



**City of Coral Gables
CITY COMMISSION MEETING
SEPTEMBER 8, 2009**

ITEM TITLE:

An Ordinance on second reading amending Article III of Chapter 78 of the Code of the City of Coral Gables titled "Sanitary Sewer System" and in particular Sec. 78-106.2(2) titled "Sewer connection procedures for properties outside sewer districts; Terms and conditions" for the purpose of reducing the rates applied to connecting outside the City to be 25% greater than the rates applied to the same connections within the City and to comply with section 180.191(1), Florida Statutes.

RECOMMENDATION OF THE CITY MANAGER:

Approval.

BRIEF HISTORY:

In 1970 the Florida Legislature adopted chapter 70-997, Laws of Florida, which established limitations on the ability of municipally-owned electric, water, sewer, and gas utilities to set rates and surcharges on consumers located outside the municipality's boundaries. Those provisions governing water and sewer utilities were codified in section 180.191, but did not apply to home rule charter counties that had an agency regulating water and sewer systems. On November 22, 1983 the City Commission adopted Resolution No. 24481 setting forth procedures and agreement terms for handling requests for outside sewer connections. Step II Agreement Terms (2) of Resolution No. 24481 established that "rates applied to connecting outside the City shall be 75 percent greater than the rates applicable to the same connection within the City." On April 22, 1998 the Legislature adopted chapter 98-15, Laws of Florida, repealing the exemption from the specific limitation on fees and surcharges that a municipal water and sewer utility operating in a home rule charter county may charge consumers outside the city limits and established the fee and surcharge limitations of section 180.191(1), Florida Statutes. Pursuant to section 180.191(1)(a), Florida Statutes, any municipality which operates water or sewer utilities outside of its boundaries may charge those consumers the same rates, fees, and charges as consumers inside the municipal boundaries plus a surcharge of not more than 25 percent or it may, pursuant to section 180.191(1)(b), charge rates, fees, and charges that are just and equitable and based on the same factors used in fixing the rates, fees, and charges for consumers inside the municipal boundaries plus a surcharge of not more than 25 percent; however, the total of all such rates, fees, and charges cannot be more than 50 percent in excess of the total amount charged consumers inside the municipal boundaries for corresponding service. This Ordinance amends Sec. 78.106.2(2) of the City Code to comply with the provisions of section 180.191(a), Florida Statutes.

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
11-22-83	Resolution #24481	Rescinded Resolution #23671
03-09-82	Resolution #23671	Set forth procedure and agreement terms for handling requests for sewer connections outside city limits

FINANCIAL INFORMATION: (If Applicable)

No.	Amount	Source of Funds
1.	N/A	
Total:		
APPROVED BY:		

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager

ATTACHMENT(S):

- 1. Draft Resolution
- 2. Resolution No. 24481
- 3. Resolution No. 23671
- 4. Section 180.191, Florida Statutes.