

PART II - CODE OF ORDINANCES

Chapter 24 - WATER AND SEWERS—DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES

ARTICLE VI. UTILITY RULES, REGULATIONS AND RATES

Sec. 24-73. Connection charges.

- (a) There shall be paid by all users (a user shall be defined as an owner, builder, occupant, tenant, or other prospective consumer of water and waste water service) connecting into the water and/or waste water system, at the time application is made for a building permit, water and waste water connection charges as listed in Tables 1, 2, and 3 to defray costs relating to construction of production, certain transmission, storage, pumping, and treatment facilities for water supply service, and waste water collection, conveyance, pumping, treatment, and disposal facilities; provided, however, that the city may require and accept the prepayment of connection charges whenever it shall determine that such prepayments are required in the funding of all or part of the capital costs of new utility facilities.
- (b) All connection charges shall be paid by the user on the basis of the number of equivalent residential connections (ERC's) proposed to be connected into the water or waste water system. An ERC equates all classes of utility users to a common denominator (i.e., a detached single-family residential unit has a value of 1.0 ERC). All other types and classes of users shall be equated to this value as listed in Tables 1, 2, and 3.
- (c) Either upon initial connection to the system, or upon each change of type or expansion of occupancy, or type of use, or nature of business, all nonresidential users, including commercial and industrial users and public facilities, shall have their ERC value redetermined based on the actual measured and recorded water consumption. The actual use shall be determined after said change occurs or after initial connection to the system and when the facility reaches the degree of occupancy, activity, or use that allows for the accurate measurement of maximum expected water consumption (as determined by the city). The actual measured water consumption shall be used as the basis for redetermining the ERC value as follows: The maximum monthly flow for a previous one-year period (converted to a daily flow value in gallons per day) shall be divided by three hundred thirty-five (335) gallons per day per ERC to derive the redetermined ERC value, which shall be calculated to the nearest one-hundredth (0.01) ERC. Payment of any additional water and/or wastewater connection charge, based upon the redetermined ERC value, shall be due and payable by the user within thirty (30) days after written notice of the redetermined ERC value and additional connection charge is received by the user or owner of said establishment.
- (d) Upon each change of type or expansion of occupancy, or type of use, or nature of business, the owner of said establishment and the owner of the building or land upon which said establishment or business is situated, shall notify the department of environmental and engineering services of said change or new use or business.

Upon notification of the above, a redetermination will be made by the department of environment and engineering services at the earliest practicable time to ascertain the potential incremental increase in water and/or wastewater flow resulting from the change of type or expansion of occupancy, or type of use, or nature of business. An additional water and/or wastewater connection charge conforming to the connection charge schedule listed in Tables 1, 2, and 3 shall be imposed, if applicable. The charge shall extend only to the additional usage of the water and wastewater system engendered by the above-described changes. Payment of any additional water and wastewater connection charge, based upon the redetermined ERC value, shall be due and payable by the user or owner within thirty (30) days after written notice of the redetermined ERC value and additional connection charge is received by the user or owner of said establishment.

- (e) The new connection charges set forth under paragraph (a) shall become effective on the effective date of this section and said initial connection charges under paragraph (a) shall apply to: All users issued a building permit after the effective date of this section; and all users issued a building permit

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prior to the effective date of this section and who have not connected to the system or become a customer within one hundred eighty (180) days after the effective date of this section.

Paragraphs (b), (c) and (d) shall apply to all users, irrespective of the date on which they have connected to the utility system of the City of Margate.

- (f) All monies received by the city from water and waste water connection charges, plus interest, if any, shall be deposited in a utility capital improvement account and monies shall be expended from that account only for the purposes of:
 - (1) Extending, oversizing, or constructing new additions to:
 - a. Water supply facilities;
 - b. Water and waste water treatment plants;
 - c. Waste water collection systems;
 - d. Water distribution systems;
 - e. Water and waste water pumping systems and storage facilities;
 - f. Waste water disposal facilities;
 - g. Water and waste water sludge handling and disposal facilities.
 - h. Alternative water supply facilities and wastewater reuse facilities.
 - i. Any portion of debt service associated with debt issued to finance improvements listed above.
 - (2) Engineering, legal, and administrative expenses incurred in conducting the aforementioned projects and in establishing and administering the new connection charge program.
- (g) Failure to comply with this section shall be enforced:
 - (1) Pursuant to Section 1-8 of the City Code;
 - (2) By termination of water and/or waste water; or
 - (3) By both (1) and (2).

