

# RESOLUTION

*of the*

## **ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS SUPERSEDING RESOLUTION NO. 2009-M-29**

*regarding*

**SETTING A REVISED PRELIMINARY RECLAIMED WATER CHARGE SCHEDULE; SUPERSEDING THE EXISTING RECLAIMED WATER CHARGE RESOLUTION; PROVIDING FOR AN AUTOMATIC ANNUAL INCREASE; PROVIDING FOR AN EXEMPTION FOR RIGHT-OF-WAY LANDSCAPING; PROVIDING FOR PERIODIC REVIEW; PROVIDING FOR ANNUAL NOTICE TO CUSTOMERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**RESOLUTION NO. 2025-M-\_\_\_\_\_**

WHEREAS, the Board of County Commissioners of Orange County (the “Board”) establishes and collects rates, fees and charges for its wastewater system (the “System”) pursuant to its home rule powers granted to the County by the Florida Constitution, the Orange County Charter, Chapters 125 and 153 of Florida Statutes and any other applicable statutory authority; and

WHEREAS, the Board last adopted a revised Reclaimed Water Charge Schedule on July 23, 2009, pursuant to Resolution 2009-M-29; and

WHEREAS, the Board has analyzed and caused to be prepared a report on the County’s reclaimed water system rates, fees, and charges; and

WHEREAS, as a result, the Board wishes to adopt the County’s preliminary reclaimed water system rates, fees, and charges; 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, fees, and charges may be adopted and put into effect and such resolution will then supersede the prior reclaimed water charge resolution, No. 2009-M-29; and

WHEREAS, the Board now desires to adopt this resolution setting forth such preliminary rate schedule.

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 Reclaimed Water Charge Schedule.** The Board hereby adopts the revised Preliminary Reclaimed Water Charge Schedule attached to and incorporated herein as Exhibit "A" (the "Schedule"). Upon final adoption at a duly noticed public hearing, a Resolution adopting the attached Schedule shall supersede the presently existing Reclaimed Water Charge Resolution adopted July 23, 2009, and upon the effective date of such Resolution, shall repeal Resolution No. 2009-M-29.

For those customers receiving reclaimed water before January 1, 2002, under written contract, the contract shall prevail if and to the extent there is any inconsistency between the provisions of this resolution, including its exhibits, and the provisions of the contract.

**Section 3. Automatic Annual Rate Increase.** The Board previously adopted by Resolution and hereby re-confirms and re-adopts the provision for an automatic annual rate increase for the services described on Exhibit "A" as "Fixed Monthly Charge" and "Volume Charge". Effective on October 1<sup>st</sup> of each year hereafter, an automatic annual increase shall be three percent (3%) of all rates, fees and charges contained in the then current Reclaimed Water Charge Schedule in effect immediately prior to the effective date of such automatic annual rate increase. The Board further directs that on the effective date of each automatic annual rate increase, the Reclaimed Water Charge Schedule in effect immediately prior to the effective date of such increases shall be revised to include the three percent (3%) increase, and that a copy of

such revised Schedule shall be maintained for public inspection by the Clerk to the Board of County Commissioners.

**Section 4.**     **Exemption for Right-of-Way Landscaping.** To encourage investment in the beautification of public streets, an incorporated homeowners' association may use reclaimed water with no monthly user charge in irrigation systems installed, connected, owned, operated, and maintained by the association to irrigate landscaping in the rights-of-way classified by the County as arterial and collector roads. Such use of reclaimed water requires that the association apply in advance and be approved for service through the Orange County Utilities Department.

**Section 5.**     **Periodic Rate Review.** The Board shall periodically conduct a review of the rates, fees, and charges set forth in the Orange County Reclaimed Water 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 Reclaimed Water System of the County's monthly user rates, fees, and charges as set forth in the then current Orange County Reclaimed Water Charge Schedule.

**Section 7.**     **Review of Resolution.** The Board hereby finds that all conditions precedent to adoption of this Resolution, pursuant to Section 30-2 of the Orange County Code, have been fulfilled.

**Section 8.**     **Severability .** If any provisions 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 9.**     **Effective Date.** This Resolution shall become effective upon approval.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: \_\_\_\_\_  
Jerry L. Demings,  
Orange County Mayor

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

BY: \_\_\_\_\_  
Deputy Clerk

**EXHIBIT "A"**

ORANGE COUNTY  
PRELIMINARY RECLAIMED WATER CHARGE SCHEDULE

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

<u>Reclaimed Water Meter Size</u>	<u>Monthly Charge</u>
5/8 inch	\$3.45
3/4 inch	\$3.45
1 inch	\$19.11
1½ inch	\$34.84
2 inch	\$53.71
3 inch	\$113.48
4 inch	\$192.12
6 inch	\$428.04
8 inch	\$506.68
10 inch	\$1,324.54
12 inch	\$1,670.56
16 inch	\$2,456.96

**VOLUME CHARGE**

Meters < 1 inch

Tier 1 – 0 - 4,000 gallons	\$0.29 per 1,000 gallons
Tier 2 – 5,000 - 12,000 gallons	\$1.30 per 1,000 gallons
Tier 3 – 13,000 gallons and above	\$2.21 per 1,000 gallons

Meters ≥ 1 inch

Priority User	\$1.57 per 1,000 gallons
Interruptible User – No On-site Storage	\$0.81 per 1,000 gallons
Interruptible User – With On-site Storage	\$0.64 per 1,000 gallons

**AUTOMATIC ANNUAL RATE INCREASE**

The Board of County Commissioners adopts annually, effective October 1<sup>st</sup> of each year hereafter an automatic increase each year of three percent (3%) to all rates, fees, and charges contained in this Preliminary Reclaimed Water Charge Schedule as they are in effect immediately prior to the effective date of such annual increase.

**FOOTNOTE**

- (1) The Orange County Utilities Department shall determine the appropriate meter size for use by all its customers.