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ORDINANCE NO. 220

AN ORDINANCE PROMULGATING THE RATES TO BE CHARGED FOR USE OF MUNICIPAL SEWER SERVICES: OUTLINING MEANS OF ENFORCING PAYMENT FOR SUCH SERVICE, PROMULGATING REQUIREMENTS FOR CONNECTION, SETTING UP MAINTENANCE REQUIREMENTS, PROHIBITING FREE SERVICE, AND PENALTIES FOR VIOLATION.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA THAT:

SECTION 1. CONNECTIONS WITH SEWER REQUIRED. The owner of each lot or parcel of land within the City of Bonifay, upon which lot or parcel of land or any building, or trailer used as a dwelling, is now situated or shall hereafter be situated, for either residential, commercial or industrial, use, shall connect or cause such building or buildings or trailer or trailers to be connected with the public sewer facilities within 3 months (90 days), following notification so to do by the Clerk of the City. All such connections shall be made in accordance with rules and regulations which shall be adopted from time to time by the Bonifay City Council, which rules and regulations shall provide for a charge for making any such connections in such reasonable amount as such Council may fix and determine. No connection or connections shall be required where said sewer system or line is more than three hundred (300) feet from such lot or parcel of land.

SECTION 2. EXCEPTIONS TO CONNECTIONS. This ordinance shall not be construed to require or entitle any person to cross the private property of another to make any such sewer or water connection.

SECTION 3. CONNECTIONS MAY BE MADE BY CITY. If any such owner of any lot or parcel of land within the City shall fail and refuse to connect with and use the facilities of the sewer system of the City after notification by the City Clerk, as provided herein, then the City shall be authorized to make such connections, entering on or upon any such lot or parcel of land for the purpose of making such connection, together with reasonable penalties and interest and attorney's fees, by suit in any court of competent jurisdiction. In addition and as an alternative means of collecting such costs of making such cost, which lien shall be of equal dignity with the lien of state and County municipal taxes. Such lien may be foreclosed by the City in the same manner provided by the laws of Florida for the foreclosure of mortgages upon real estate.

SECTION 4. RATES, INSIDE CITY.

A. All residential users of the Sewer System shall pay a monthly rate of \$10.00

B. All commercial users of the Sewer System shall pay a monthly rate of \$10.00, plus \$0.60 per 1,000 gallons of water used.

C. All apartment houses, motels, hospitals, nursing homes, housing projects, shall pay a monthly rate of \$6.00 per room or rental unit, unless user can qualify under SECTION I below.

D. Public building users shall pay a monthly rate of \$10.00 per commode, plus \$0.60 per 1,000 gallons of water used (schools, courthouse, city hall,

E. Industrial buildings, plants, etc., shall pay a monthly rate of \$10.00 per commode, unless user can qualify under SECTION I below.

F. Tap Fees; Tap fees as listed below will apply, or may be adjusted from time to time by resolution of the City Council. Tap fee for 4" tap - \$100.00. Tap fee for 6" tap - \$300.00.

G. Every unit of residence or business though they may be in the same building with one main service, will be required to pay for water, sewage and garbage service: If water and sewage is available in that section of the building or buildings where business is transacted or persons reside or congregate.

H. All commercial users, apartment houses, motels, hospitals, nursing homes, housing projects, trailer parks, public buildings such as Courthouse, City Hall, Police Station, Health Department, Churches or any other users where water meters are not working or not in place, the City reserves the right to estimate gallons of water used.

I. The City reserves the right to enter into contracts with large users of water and/or sewer service for the purpose of setting and determining a monthly charge or rate for the use of such services, which monthly rate or charge may be computed upon a different basis than set forth in the paragraph immediately preceding. Such contracts shall be entered into by means of resolution duly adopted by the City Council.

SECTION 5. RATES, OUTSIDE CITY. All sewer users outside the City shall pay a sewer charge equal to  $1\frac{1}{2}$  (1.50) times the rate for that classification as listed in SECTION 4 above, unless they can qualify for rates as defined in SECTION 4 - I above.