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Table 1

WATER CONNECTION CHARGE SCHEDULE

Water Service Category	Connection Charge	ERC Value Per Unit
Single-family residence:		
	(One 5/8" × 3/4" meter for each residence)	\$1,790.00 each residence)
1.0		
Single-family residence:		
	(One 3/4" meter for each residence)	\$2,685.00 (each residence)
1.5		
Duplexes:		
	(One 5/8" × 3/4" meter for each residential unit)	\$1,790.00 (each unit)
1.0		
Triplexes:		
	(One 5/8" × 3/4" meter for each residential unit)	\$1,790.00 (each unit)
1.0		
Townhouse:		
	(One 5/8" × 3/4" meter for each residential unit in each building)	\$1,790.00 (each unit)
1.0		
Mobile home residence:		
	(One 5/8" × 3/4" meter for each mobile home pad)	\$1,790.00 (each mobile home pad)
1.0		
Mobile home residence:		
	(One meter to serve more than one residential unit, meter size to be determined by city department of	\$961.23 (each mobile home pad)
0.537		

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	environmental and engineering services)		
Multifamily residence:			
	(One meter to serve more than one residential unit (apartments and condominiums)	\$961.23 (each residential unit)	0.537
Commercial/industrial/ public facilities		See Table 3	See Table 3
	Sprinkler meters:		
5/8-inch meter			2
1-inch meter			6
1½-inch meter			9
2-inch meter			15
	Larger than 2-inch meter	By individual negotiation with the administration.	

Water and Wastewater = \$1,790.00 + \$1,920.00 = \$3,710.00

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Table 2
WASTE WATER CONNECTION CHARGE SCHEDULE

Waste Water Service Category	Connection Charge	ERC Value Per Unit
Single-family residence:		
	(One 5/8" × 3/4" meter for each residence)	\$1,920.00 (each residence)
1.0		
Single-family residence:		
	(One 3/4" meter for each residence)	\$2,880.00 (each residence)
1.5		
Duplexes:		
	(One 5/8" × 3/4" meter for each residential unit)	\$1,920.00 (each unit)
1.0		
Triplexes:		
	(One 5/8" × 3/4" meter for each residential unit)	\$1,920.00 (each unit)
1.0		
Townhouse:		
	(One 5/7" × 3/4" meter for each residential unit in each building)	\$1,920.00 (each unit)
1.0		
Mobile home residence:		
	(One 5/8" × 3/4" meter for each mobile home pad)	\$1,920.00 (each mobile home pad)
1.0		
Mobile home residence:		
	(One meter to serve more than one residential unit, meter size to be determined by city department of	\$1,267.20 (each mobile home pad)
0.66		

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	environmental and engineering services)		
Multifamily residence:			
	(One meter to serve more than one residential unit (apartments and condominiums)	\$1,267.20 (each residential unit)	0.66
Commercial/industrial/public facilities		See Table 3	See Table 3

Table 3

COMMERCIAL, INDUSTRIAL, AND PUBLIC FACILITIES
FLOW ESTIMATES AND CONNECTION CHARGES

*Average
Water Consumption
and Waste Water
Flow Estimates*

Type of Use or Establishment (gpd—gallons per day)

- (1) Assembly halls, auditoriums, and movie theaters:
 - (a) Without food service, gpd/seat3
 - (b) With food service, gpd/seat5
- (2) Barber shops, gpd/chair55
- (3) Beauty shops, gpd/station270
- (4) Bowling alleys:
 - (a) Without food service, gpd/sq. ft.0.24
 - (b) With food service, gpd/sq. ft.0.29
- (5) Car washes:
 - (a) Customer stall type, gpd/sq. ft.1.5
 - (b) Automatic and drive-through, gpd/sq. ft.4.8
- (6) Houses of worship:
 - (a) Without kitchen facilities, gpd/seat3.0
 - (b) With kitchen facilities, gpd/seat5.0
- (7) Clubs:
 - (a) Country or golf, gpd/member65

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- (b) Swimming or pool, gpd/member15
- (c) Lodges and fraternal organizations, gpd/member10
- (8) Cocktail lounges, gpd/seat10
- (9) Department stores, gpd/sq. ft.0.22
- (10) Detention centers and jails, gpd/beds100
- (11) Dance halls:
 - (a) Without food service, gpd/sq. ft.0.24
 - (b) With food service, gpd/sq. ft.0.29
- (12) Factories and industrial facilities:
 - (a) Without showers and without industrial wastes, gpd/employee/shift25
 - (b) With showers and no industrial wastes, gpd/employee/shift35
 - (c) Industrial flows to be computed and added to (a) or (b) above.
- (13) Hospitals, gpd/bed350
- (14) Hotels/motels:
 - (a) Without food service and/or meeting facilities, gpd/room250
 - (b) With food service and/or meeting facilities, gpd/room350
- (15) Institutions (resident), gpd/person100
- (16) Commercial laundries, gpd/sq. ft.0.25
- (17) Laundromats, gpd/sq. ft.2.2
- (18) Light industrial use with no industrial wastes, gpd/employee15
- (19) Nursing, rest, and boarding homes, gpd/bed135
- (20) Office buildings:
 - (a) General offices, gpd/sq. ft.0.24
 - (b) Medical offices, gpd/sq. ft.0.60
- (21) Restaurants:
 - (a) Conventional, gpd/seat30
 - (b) Conventional, 24-hour, gpd/seat40
 - (c) Fast food, gpd/seat40
- (22) Service, filling, or gas stations, gpd/sq. ft. of enclosed space0.30
- (23) Schools:
 - (a) Nursery, kindergarten, elementary, and junior high, gpd/student15
 - (b) Senior high, gpd/student25
 - (c) Boarding schools, gpd/student75
- (24) Stadiums, frontons, ballparks, gpd/seat3

