

ORDINANCE 1257

AN ORDINANCE AMENDING THE CITY OF POLK CITY CODE OF ORDINANCES BY ADDING SECTION 74-264 ESTABLISHING A WATER AVAILABILITY CHARGE (WAC)

PURSUANT TO CHAPTER 367 OF THE FLORIDA STATUTES THE CITY COUNCIL OF THE CITY OF POLK CITY DOES HEREBY ORDAIN:

SECTION ONE. That the City of Polk City Code be amended by adding the following:

Section 74-264 Water Availability Charge (WAC)

Charge Established. For the purpose of providing funds for the city's wells, water treatment, water storage and water distribution systems, and the plant and facilities connected therewith, and the payment of capital charges represented by bonds, certificates of indebtedness or otherwise, which may be used to finance the costs of additions or expansions to the facilities, and the payment of reasonable requirements or reserves for replacement in obsolescence thereof, there is hereby imposed upon each lot, parcel of land, building or premises having the immediate availability for connection with the City's public water system a water availability charge (WAC) as hereinafter provided. Said charge shall be in addition to any other previous or future charge or assessment levied against the property.

Determination and Administration of Charge. The availability charge as hereinabove authorized shall be imposed in lieu of the user charges for Water service and shall be determined and administered as follows:

1. Payment Required:
 - a) Payment Required Prior To Connection: Prior to the issuance of the applicable permit and before connecting to the City's Water system, all Water availability charges as hereinafter provided for shall be paid.
 - b) The availability charge shall equal the base monthly charge of the Water fees as determined by rate studies and set by city council multiplied by twelve months.
 - c) The availability charge shall be invoiced on an annual basis the first year and shall be included on the tax bill in each subsequent year until such time as the parcel or lot has been issued a construction permit.
 - d) Change by Resolution: Any change in the City Water availability charge, as hereinafter set forth shall be by Council Resolution.
2. Determination of Charge.
 - a) Residential Lots. The amount of the availability charge shall be determined by the City to be one (1) ERC per parcel or lot based on the typical three-quarter inch (3/4").meter.
 - b) Commercial Lots. The amount of the availability charge shall be determined by the City to be two (2) ERC per acre based on the typical two inch commercial (2").meter.

SECTION TWO. That this ordinance shall take effect and be in force on November 11, 2009.

PASSED on first reading this the 23rd day of September, 2009

City Council of the City of Polk City

Donald L. Penton, Mayor

ATTEST

Patricia Jackson, City Clerk

PASSED AND CERTIFIED AS TO PASSAGE on the second reading this the ____ day of _____ 2009.

City Council of the City of Polk City

Donald L. Penton, Mayor

ATTEST

Patricia Jackson, City Clerk

APPROVED AS TO CONTENT AND FORM

Jeffrey Sullivan, City Attorney