

RESOLUTION NO. 14-23

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, ADOPTING A REVISED SCHEDULE OF FEES AND CHARGES FOR THE PROVISION OF WATER SERVICES RENDERED BY THE VILLAGE FOR ITS RESIDENTS AND OTHER MEMBERS OF THE PUBLIC; PROVIDING THAT THIS REVISED SCHEDULE OF FEES AND CHARGES SHALL BE AVAILABLE FOR INSPECTION AT ALL TIMES AT VILLAGE HALL DURING REGULAR BUSINESS HOURS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the Village Council of the Village of Tequesta, Florida, desires to adopt a revised schedule of fees and charges relating to the provision of water services rendered by the Village of Tequesta for the citizens of the Village of Tequesta, Unincorporated Martin County, Unincorporated Palm Beach County, Town of Jupiter Inlet Colony, and for other members of the public served by the Village's water utility; and

WHEREAS, the Village Council desires to incorporate all such fees and charges assessed in accordance with Section 74-61 of the Code of Ordinances of the Village of Tequesta into one comprehensive fee schedule; and

WHEREAS, the Village Council desires to make certain the schedule of fees and charges is available for inspection such that any member of the public may be aware of the cost of service provided by the Village of Tequesta's Utilities Department.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1: The Village Council of the Village of Tequesta, Florida, hereby officially adopts the Schedule of Fees and Charges attached hereto as "Exhibit A" which is hereby made part hereof as if fully set forth herein. The revisions adopted herein incorporate the recommendations of a Water Utility Financial Forecast and Capital Recovery Charge Update Study.

Section 2: This duly adopted "Schedule of Fees and Charges" shall be available for inspection by the public at Village Hall during normal business hours.

Section 3: This Resolution shall take effect beginning October 1, 2023.

EXHIBIT A

VILLAGE OF TEQUESTA UTILITIES DEPARTMENT WATER UTILITIES SCHEDULE OF RATES AND CHARGES (and Stormwater Development Review Fees)

1. Monthly Customer Charges

A. Monthly Service Fee

The "Monthly Service Fee" or "Base Facility Fee" is the minimum monthly fee for service availability based on meter size.

Table – Monthly Service Fee/ Base Facility Fee					
Meter Size	FY24-Effective October 1, 2023*	FY25-Effective October 1, 2024**	FY26-Effective October 1, 2025**	FY27-Effective October 1, 2026**	FY28-Effective October 1, 2027**
5/8" or 3/4"	\$24.14	\$24.98	\$25.85	\$26.75	\$27.69
1"	\$60.28	\$62.39	\$64.57	\$66.83	\$69.17
1.5"	\$120.72	\$124.95	\$129.32	\$133.85	\$138.53
2"	\$193.15	\$199.91	\$206.91	\$214.15	\$221.65
3"	\$362.16	\$374.84	\$387.96	\$401.54	\$415.59
4"	\$603.60	\$624.73	\$646.60	\$669.23	\$692.65
6"	\$1,207.20	\$1,249.45	\$1,293.18	\$1,338.44	\$1,385.29

*Includes 5% rate recalibration plus previously approved 3.5% automatic annual rate adjustment

** Includes 3.5% automatic annual rate adjustment (2023, 2024, and 2025, previously approved)

B. Metering of Multi-Family Buildings (MF)

Where a single meter is installed in a water connection serving a multi-family structure, the minimum monthly service charge shall be the greater of:

- i. An amount equal to the number of dwelling units multiplied by the minimum charge for a 3/4-inch meter, or
- ii. The base facilities charge for the installed meter size.

In the event there is a single meter measuring quantities of water for two (2) or more residential units, the gallons measured and charged pursuant to the terms of this section shall be prorated by dividing the total number of gallons metered by the number of units included on the single meter.

C. Metering of Multi-Unit Buildings - Non-Residential

In the case of any non-residential multi-unit building housing more than one (1) business or entity, each business or entity therein shall be metered individually. Monthly minimum service charges shall be based on the established charge by meter size. Where an existing single meter is installed in a water connection serving two (2) or more businesses or entities, the minimum monthly service charge shall also be based on the established charge by meter size. Fire protection charges for fire lines shall be separately included; see section E, paragraph number "2)" herein below.