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*Average
Water Consumption
and Waste Water
Flow Estimates*

Type of Use or Establishment (gpd—gallons per day)

- (24.1) Sprinkler meters:
- 5/8-inch meter2 (ERC value)
 - 1-inch meter6 (ERC value)
 - 1½-inch meter9 (ERC value)
 - Larger than 2-inch meterBy individual negotiation with the administration.
- (25) Supermarkets and grocery stores, gpd/sq. ft. of total roof area0.15
- (26) Tourist campgrounds and recreational parks:
- (a) With central toilet facilities, gpd/space125
 - (b) With individual waste water service for each space, gpd/space180
- (27) Warehouses:
- (a) Without water closets, gpd/sq. ft.0.15
 - (b) With water closetsAdd 200 gpd/water closet
- (28) The following commercial uses or establishments will be assigned a minimum of 1.0 ERC per unit in the absence of actual water consumption data for similar commercial units:
- (a) Appliance stores;
 - (b) Book stores;
 - (c) Camera and hobby shops;
 - (d) Card shops;
 - (e) Gift shops;
 - (f) Hardware stores;
 - (g) Jewelry stores;
 - (h) Paint stores;
 - (i) Record and tape stores;
 - (j) Travel agencies; and
 - (k) Similar retail establishments.

Notes:

- (a) Each commercial use, unit, or establishment shall have a minimum of 1.0 ERC or 1.0 ERC per water meter, whichever is greater.
- (b) Where an applicant furnishes one year's water consumption records for an equal or similar establishment not conforming to any of the above, these records may be used in determining connection fees. Records furnished must be certified by the water utility serving the

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establishment and based upon full occupancy. In the event that the applicant's establishment does not conform to any of the above and Florida records from similar establishments cannot be furnished, the applicant's registered engineer shall submit a certified and sealed flow estimate for review and possible approval by the director of environmental and engineering services.

(c) Matters of interpretation and definition shall rest with the city administration.

Sample Calculation:

Apply the following factors to the above data to obtain the appropriate connection charge for the intended use:

Example: Assume a hospital with one hundred (100) beds. Refer to Item 13 of Table 3 to ascertain flow value. Calculate all ERC values to the nearest one-hundredth (0.01) ERC.

Total ERC value (100 beds × 350 gpd/bed) divided by (335 gpd/ERC) = 104.48 ERCs

Water connection charge: 104.48 ERCs × \$1,790.00 per water ERC = \$187,019.20

Sewer connection charge: 104.48 ERCs × \$1,920.00 per sewer ERC = \$200,601.60

Total connection charges: 104.48 ERCs × \$3710.00/ERC = \$387,620.80

(Ord. No. 82-31, § 1, 9-15-82; Ord. No. 83-3, § 1, 2-2-83; Ord. No. 83-8, § 1, 4-6-83; Ord. No. 83-42, §§ 1, 2, 12-22-83; Ord. No. 85-24, § 1, 6-19-85; Ord. No. 85-40, § 1, 10-16-85; Ord. No. 91-15, § 1, 6-19-91; Ord. No. 2008-20, § 1, 12-10-08)

Editor's note—

Ordinance No. 83-8, § 1, adopted April 6, 1983, amended § 24-73 by adding a new item (24) to Table 3 of said section. Inasmuch as Table 3 of § 24-73 already contains an item (24), the editor has redesignated those provisions amending Table 3 as item (24.1).

Sec. 24-74. Implementation of water and sewer connection charges.

