## ORDINANCE NO. 2013-51

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE XVII, LAND DEVELOPMENT CODE, CHAPTER 171, FAIR SHARE IMPACT FEES, SUBCHAPTER 'WATER AND WASTEWATER IMPACT FEES', BY ADJUSTING THE WATER AND WASTEWATER IMPACT FEES; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title XVII, Land Development Code, Chapter 171, Fair Share Impact Fees, Subchapter 'Water, Wastewater and Reclaimed Water Impact Fees', Section 171.50, Water, Wastewater and Reclaimed Water Impact Fees, is hereby amended and shall henceforth read as follows:

## "SECTION 171.50 WATER AND WASTEWATER IMPACT FEES.

- (A) Adoption. The City hereby adopts and establishes pursuant to general law, a water capital charge and a wastewater capital charge as set forth in paragraph (1) herein below, the purpose of which will be to finance capital expenditures and the payment of City indebtedness associated with the expansion of the City's water supply, treatment and transmission system, the wastewater transmission, treatment, and effluent disposal system, and the reclaimed treatment and transmission system.
- (1) Implementation. The amount of each capital charge per equivalent residential connection (ERC) shall be effective October 1, 20123 as follows:

<u>Date</u>	Water Capital Charge	Wastewater Capital Charge
Oct. 1, 201 <u>23</u>	\$2,032 \$2,064.51	\$2,965 \$3,012.44

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(2) Beginning on October 1, 2013, and continuing perpetually aAll capital charge amounts listed in subsection (1) above will be increased annually on October 1st of every year according to the Engineering News Record (ENR) City Cost Index for the Southeast region.

\* \* \*

(D) Determination of equivalent residential connection factors for water and wastewater services.

(9) The amount of each capital charge recovery usage component shall be effective October 1, 20123 as follows:

<u>Date</u>	Water Capital Charge Recovery Usage Component	Wastewater Capital Charge Recovery Usage Component
Oct. 1, 201 <u>23</u>	<del>\$1.27</del> \$1.29	\$1.75 \$1.78

\* \* \*"

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections are to be numbered as shown herein.

SECTION 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of

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the City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect on October 1, 2013.

Read in title only at Meeting No. 2013-22, held on September 19, 2013; and read in title only and duly enacted at Meeting No. 2013-24, held on October 3, 2013.

ATTEST:

William Capote, MAYOF

Alice Passmore, CITY CLERK

Reviewed by CAO

Applicant:

City of Palm Bay

Case No.:

T-10-2013

CC:

10-04-13

Case File

Words stricken through shall be deleted; <u>underscored</u> words shall be included. Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.