D. Quantity (Volumetric) Rate Charges for Residential and Non-Residential Rate Charges

Applicable to all quantities of water shown by meter readings to have been delivered as follows:

Table – Quantity Step-Rate per 1,000 gallons of Water Used					
Step	FY24-Effective October 1, 2023*	FY25-Effective October 1, 2024**	FY26-Effective October 1, 2025**	FY27-Effective October 1, 2026**	FY28-Effective October 1, 2027**
Step 1	\$3.09	\$3.20	\$3.31	\$3.43	\$ 3.55
Step 2	\$4.77	\$4.94	\$5.11	\$5.29	\$5.48
Step 3	\$6.74	\$6.98	\$7.22	\$7.47	\$7.73
Step 4	\$8.98	\$9.29	\$9.62	\$9.96	\$10.31

*Includes 5% rate recalibration plus previously approved 3.5% automatic annual rate adjustment

** Includes 3.5% automatic annual rate adjustment (2023, 2024, and 2025, previously approved)

Table – Gallon Allowance per Quantity/ Step-rate				
Meter Size	Step 1	Step 2	Step 3	Step 4
5/8" or 3/4"	1 - 6,000	6,001 - 15,000	15,001 - 30,000	Above 30,000
1"	1 - 15,000	15,001 - 37,000	37,001 - 75,000	Above 75,000
1.5"	1 - 30,000	30,001 - 75,000	75,001 - 150,000	Above 150,000
2"	1 - 48,000	48,001 - 120,000	120,001 - 240,000	Above 240,000
3"	1 - 90,000	90,001 - 225,000	225,001 - 450,000	Above 450,000
4"	1 - 150,000	150,001 - 375,000	375,001 - 750,000	Above 750,000
6"	1 - 300,000	300,001 - 750,000	750,001 - 1,500,000	Above 1,500,000

E. Fire Protection Charges

1) Monthly Fire Protection Charge

Applies to all accounts. See Section 74.63, Village Code of Ordinances

Table – Monthly Fire Protection Charges					
	FY24-Effective October 1, 2023*	FY25-Effective October 1, 2024**	FY26-Effective October 1, 2025**	FY27-Effective October 1, 2026**	FY28-Effective October 1, 2027**
Monthly Fire Protection Charge	\$1.51	\$1.56	\$1.62	\$1.67	\$1.73

*Includes 5% rate recalibration plus previously approved 3.5% automatic annual rate adjustment

** Includes 3.5% automatic annual rate adjustment (2023, 2024, and 2025 previously approved)

2) Monthly Fire Protection Charge

Apply to private fire lines for sprinkling systems or other fire protection systems:

Table – Monthly Fire Protection Charge					
Meter Size	FY24-Effective October 1, 2023*	FY25-Effective October 1, 2024**	FY26-Effective October 1, 2025**	FY27-Effective October 1, 2026**	FY28-Effective October 1, 2027**
2"	\$14.52	\$15.03	\$15.56	\$16.10	\$16.66
3"	\$33.17	\$34.33	\$35.53	\$36.77	\$38.06
4"	\$60.12	\$62.22	\$64.40	\$66.65	\$68.98
6"	\$145.16	\$150.24	\$155.50	\$160.94	\$166.57
8"	\$248.79	\$257.50	\$266.51	\$275.84	\$285.49
10"	\$324.36	\$335.71	\$347.46	\$359.62	\$372.21

*Includes 5% rate recalibration plus previously approved 3.5% automatic annual rate adjustment

** Includes 3.5% automatic annual rate adjustment (2023, 2024, and 2025 previously approved)

No taps will be allowed which may be used for other than fire protection purposes, and there shall be no connection with any other source of water.

F. Emergency Bulk Water Service Rate

Billed at the Step 1 Quantity Rate Charge.

G. Capacity Reservation Monthly Fee, per ERC (same as ERU)

Table – Capacity Reservation Monthly Fee					
	FY24-Effective October 1, 2023*	FY25-Effective October 1, 2024**	FY26-Effective October 1, 2025**	FY27-Effective October 1, 2026**	FY28-Effective October 1, 2027**
Capacity Reservation Fee	\$13.86	\$14.34	\$14.84	\$15.36	\$15.90

*Includes 5% rate recalibration plus 3.5% automatic annual rate adjustment

** Includes 3.5% automatic annual rate adjustment

H. Capital Improvement Charge – Monthly per ERC

Billed at \$10.00 per month per equivalent residential unit (ERC)* and dedicated to the replacement, upgrade and rehabilitation of water system infrastructure.

