

ORDINANCE NO. 261

AN ORDINANCE ESTABLISHING WATER RATES, DEPOSITS, CHARGES FOR CONNECTIONS AND OTHER SERVICES, AND ESTABLISHING BILLING AND COLLECTION PROCEDURES OF THE WATER DISTRIBUTION SYSTEM OF THE TOWN OF WEST MIAMI; PROHIBITING USE OF WELL WATER FOR CERTAIN PURPOSES AND REQUIRING USE OF MUNICIPAL WATER; PROHIBITING TAMPERING WITH OR DAMAGING WATER METERS AND OTHER PROPERTY OF THE SYSTEM; MAKING PROPERTY OWNERS PRIMARILY RESPONSIBLE FOR WATER CHARGES; PROVIDING PENALTIES FOR VIOLATIONS OF SAID ORDINANCE; AND SUPERSEDING CERTAIN ORDINANCES.

BE IT ENACTED BY THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF WEST MIAMI:

Section 1. There is hereby established the following schedule of rates and charges for services rendered by the municipal water distribution system of the Town of West Miami:

(a) A minimum charge for water furnished in a bi-monthly billing period not to exceed 1,000 cubic feet \$3.00.

(b) For water furnished in a bi-monthly billing period in excess of 1,000 cubic feet, not to exceed a total of 3,000 cubic feet\$.30 per 100 cubic feet.

(c) For water furnished in a bi-monthly billing period in excess of 3,000 cubic feet, not to exceed a total of 21,000 cubic feet \$.26 per 100 cubic feet.

(d) For water furnished in a bi-monthly billing period in excess of 21,000 cubic feet, not to exceed a total of 57,000 cubic feet \$.22 per 100 cubic feet.

(e) For water furnished in a bi-monthly billing period in excess of 57,000 cubic feet \$.18 per 100 cubic feet.

Section 2. No water service shall be furnished or rendered free of charge to any person, firm or corporation and all water service furnished to any person, firm or corporation whatsoever shall be paid for by the user thereof at the rates fixed in this ordinance.

Section 3. The Town will furnish the water meter and meter box and prior to the installation of any meter will collect a deposit of \$10.00 from resident property owners, \$15.00 from tenants, and \$10.00 from new construction. Whenever water service is terminated and deposit withdrawn, the Town will collect deposit as set forth above prior to resumption of water service. Charges for water service shall be the primary responsibility of the property owner and discontinued service will not be resumed until payment of all past charges and the posting of deposit as herein provided. All water meters shall be read bimonthly and bills for any and all water charges shall be rendered and paid bimonthly; provided however that the Chief Administrative Officer of the Water Department may establish a system of staggered billing and during adoption of such system may render temporary billings for a period of less than two months. Upon adoption of staggered system of billing all bills rendered thereafter shall be bimonthly.

Section 4. If any monthly bills for water service shall be and remain due and unpaid on or after twenty (20) days from the day of submission of said bill for water service, the water service to such customers so in arrears may be discontinued without notice, and must be turned off after 60 days. In the event service is discontinued for non-payment of the bill for water service, the unpaid bill must be paid in full prior to service being resumed. In addition, a service charge of \$1.50 must be paid at the same time to reimburse the Town for its expenses in connection with resuming service.

Section 5. The Town of West Miami shall pay a minimum charge of \$35.00 per year for each fire hydrant connected to said water system, and in no event shall said minimum yearly charge be less than the actual cost of water consumed.

Section 6. Whenever it shall be found necessary to tap into the pipe lines of the Town of West Miami in order to supply any customer of the Town with water, a tapping charge shall be made as follows:

For a 5/8" pipe	\$35.00
For a 3/4" pipe	45.00
For a 1" pipe	70.00
For a 1 1/2" "	115.00
For a 2" Pipe	165.00

Section 7. From and after the passage of this ordinance, it shall be unlawful for any person to permit any water meter located on property over which said person has any control to become covered in any manner so as to interfere with the inspection and reading thereof.

