH & COPIES	
	a. One Side	\$ 0.15/page
	b. Two Side	\$ 0.20/page
	c. Minutes of meeting (uncertified)	\$ 0.15/page
	d. Minutes of meeting (certified)	\$ 1.00/page
	e. Research or monitoring (1 hr min)	\$ 20.00/hour
	f. Large maps	\$ 1.00/sheet
	g. Blue prints	\$ 1.00/page
	h. Auto Cad Disk	\$ 5.00/each
	i. FAX request	\$ 1.00/page

j. Plan Review	\$ 10.00/sheet
k. Mailing Labels & Computer Time	\$ 30.00 + \$15.00/hour
l. Bid Documents	As Advertised
11. TURN ON/TURN OFF (ADMINISTRATIVE)	
a. 48 hour notice (1 on and 1 off annually)	No Charge
b. Additional with 48 hour notice	\$ 15.00/trip (working hours)
After working hours and weekends	\$ 50.00/trip
c. Less than 48 hour notice	\$ 30.00/trip (working hours)
After working hours	\$ 50.00/trip
d. Holidays	\$ 150.00/trip
12. ACCOUNT RE-ACTIVATION	
a. Lock removal:	
Disconnection/turn off non- payment (site visit/collection)	\$20.00/trip
Re-connection/turn-on non payment	\$20.00/trip
- After working hours	\$ 75.00/trip
- Holidays	\$ 225.00/trip
b. Administrative Account Re-Activation	\$ 60.00
c. Meter Re-Installation	
- During working hours	\$ 60.00
- After working hours	\$ 100.00
- Holidays	\$ 200.00
- Plus cost of new meter if applicable.	
13. PAYMENT DEADLINE EXTENSION	
a. After delinquency or cut off processed	\$ 10.00/occurrence
14. SERVICE CALL-OUTS	
a. Regular working hours	\$ 30.00/trip
b. After working hours	\$ 50.00/trip
c. Holidays	\$ 150.00/trip
d. Sewer Repairs (unoccupied properties)	Actual Cost
15. METER TEST WITHIN TOLERANCE - within a 5 year period	
a. 5/8" meter	\$ 40.00
b. 1" or 1 1/2" meter	\$ 50.00
16. BACKFLOW TESTING by EWD	\$ 100.00
17. SEWER CAP/UNCAP CHARGE	\$ 30.00/each occurrence
18. AIR INTAKE REPAIR	\$ 100.00
19. SPECIAL BILL/METER READ	\$ 30.00/each (from \$25.00)
20. TESTING/INSPECTIONS	
a. Un-certified Fire Flow Test	\$ 175.00/each
b. Bacteriological Tests	\$ 40.00/each
c. Service Tie-in (initial)	No Charge
d. Service Reinspection	\$ 30.00/each
e. Service Location (initial)	No Charge
f. Additional Locates/Tie-in	\$ 30.00/each

21. FINANCING TERMS FOR CAPITAL CAPACITY CHARGES (see paragraph 13.2.3b)

- a. Interest ~~8%~~ PROPOSED CHANGE: 5%
- b. Term ~~1 to 5 years~~ PROPOSED CHANGE: 15 YEARS
- c. Down Payment ~~10% of principle~~ PROPOSED CHANGE: ELIMINATE

22. INITIAL METER INSTALLATION FEE

a. The standard District meter shall be a 5/8" X 3/4" T-10 Neptune Double Check Meter with encoder register. Meters 5/8" and 1" in size will typically be placed in trafficable non-metal meter boxes. Meters larger than 1" will typically be above-ground.

b. Service & Box by District. There may be an additional cost for an above-ground DCVA or RPBA by Customer as required:

Size	
5/8 inch	\$380.00 (with or without built-in double check)
1.0 inch	\$605.00
1.5 inch	\$765.00
2.0 inch	\$903.00

c. Service & Box by Developer using District provided meter. There may be an additional Customer cost for a DCVA or RPBA as required. The Charge includes the cost of a District provided meter and an initial inspection fee; any re-inspection fee will be \$30.00:

Size	
5/8 inch	\$300.00 (with or without built-in double check)
1.0 inch	\$300.00
1.5 inch	\$400.00
2.0 inch	\$500.00

3.0 inch and larger meters (service, meter vault and backflow device provided and installed by Customer. The initial Inspection Fee will be \$50.00 and any re-inspection will be \$30.00.

23. CLEARING METER BOX OBSTRUCTIONS - Will be billed at Actual-Cost (see NOTES below) with a minimum charge of \$30.00 (from \$25.00) after failure to comply with written request to remove obstruction.

24. CAPITAL CAPACITY CHARGES

a. Water (per ERC):

1. Plant Capacity/Transmission System as of:	20 January 05	\$ 1,427.44
	7 January 07	\$ 1,904.74
	1 January 08	\$ 1,947.04
	1 January 09	\$ 1,989.34
	1 January 10	\$ 2,031.64
	1 January 11	\$ 2,073.96
2. Distribution System as of:	20 January 05	\$ 670.00
	7 January 07	\$ 1,200.00

b. Wastewater (per ERC)

1. Plant Capacity/Transmission System as of:	20 January 05	\$ 1,689.87
	7 January 07	\$ 2,800.28
	1 January 08	\$ 2,812.69

	1 January 09	\$ 2,825.10
	1 January 10	\$ 2,837.51
	1 January 11	\$ 2,849.94
2. Collection System as of:	20 January 05	\$ 3,900.00
	7 January 07	\$ 5,817.00

25. NOTES.

- a. EWD Actual-Cost Billing. Equipment billing rates will be per the current McGraw Hill Equipment Blue Book hourly rates. Billing for salaried personnel will be at hourly rates with benefits. A 25% mark-up of total personnel, material and equipment costs will be added for general overhead and administration.
- b. Average District usage per ERC.

Water = 196 gallons/day  
 Wastewater = 157 gallons/day

**28.0 EFFECTIVE DATE**

These Customer Rules and Regulations of the Englewood Water District shall become effective upon the date of passage hereof and shall supersede the January 20, 2005 Customer Rules and Regulations of the Englewood Water District and any other rules, resolutions and regulations of the District over the same subject matter in conflict with the foregoing customer rules and regulations from the effective date hereof.

*Passed this 5 day of October, 2006*  
*Resolution No: 06-10-05 A*  
*Revised August 16, 2007 – Res. #07-08-16 C*  
*Amended May 17, 2007 – Res. #07-05-17 A, B*  
*Amended September 18, 2008 – Res. #08-09-18G*  
*Amended January 7, 2010 – Res. #10-01-07 C*