Meter Size	FY24-Effective October 1, 2023*
5/8" or 3/4"	\$10.00
1"	\$25.00
1.5"	\$50.00
2"	\$80.00
3"	\$150.00
4"	\$250.00
6"	\$500.00

* As defined in Chapter 74 Section 31, in the Village's Code of Ordinances, an ERC is a factor used to convert a given average daily flow to an equivalent number of residential connections.

2. New or Upgraded Service Charges

A. Meter Installation Charge

All water meters shall be installed by the Village of Tequesta, and the charge for making such meter installations or replacement of a meter of a different size upon request of the customer shall be as follows (all meters installed remain the property of the Village):

1) Meter Installation Only

Meter Size	Charge*
5/8" or 3/4"	\$500.00
1"	\$640.00
1.5"	\$1,080.00
2"	\$1,380.00
Above 2"	*

*Actual cost plus 10% administrative fee

2) Meter Installation with Water Main Tap*

Note: each installation with a water main tap includes up to 50' of the service line, directional drilling, engineering, and permitting costs.

Meter Size	Charge
5/8" or 3/4"	*
1"	*
1.5"	*
2"	*
Above 2"	*

* Actual cost plus 10% administrative fee

B. Capital Connection Charge (New or Upgraded Development)

Table – Capital Connection Charge (New/ Upgraded Development)					
Meter Size	FY24-Effective October 1, 2023*	FY25-Effective October 1, 2024**	FY26-Effective October 1, 2025**	FY27-Effective October 1, 2026**	FY28-Effective October 1, 2027**
5/8" or 3/4"	\$3,765.88	\$3,897.69	\$4,034.11	\$4,175.30	\$4,321.44
1"	\$9,414.61	\$9,744.12	\$10,085.16	\$10,438.14	\$10,803.47
1.5"	\$18,829.24	\$19,488.26	\$20,170.35	\$20,876.31	\$21,606.98
2"	\$30,126.75	\$31,181.19	\$32,272.53	\$33,402.07	\$34,571.14
3"	\$56,488.25	\$58,465.34	\$60,511.63	\$62,629.54	\$64,821.57
4"	\$94,147.06	\$97,442.21	\$100,852.69	\$104,382.53	\$108,035.92
6"	\$188,294.12	\$194,884.41	\$201,705.36	\$208,765.05	\$216,071.83

*Includes 5% rate recalibration plus 3.5% automatic annual rate adjustment

** Includes 3.5% automatic annual rate adjustment

C. Special Distribution Line Charge - Harbor Road North

New service connections on Harbor Road North in unincorporated Palm Beach County shall be required to pay a Special Distribution Line Charge of \$2,462.27 per connection. This special charge shall be in addition to any other new service charges required.

3. Security Deposits & Customer Service Fees

A. Security Deposits

1) Schedule of Security Deposits

Table - Security Deposits by Meter Size	
Meter Size	Security Deposit
5/8" or 3/4"	\$100
1"	\$200
1.5"	\$400
2"	\$640
3"	\$1,200
4"	\$2,000
6"	\$4,000
Residential Master Meter	\$100 per unit

2) Interest on Deposits

See Section 74-68, Village Code of Ordinances.

B. Miscellaneous Customer Services Fees

Table - Customer Service Fees - Normal Business Hours	
Type of Service	Fee
New Account Activation	\$45
Transfer of Service	\$25
Late Payment	1% of the outstanding balance with a minimum charge of \$15
Returned Check:	
Up to \$50	\$25
\$50.01 to \$300	\$30
\$300.01 to \$800	\$40
\$800.01 and above	5% of the check amount

4. Development Fees & Charges

Development reviews, permitting, inspection – both residential and non-residential:

- An initial deposit for the project for water and stormwater utilities (as applicable) will be made against which all related activities will be charged for the project against the deposit made in order to recover the costs by the Village to process development reviews, permits, inspections, and associated costs
- These activities include (but are not limited to, except they must relate to the project or how it fits into the community/ infrastructure system): review, permitting, field visit(s), related meetings and communication, billing, and construction inspection activities, plus 10% in administrative costs
- For residential reviews, the deposit of \$300 will typically cover the cost of a small modification assuming a plan review, one request for information (RFI), a resubmittal, field meeting, permit issuance, inspection (1 cycle)
- If the deposit is not sufficient to cover all related activities, then the applicant will be required to provide an additional deposit to cover the cost of the remaining anticipated plan/ permit/ field visit(s)/ meetings and communication/ inspection/ administrative activities based on project status
- Review and approval activities may be suspended until a deposit or additional deposit is provided
- Any portion of the total amount of all deposits that exceed the total cost of the billed services will be refunded to the applicant, upon receipt of a written request, when closing out the project
- Any amount due for the total cost of the billed services that exceeds the total amount of all deposits shall be due and payable prior to the final acceptance of the facilities constructed pursuant to any and all utilities construction permit(s) by the utilities system

- Cost recovery may or may not include: contract personnel that provide plans review and/ or construction inspection services; hydraulic or other engineering related expertise, as needed, to support the modification or development within the community; review by and meetings with the utilities director, distribution and stormwater superintendent and staff; office manager; development review committee meetings, other internal meetings to ensure a quality review; field visit(s); customer service and utility billing manager, finance director, and legal assistance for any developer agreements; or other related activities for the project leading up to the permitting and through construction close-out

Table – Development Fees & Charges – Water & Stormwater Utility		
Residential	Deposit	5% of construction cost, maximum of \$25,000, minimum of \$300
Non-residential	Deposit	5% of construction cost, maximum of \$40,000, minimum of \$500

- As noted above, the cost of the reviews, development review committee meetings field visits, communication, inspections, billing/administrative costs and other associated activities will be billed against the deposit
- Re-inspections after a failed pipe test are billed at \$150

5. Temporary Meter Service

Table - Temporary Meter Service Fees & Charges	
Service	Charge
Security Deposit	
¾" Hydrant Meter	\$1,050
3" Hydrant Meter	\$2,000
Installation / Relocation	\$45
Quantity Rate Charge	Step 1 Quantity Rate

6. Miscellaneous Fees & Charges

A. Customer Requested Services

Table - Customer Requested Service Fees		
Service	Business-Hours	After-Hours
Field Premise Visit ¹	\$50	\$100
Meter Turn-On/Turn Off (seasonal use)	\$55	\$100
Meter Re-read	\$50	NIA
Transfer of Service	\$30	NIA
Line Location Services	See note 2	See note 2
Bench-test Meter (3/4" and smaller) ³	\$75	NIA
Bench-test Meter (1" and larger)	See note 4	NIA
Meter or Hydrant Relocation	See note 4	NIA
Downsizing Meter	See note 4	NIA
Upsizing Meter	See note 5	NIA

- 1 No Field Premise Visit fee will be charged if the reason is found to be on the Village's side of the water meter
- 2 Charged at the Field Technician rate specified in the Personnel & Equipment Charges
- 3 No fee is charged if the meter is found to be inaccurate
- 4 Actual cost plus 10%
- 5 Current New Service Fees for the upsized meter, less a credit for Capital Connection Fee for the original meter size

B. Personnel & Equipment Charges

The following charges will be used for field activities performed by Village personnel:

Table – Personnel & Equipment Charges	
Service	Fee
Field Technician*	\$50/hour
Lead Technician*	\$60 hour
Medium Equipment	\$60/hour
Heavy Equipment	\$75/hour
Materials	**

*Includes use of pickup truck, hand tools and small equipment.

**Actual cost plus 10%

NOTE: All labor charges incurred outside of regular business hours will be charged at 1.5 times the hourly rate.

C. Enforcement or Correction Actions

Table – Fees for Enforcement or Corrective Actions	
Action	Fee
Backflow Testing (per test)	\$100
Meter Turn-On Due to Non-payment- During Business Hours	\$55
Meter Turn-On Due to Non-payment - After-Hours	\$100
Reread Meter Due to Customer Obstruction	\$25
Tampering / Theft of Service - 1 st Offense	\$275
Tampering / Theft of Service - 2 nd Offense	\$550
Meter Removal Charge for Theft of Service	\$55
Meter Reinstallation Charge for Theft of Service	\$55
Destruction of Utilities Equipment	At Cost plus 10%

7. Taxes & Surcharge

A. Surcharge for Customers Outside of the Village

A 25% surcharge shall be applied to those customers in unincorporated Martin and Palm Beach Counties unless otherwise prohibited by the agreement or law.

B. Utility Tax

See Chapter 70 – Taxation, Section 121, Village Code of Ordinances.