- (a) It shall be the policy of the City of Margate that all water and sewer facilities which are determined by the administration to be needed to serve new and prospective users of the Margate Water and Sewer Systems shall be constructed at the cost of said new and prospective users of the Margate Water and Sewer System, except as provided herein.
- (b) In order to implement the above-described policy of the City of Margate, those portions of the water and sewer connection charges as enacted by the city which are necessitated by the cost of new facilities for new and prospective users shall be prepaid by said users in cash at the time that said new users indicate to the city that they desire water and/or waste water plant capacity specifically built and reserved for said users. This section hereby implements the connection charge prepayment provisions of Section 24-73(a) of the City Code.
- (c) No new water and/or sewer capacity shall be approved unless allocation of water and/or sewer capacity has been requested and paid for prior to the City of Margate constructing the same, except as provided herein.
- (d) Prepayment of connection charges shall be one thousand nine hundred twenty dollars (\$1,920.00) per sewer ERC and one thousand seven hundred ninety dollars (\$1,790.00) per water ERC, for a total prepayment of three thousand seven hundred ten dollars (\$3,710.00) per ERC. Such connection charges shall be subject to adjustment as provided in section 24-73.

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- (e) The city commission may allocate water and sewer capacity to prospective new users who have not complied with paragraph (c) above but who pay all current appropriate charges including those in paragraph (d) above on the following terms: That any prospective user of water and/or sewer capacity within the Margate Utility Service Area, which is generally the geographic area including the City of Margate, and the portion of the City of County [Coconut] Creek south of Coconut Creek Parkway, all of which comprise the area supplied by the City of Margate with waste water and water service, which comes before the city commission of the City of Margate for a variance from the above terms showing the following:
- (1) That they seek capacity for no more than ten (10) equivalent residential units;
 - (2) That they have never requested a variance to the above terms on any prior occasion; and,
 - (3) That they satisfy the city commission that they were not given the opportunity to participate in the reservation of capacity program before said plant capacity was built, or that hardship not of their own making existed preventing them from availing themselves of said opportunity.
- (f) Notwithstanding the above, and upon payment of all currently applicable charges (including those contained in paragraph (d) above), the city commission may allocate more than five (5) equivalent residential units to any prospective user where it finds that the approval of the prospective new user serves a community-wide public purpose other than the construction of said project, the generation of tax revenue or the creation of employment within the City of Margate. Such finding of community-wide public purpose by the city commission includes the preservation of the integrity of the City of Margate Utility Service Area which includes the geographic area including the City of Margate and the portion of the City of Coconut Creek south of Coconut Creek Parkway, all of which comprise the area supplied by the City of Margate with waste water and water service.
- (g) The city commission may allocate water and sewer capacity to a new user who has complied with paragraphs (a), (b), (c), and (d) above and is therefore a part of the prepayment program on the following terms:
- (1) That the user request a variance before the city commission of the City of Margate demonstrating the following:
 - a. That the user demonstrate a hardship in that the user is unable to construct a specific development or developments without additional ERCs for water and/or sewer;
 - b. That the user demonstrate that any contemplated development or developments have been considered by the development review committee of the City of Margate for site plan review;
 - c. That the user demonstrate that the user or his predecessor in good faith underestimated its need upon joining the prepaid program;
 - d. That the user demonstrate that it has not requested a prior variance pursuant to this section.
 - (2) The city commission, with input from the administration, shall grant no more than ten (10) ERCs or an additional ten (10) per cent over and above the ERCs that an original participant/purchaser in the prepaid program had previously purchased in said program, whichever is greater, but only upon a finding that the user or its predecessor had, at the time of joining the prepaid program, reasonably anticipated prospective uses for the property which is the subject of the variance. No more than ten (10) ERCs or ten (10) per cent over the original purchase of ERCs shall be granted to any subsequent users and all subsequent users shall take subject to, and limitation of, the previous variances granted to users who are successors to the same original participant/purchaser in the program.

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There shall be a specific finding by the administration upon the grant of every variance, pursuant to this section, that the number of ERCs granted will not exceed the anticipated treatment capacity of the plant upon peak flow with the variance granted.

- (3) Any user granted a variance shall pay current connection fees, and all other current charges for any ERCs granted.
- (4) That the city commission of the City of Margate may refuse to grant any variance and thus allocate additional ERCs, pursuant to this section, when it determines, based upon information supplied to it by the administration, that remaining capacity must be preserved in order to properly provide for those reservations which have been prepaid and no variance has been requested.

(Ord. No. 83-5, § 1, 2-2-83; Ord. No. 83-41, § 1, 12-22-83; Ord. No. 85-15, § 1, 4-24-85; Ord. No. 85-20, § 1, 6-5-85; Ord. No. 85-24, § 2, 6-19-85; Ord. No. 85-30, § 1, 8-28-85; Ord. No. 85-40, § 2, 10-16-85; Ord. No. 88-8, § 1, 3-16-88; Ord. No. 92-3, § 1, 3-4-92; Ord. No. 2008-20, § 1, 12-10-08)