

BCC Mtg. Date: Apr. 5, 2022

**RESOLUTION NO. 2022-M- 13**

A RESOLUTION ADOPTING A REVISED PRELIMINARY WASTEWATER AND POLLUTION CONTROL CHARGE SCHEDULE; PROVIDING FOR AN AUTOMATIC ANNUAL RATE INCREASE EXCEPT IN YEARS 2023 THROUGH 2027; PROVIDING FOR A TEMPORARY AUTOMATIC ANNUAL COMMERCIAL RATE INCREASE; PROVIDING FOR PERIODIC RATE REVIEW; PROVIDING FOR ANNUAL NOTICE TO CUSTOMERS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Orange County (the "Board") establishes and collects rates, fees and charges for its Wastewater System pursuant to its home rule powers granted to the County by the Florida Constitution, the Orange County Charter, and Chapters 125 and 153 of Florida Statutes; and

WHEREAS, the Board last adopted a revised Wastewater and Pollution Control Charge Schedule on September 22, 2020 pursuant to resolution 2020-M-46; and

WHEREAS, the Board recognizes the inequity between the effective commercial wastewater rate and the effective residential wastewater rate created by the customer class usage profiles and by the rates in the current Wastewater and Pollution Control Charge Schedule; and

WHEREAS, the Board wishes to address this inequity by making the commercial effective rate more equitable over time; and

WHEREAS, Chapter 153, Florida Statutes, requires the County to adopt a resolution setting forth the preliminary rate schedule prior to a public hearing, after which hearing such rates may be adopted and put into effect; and

WHEREAS, the Board now desires to adopt this resolution setting forth such preliminary rate schedules;

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Premises. The foregoing premises are true and correct and incorporated herein by reference.

Section 2. Revised Preliminary Wastewater and Pollution Control Charge Schedule. The Board hereby adopts the revised Preliminary Wastewater and Pollution Control Charge Schedule attached hereto and incorporated herein as Exhibit "A". Upon final adoption at a duly noticed public hearing, a Resolution adopting the attached Schedule shall supersede the presently existing Wastewater and Pollution Control Charge Schedule adopted September 22, 2020, and, upon the effective date of such Resolution, shall repeal Resolution No. 2020-M-46 in its entirety.

Section 3. Automatic Annual Rate Increase. The Board previously adopted by Resolution and hereby re-confirms and re-adopts annually, effective on October 1<sup>st</sup> each year hereafter, an automatic annual increase of three percent (3%) of the monthly rates, fees and charges set forth in the Wastewater and Pollution Control Charge Schedule in effect on the day immediately prior to the effective date of such annual increase, except for the years 2023 through 2027 as stated in Section 4 herein. The Board further directs that on the effective date of each annual increase, the Schedule of Wastewater and Pollution Control Charges in effect immediately prior to the effective date of such increase shall be revised to include the three percent (3%) increase in the rates, fees and charges, and that a copy of such revised Schedule of Wastewater and Pollution Control Charges shall be maintained for inspection by the Clerk of the Board of County Commissioners. The automatic annual rate increase shall not apply to the Wastewater Capital Charge nor to the category of services on Exhibit "A" entitled "Specific Service Charges".

Section 4. Temporary Automatic Annual Commercial Rate Increase. In order to reduce the inequity between the effective commercial wastewater rate and the effective residential wastewater rate, the Board hereby adopts a temporary automatic annual rate

increase only for the services described on Exhibit “A” as “Volume Charge – Commercial Customers”, “Flat Rate (Sewer Only) – Commercial Volume Charge”, “Other Charges – Lockheed-Martin Treatment Charge”, and “Other Charges – High Strength Surcharge”. Effective on October 1<sup>st</sup> of each year, 2023 through 2027, the temporary automatic annual rate increase shall be ten percent (10%), and shall be applied only to the services described above, instead of the automatic annual rate increase listed in Section 3 herein. The ten percent (10%) increase shall be calculated using the rates in the then current Wastewater and Pollution Control Charge Schedule in effect immediately prior to the effective date of such temporary automatic annual rate increase. Additionally, for years 2023 through 2027, the automatic annual rate increase listed in Section 3 herein will be suspended for all other wastewater rates, fees, and charges. The Board further directs that on the effective date of each temporary automatic annual rate increase, the Wastewater and Pollution Control Charge Schedule in effect immediately prior to the effective date of such increases shall be revised to include the temporary ten percent (10%) increase, and that a copy of such revised Schedule shall be maintained for public inspection by the Clerk of the Board of County Commissioners. The temporary automatic annual rate increase shall not apply to the category of services on Exhibit “A” entitled Fixed Monthly Charges; Residential Volume Charge; Flat Rate (Sewer Only) – Residential Customers; Other Charges, except as listed above; or Specific Service Charges; and it shall not apply to the Wastewater Capital Charge.

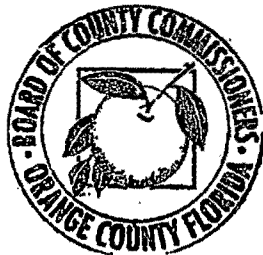
Section 5. Periodic Rate Review. The Board shall periodically conduct a review of the rates, fees and charges set forth in the Orange County Wastewater and Pollution Control Charge Schedule.

Section 6. Annual Notice to Customers. Each year, the Orange County Utilities Department shall send annual written notification to all customers of the Orange County Wastewater System of the County's monthly user rates, fees and charges as set forth in the then current Orange County Wastewater and Pollution Control Charge Schedule.

Section 7. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provisions or applications, and to this end the provisions of this Resolution are declared severable.

Section 8. Effective Date. This Resolution shall become effective upon approval.