SECTION 6. UNLAWFUL CONNECTIONS. No person shall be allowed to connect into any water line or sewer line owned by the City without the written consent of the City, and then the connection with such line shall be made only under the direction and supervision of the Sewer Department. Any property owner or plumber who shall make any connection without such consent of the City, shall upon conviction be subject to the penalties hereinafter provided.

SECTION 7. SPECIFICATION. All sewer lines, laterals or waste disposal lines that are to be connected to the main sewer shall be at least 4" or larger in size, and shall be 3034 sewer pipe or Schedule 40 and or a better grade. Clean out plug shall be located every 100' or less. Clean out plug shall be located in back of sewer line outside of building readily accessible. The number of clean out plugs around a building shall be designated by City's plumbing inspector.

SECTION 8. UNLAWFUL CONSTRUCTION. No person, group of persons, firm, or corporation shall build or remodel or cause to be built or remodeled any structure used for human habitation or occupancy within the City which is within three hundred (300) feet of a public sanitary sewer line, unless it is provided with water-carried sewerage facilities.

SECTION 9. CONNECTING OLD PLUMBING. Whenever it is desirable to connect old plumbing with the City sewer main and/or water line, the owner or plumber contemplating doing such work shall notify the City's plumbing inspector who will inspect said old plumbing and notify the owner or plumber what alterations will be necessary to place said old plumbing in an acceptable condition for such connection. Any owner or plumber who shall make any connection without the approval of the plumbing inspector shall, upon conviction, be subject to the penalties hereinafter provided.

SECTION 10. SANITARY REQUIREMENTS. Every residence and building in which human beings reside, are employed or congregated, shall be required to have a sanitary method of disposing of human excrement, namely either a sanitary water closet that is connected with the City's sewer, or an approved type of septic tank. A septic tank will be used only if the property is more than three hundred (300) feet from the sewer line.

SECTION 11. DISPOSAL REQUIREMENTS. It shall be unlawful for any person, persons, firm or corporation owning or leasing any premises in the City to permit the disposal of any human excrement on any property, leased or rented by any such person, firm or corporation or the agent of any such person, firm or corporation, except in a sanitary water closet where sewage lines are available as defined above.

SECTION 12. SEPTIC TANK. No septic tank other than those approved by the State Department of Pollution Control shall be constructed within the corporate limits of Bonifay, Florida. No septic tank shall be constructed within three hundred (300) feet of the sewer lines.

SECTION 13. MAINTENANCE OF PLUMBING SYSTEM. The owner of the property shall be responsible for maintaining and keeping clean the water and sewer pipes leading and connecting from the plumbing system to the sewer distribution lines and main sewers.

SECTION 14. PAYMENT OF FEES AND BILLS REQUIRED. Bills for the monthly charges and fees hereinbefore mentioned shall be submitted and shall be payable on the 1st (first) day of each month and if such monthly bill shall be and remain unpaid on and after the 10th (tenth) day of such month for such service, a penalty of 10% (ten percent) shall be imposed and be added to said bill, and the water service to the consumer shall be subject to discontinuance and shall not be reconnected after discontinuance until all past due water bills and sewage disposal fees are fully paid, together with said charge of \$15.00 reconnect fee.

SECTION 15. COLLECTION OF SEWER FEES WHERE OWNER HAS PRIVATE WATER SUPPLY. Where sewage disposal fees are not paid in accordance with provisions outlined above, in those instances where the owner has his own private water supply, the City shall have a right to cut off such water supply to the plumbing system and owner shall have no right to reconnect his own private water supply until the sewage disposal fees shall have been paid in full. Any violation of this provision by reconnecting his private water supply, until such sewage disposal fees are paid in full shall be considered a violation of this Ordinance and subject to the penalties hereinafter provided.