8. Automatic Annual Rate Adjustment

See Chapter 74 - Utilities, Article II, Division 2, Sections 72 and 73, Village Code of Ordinances.

9. Water Restriction Surcharge Adjustment

See Chapter 74 – Utilities, Article II, Division 2, Section 74, Village Code of Ordinances.

10. Capital Improvement Charge

The capital improvement (CIC) is to be used to fund specifically identified capital projects for the water utility infrastructure. Funds collected from the application of the CRC will be accounted for separately by the Village and shall only be used for the financing capital infrastructure projects, including the payment of debt issued to finance such projects. It will also be used for infrastructure repair and replacement projects on a pay-as-you-go basis for items where debt is not issued.

The charge is to remain in effect for 20 years and shall terminate on September 30, 2043. A utilities financial rate consultant, at a minimum of at least once every three years, will evaluate the financial sustainability of the water utility, including the application of the capital recovery charge account and the status of the capital needs / projects. They will determine the general financial condition of the utility and any adjustments considered necessary associated with the imposition of the capital replacement charge.

11. Excessive Variance Step Adjustment

The Utilities Director may approve an excessive usage credit (EUC) to a water bill, which, due to circumstances beyond the customer's control (e.g. leaks on the customer's side of the meter) , reflects consumption in an amount that is at least two times the customer's average monthly usage over the previous three (3) month period

- No customer shall be eligible for such an adjustment more than once per two (2) calendar year period
- No such adjustment shall be granted in the event that the adjustment would cause a violation of Village Code Section 74-78 regarding prohibited free service, or Village Code Section 74-81 regarding the provision of adequate revenue to cover all costs of operation, maintenance, and debt service
- Any downward adjustment shall be made based on the Village's then-current step rates
- The lowest step rate that results in an adjusted water bill commensurate with the customer's average water bill over the previous three (3) months of billing shall be applied
- In the event that application of the lowest step rate results in an adjustment that continues to exceed an amount that is double the customer's average water bill over the previous three (3) months of billing, then an adjustment equal to an amount equivalent to double the customer's average water bill over the previous three (3) months of billing shall be made
- The Utilities Director shall determine that the customer meets each of the following criteria prior to approving any EUC:
 - Customer notifies the Village of Tequesta's Customer Service Department of an excessive water bill that may be related to a leak or other circumstance beyond the customer's control
 - Water consumption exceeds two times the customer's average monthly usage over the previous three (3) month period
 - Customer acted promptly to remediate excessive water use (e.g. had a leak on Customer's side of the meter repaired as soon as practicable) as documented by repair receipts or other acceptable methods
 - The request for EUC was made within 1-month of the remedial action. No EUC may be approved where any of the following circumstances exist
 - Excessive consumption is due to seasonal usages such as watering of sod, gardening, or usage from filling swimming pools and hot tubs/whirlpools, washing vehicles, etc.
 - A leak resulting in excessive consumption was caused by a third party from whom the customer is able to recover their costs. Examples include, but are not limited to, theft, vandalism, negligence, and construction damage, including unoccupied or vacant properties.

- When excessive consumption continues for three (3) or more months, there will be no adjustment for the third or subsequent months
- The meter has been accessed, tampered with, or turned on/off by anyone other than a Village of Tequesta Utility employee and that action results in excessive consumption
- The EUC would violate Village Code Sections 74-78 or 74-81
- A EUC was approved within the past two (2) calendar years at the same property

Notwithstanding the above provisions of this “Excessive Variance Step Adjustment” policy, the Village Manager may, from time to time, allow for step adjustments in excess of once per two (2) calendar years at the same property when extenuating circumstances exist that warrant the granting of relief. All such requests shall be reviewed on a case-by-case basis. Any relief granted by the Village Manager pursuant to this provision shall be limited to the same relief that would otherwise be available pursuant to the above EUC policy.



RESOLUTION

Date

14-23

7/13/2023

Motion Council Member Frank D'Ambra

Second Council Member Rick Sartory

	FOR	AGAINST	ABSENT	CONFLICT
Mayor Molly Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice-Mayor Laurie Brandon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Frank D'Ambra	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Patrick Painter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Rick Sartory	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared the Resolution duly passed and adopted.

MAYOR OF TEQUESTA:



Molly Young

ATTEST:



Lori McWilliams, MMC
Village Clerk