Section 8. All bills for water sold by the Town shall be payable at the Town Hall during ordinary business hours, either by mail or in person, and no payment made elsewhere or to any person outside of the Town Hall shall be valid or binding on the Town.

✓ Section 9. From and after the adoption of this ordinance it shall be unlawful for any person other than an authorized employee of the Water Department of the Town of West Miami to tamper with or damage in any way, or to disturb any water meter, meter box, or any property of the Town used in the operation of the water distribution system, or to turn on or turn off water at the meter, disconnect the meter, make any tap into the water lines of the Town, or in any way alter the readings recorded on the water meter dials, or meters used in the water distribution system for said Town.

✓ Section 10. If service has been discontinued at any premises, and the water meter sealed, and thereafter, some person other than an agent or employee of the Town of West Miami breaks the seal on the meter and restores water connection, it shall be prima facie evidence that such act was unlawfully done by the head of the family occupying the premises to which water service has thus been restored.

Section 11. That the use of water from privately owned wells for household, domestic, food processing, food handling, restaurant, dairying, or bottling purposes or activities is hereby prohibited and declared to be unlawful whenever and wherever water produced by the waterworks system of the Town is available for use for such purposes; provided that water produced by the waterworks system of the Town shall be considered as available thirty (30) days after the Director of the Dade County Public Health Unit, or the Water Board of the Town, shall give written notice of such availability to the owner, tenant or occupant of any building wherein water obtained from a privately owned well is being used for household, domestic, food processing, food handling, restaurant, dairying or bottling purposes or activities. The provisions of this section shall not be construed as preventing or prohibiting the use of water from privately owned wells for sprinkling, irrigation, air-conditioning and fire-prevention purposes or activities.

Section 12. That the owner, tenant or occupant of any building wherein water obtained from a privately owned well is being used for household, domestic, food processing, food and drink handling, restaurant, dairying or bottling purposes or activities is hereby required to discontinue the use of such water for any of such purposes or activities within such building within thirty (30) days of the receipt of written notice from the Director of the Dade County Public Health Unit, or from the Water Board of the Town of West Miami, that water produced by the waterworks system of the Town is available for use in such building, and is hereby further required to use thenceforth for any of such purposes or activities within such building only such water as has been produced by the waterworks system of the Town. The provisions of this section shall not be construed as requiring

the use, for sprinkling, irrigation, air-conditioning and fire-prevention purposes or activities of water produced by the water-works system of the Town.

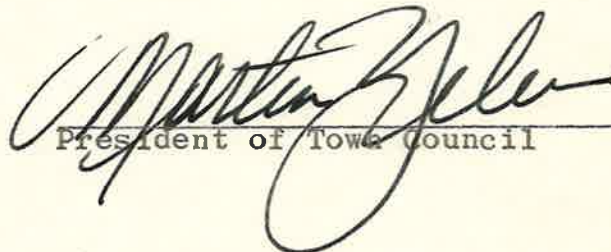
Section 13. Violation of this ordinance shall be punished, upon conviction, by a fine not exceeding \$500.00 or by imprisonment in the Town Jail for a period not exceeding 60 days, or both, in the discretion of the Judge.

Section 14. This ordinance supersedes Ordinances 128, 146, 163, 197 and 256 of the Town of West Miami and upon this ordinance taking effect, said ordinances shall thereafter stand repealed.

Section 15. If any section, paragraph, clause or provision of this ordinance shall be held to be invalid or unenforceable for any reason, such invalidity or unenforceability shall not affect any of the remaining provisions hereof.

Section 16. This ordinance shall take effect on October 1, 1964 and schedule of rates provided in Section 1 hereof shall apply to all billing periods ending after October 1, 1964.

PASSED and ADOPTED this 2nd day of September, 1964.



President of Town Council

Attest:



Town Clerk

Approved:



Mayor