SECTION 16. FAILURE TO MAINTAIN PLUMBING SYSTEM. Failure to keep the sewer pipe i.e. the pipe leading from the plumbing system to the sewer main, clean, and maintained in a proper manner will give the City the right to cut off the water connection, which shall not be reconnected until the sewer pipe is cleaned and maintained properly. In those instances where the owner has his own private water supply, the City shall have the right to cut off such water supply to the plumbing system, and the owner shall have no right to reconnect his own private water supply until the sewer pipe leading from the plumbing system to the sewer main has been maintained and cleaned and in proper condition. Any violation of this provision by reconnecting his private water supply or the connection from the City water line, until such sewer pipes are cleaned and maintained properly, shall be considered a violation of this ordinance and subject to penalties hereinafter provided.

SECTION 17. INTERCEPTORS. Grease, oil, and sand interceptors shall be provided when, in the opinion of the City they are necessary for the proper

flammable wastes, sand, or other harmful ingredients: except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City, and shall be located as to be readily and easily accessible for cleaning and inspection.

SECTION 18. DOWNSPOUTS. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

SECTION 19. NO SERVICE FEE. No water nor sewage disposal service shall be furnished or rendered free of charge to any person, firm or corporation whatsoever, and the City and each and every agency, department or instrumentality which uses either or both such service shall pay therefor at the rates fixed by this Ordinance.

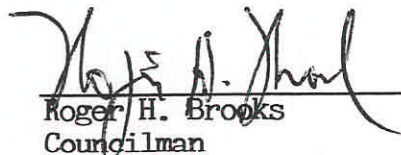
SECTION 20. SEPARATE CONNECTIONS FOR EACH SEPARATE UNIT. Each residential unit whether occupying one or more lots and whether it shall occupy any lot or parcel jointly with any other residential unit shall be considered a separate unit for the payment of the sewage disposal fees, and separate connections and meters will be required for each of such units.


SECTION 21. PENALTIES. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, for each such offense, be subject to a fine of not to exceed five hundred dollars (\$500.00) or imprisonment for not to exceed sixty (60) days, or by both such fine and imprisonment in the discretion of the County Judge. Any failure or refusal by an owner to connect to the City sewer after notification so to do, as hereinabove provided, or any failure or refusal to pay the charges or rates hereinabove provided, shall be construed to be a violation of this Ordinance.

SECTION 22. All ordinances or parts of ordinances and all sections or parts of sections of the Code of Ordinance of the City of Bonifay in conflict herewith are hereby repealed.


SECTION 23. EFFECTIVE DATE. This Ordinance shall become effective July 1, 1985.

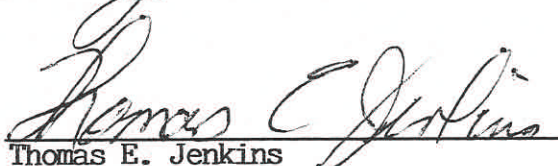
PASSES AND ADOPTED BY THE City Council of the City of Bonifay, Florida, at its regular meeting held the 10 day of June 1985

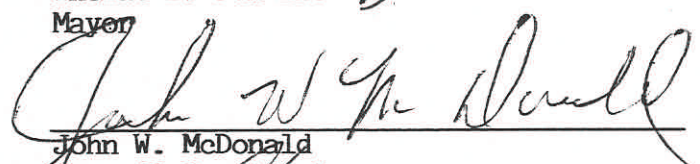
  
\_\_\_\_\_  
Roger H. Brooks  
Councilman

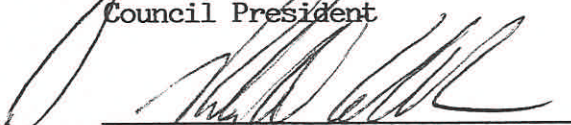
  
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Helen Godwin  
Councilwoman

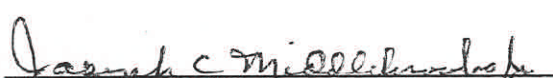
ATTEST:

  
\_\_\_\_\_  
R. A. Boswell  
City Clerk

  
\_\_\_\_\_  
Thomas E. Jenkins  
Mayor

  
\_\_\_\_\_  
John W. McDonald  
Council President

  
\_\_\_\_\_  
Ricky D. Callahan  
Council Vice President

  
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Joseph C. Middlebrooks