ADOPTED THIS 5th DAY OF April, 2022.



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: Jerry L. Demings  
for Jerry L. Demings,  
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

BY: Phil Diamond  
Deputy Clerk

**EXHIBIT "A"**

**ORANGE COUNTY  
PRELIMINARY WASTEWATER AND POLLUTION CONTROL  
CHARGE SCHEDULE**

**FIXED MONTHLY CHARGES<sup>1</sup>**

<b><u>Water Meter Size</u></b>	<b><u>Monthly Charge</u></b>
5/8 by 3/4 inch meter	\$18.77
1 inch meter	\$41.75
1-1/2 inch meter	\$80.03
2 inch meter	\$125.99
3 inch meter	\$248.52
4 inch meter	\$386.40
6 inch meter	\$769.36
8 inch meter	\$1,228.90
10 inch meter	\$1,918.19

<b><u>VOLUME CHARGE<sup>2</sup></u></b>	<b><u>Charge per 1,000 gallons</u></b>
Residential Customers	\$4.26
Commercial Customers	\$4.26

**FLAT RATE (SEWER ONLY)**

<b><u>Residential Customers</u></b>	<b><u>Monthly Charge</u></b>
Single Family Home	\$61.44
Duplex (1 or 2 bedrooms)	\$51.11
Duplex (3 or more bedrooms)	\$61.44
Multi-Family (1 or 2 bedrooms)	\$51.11
Multi-Family (3 or more bedrooms)	\$61.44
Mobile Home (1 or 2 bedrooms)	\$40.93
Mobile Home (3 or more bedrooms)	\$51.11

<b><u>Commercial Customers</u></b>	
Customer Charge per account	\$3.44 per month
Volume Charge based upon Equivalent Residential Unit (ERU) factors	\$5.91 per 1,000 gallons

**OTHER CHARGES**

Lockheed-Martin Treatment Charge		\$4.38 per 1,000 gallons
High Strength Surcharges		\$4.26 per 1,000 gallons
BOD (biochemical oxygen demand)	\$63.03/100 lbs (for amounts in excess of 300 mg/L)	
SS (suspended solids)	\$67.21/100 lbs (for amounts in excess of 300 mg/L)	
Total Nitrogen	\$69.73/100 lbs (for amounts in excess of 40 mg/L)	
Phosphorous	\$260.44/100 lbs (for amounts in excess of 10 mg/L)	
Septage Disposal Charge		\$7.55 per hundred gallons

**Oil and Grease Program**

Application Fee	\$30.50
Monthly Maintenance Fee	\$33.60

**SPECIFIC SERVICE CHARGES**

Initiation of Service	
Regular Business Hours	\$16.00
Non-Business Hours	\$21.00
Unauthorized Connection	
Regular Business Hours	\$350.00
Non-Business Hours	\$361.00
Wastewater Construction/Acceptance for Maintenance Reinspection	
Base Charge	\$186.00
Per Line Segment	\$75.00
Dishonored Payment	\$25.00
Dishonored Credit Card Charge	\$18.00
Research Account Information	At Cost
Plans and Specifications	At Cost
Wastewater Service Restore Charge	At Cost
Late Payment Fee	1.5% on past due balance

Industrial Waste Charge	Rates and fees to be established upon application, subject to evaluation of quantity, quality character and treatability of wastes.
Wastewater Deposit - All Meters Sizes	2X estimated total monthly bill
Wastewater Pump Station SCADA Implementation Charge	
Duplex Pump Station	\$8,711.00
Triplex Pump Station	\$10,940.00

**AUTOMATIC ANNUAL RATE INCREASE**

Consistent with and pursuant to Section 153.11 of Florida Statutes, the Board of County Commissioners hereby adopts annually, effective October 1<sup>st</sup> each year hereafter, except for years 2023 through 2027, an automatic increase of three percent (3%) to all rates, fees and charges contained in this Wastewater and Pollution Control Charge Schedule in effect immediately prior to the effective date of such annual increase. The automatic increase shall not apply to Specific Service Charges or the Wastewater Capital Charge.

**TEMPORARY AUTOMATIC ANNUAL RATE INCREASE**

Consistent with and pursuant to Section 153.11 of Florida Statutes, and in order to reduce the inequity between the effective commercial wastewater rate and the effective residential wastewater rate, the Board of County Commissioners hereby adopts annually, effective on October 1<sup>st</sup> of each year, 2023 through 2027, a temporary automatic increase of ten percent (10%), which shall be applied only to commercial volume charges described as “Volume Charge – Commercial Customers”, “Flat Rate (Sewer Only) – Commercial Volume Charge”, “Other Charges – Lockheed-Martin Treatment Charge”, and “Other Charges – High Strength Surcharge” contained in this Wastewater and Pollution Control Charge Schedule in effect immediately prior to the effective date of such additional annual increase. The temporary automatic increase shall not apply to the Fixed Monthly Charges, to any residential charges, to the Other Charges, except as listed above, to the Specific Service Charges, or to the Wastewater Capital Charge.

**FOOTNOTES**

- (1) The Fixed Monthly Charge for a compound meter set shall be based on the smaller size of the two meters that compose the compound meter set.
- (2) In addition to the Fixed Monthly Charge, all customers (other than those customers who pay flat rates or industrial customers paying other individually established volume charges) shall pay a Volume Charge based on metered water consumption. The following classes of customers shall not be charged a Volume Charge for sewage discharge (as measured by metered water consumption) in excess of the following gallon amounts:

Residential, Single Family	14,000 gallons per month
Multiple Residential, 2-4 Units	25,000 gallons per month
Mobile Home	14,000 gallons per month