

ORDINANCE NO. 2019-04

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER XIX, "WATER AND SEWERS," SECTION 19-11.3 "CONSUMER RATES-METERED", AND SECTION 19-31 "RATES AND CHARGES", AND SECTION 19-24 "EMERGENCY WATER CONSERVATION RATES", TO INCREASE WATER AND SEWER RATES, FEES AND CHARGES FOR REVENUE SUFFICIENCY AND TO IMPLEMENT AN AMENDED SEWER CONSUMPTION INCLUDING BLOCK STRUCTURE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR CODIFICATION, SEVERABILITY AND FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance of such authority; and

WHEREAS, the City of North Miami Beach (the "City") has a water and sewer utility ("NMB Water") which provides water and sewer service to residential, multi-family and commercial customers, both within and outside the City's limits; and

WHEREAS, the continuation of efficient and high-quality water and sewer service is crucial to the health, safety and welfare of NMB Water's customers; and

WHEREAS, the City contracted with Bartle Wells Associates to prepare a rate study analyzing the existing water and wastewater rates compared to NMB Water's costs for operation, maintenance, security and capital improvements of the water and wastewater utility; and

WHEREAS, the rate study determined that the existing rates for water and wastewater do not adequately recover NMB Water's costs for providing water and wastewater service to its customers and proposed increases are reflected in the proposed code amendment; and

WHEREAS, pursuant to Section 166.041 (c)(2), Florida Statutes, and Section 180.136, Florida Statutes, notice has been given by publication in a paper of general circulation in the City, and notices have been sent to all water and wastewater customers notifying the public of this proposed Ordinance and of the time and dates of the public hearings; and

WHEREAS, two (2) public hearings were held before the Mayor and City Commission pursuant to the published notice described above; and

WHEREAS, the Mayor and City Commission finds that the adoption of this Ordinance through its police powers is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION

OF THE CITY OF NORTH MIAMI BEACH, FLORIDA¹:

Section 1. The foregoing recitals are true and correct.

Section 2. Chapter XIX of the Code of Ordinances of the City of North Miami Beach is hereby amended as follows:

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19-11.3 Consumer Rates-Metered.

a. The following minimum charge rates for metered water usage apply to retail customers of the utility for the fiscal years 2020, 2021, 2022, 2023, and 2024:

1. Fiscal Year 2020

~~There shall be a minimum charge per billing unit period of ten dollars and seventy-one cents (\$10.71)~~ thirteen dollars and seventy cents (\$13.70) for single-family and twelve dollars and forty cents (\$12.40) for multi-family and nonresidential meters. The number of billing units used to compute the minimum charge is determined by the meter size as follows:

Meter Size	Equivalency Factor	Single-Family	Multi-Family Non-residential
5/8"	1	\$10.71 <u>\$13.70</u>	\$12.40
3/4"	1	\$10.71 <u>\$13.70</u>	\$12.40
1"	2.5	\$26.78 <u>\$34.25</u>	\$31.00
1 1/2"	5	\$53.55 <u>\$68.50</u>	\$62.00
2"	8	\$85.68 <u>\$109.60</u>	\$99.20
3"	16 <u>15</u>	N/A	\$198.40 <u>\$186.00</u>
4"	25	N/A	\$310.00
6"	50	N/A	\$620.00
8"	80	N/A	\$992.00
10"	115	N/A	\$1,426.00
Metered fireline (any size)	N/A	\$23.48	\$23.48

** The former section 19-11.3(a)(2) has been moved to new section 19-11.3(b)(1).*

2. Fiscal Year 2021

There shall be a minimum charge per billing period of fourteen dollars and thirty-two cents (\$14.32) for single-family and twelve dollars and ninety-six cents (\$12.96) for multi-family and nonresidential meters. The number of billing units used to compute the minimum charge is determined by the meter size as follows:

<u>Meter Size</u>	<u>Equivalency</u>	<u>Single-Family</u>	<u>Multi-Family</u>
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¹ Additions to existing city code text are shown by underline; deletions from existing city code text are shown by ~~strikethrough~~.

	<u>Factor</u>		<u>Non-residential</u>
<u>5/8"</u>	<u>1</u>	<u>\$14.32</u>	<u>\$12.96</u>
<u>3/4"</u>	<u>1</u>	<u>\$14.32</u>	<u>\$12.96</u>
<u>1"</u>	<u>2.5</u>	<u>\$35.79</u>	<u>\$32.40</u>
<u>1½"</u>	<u>5</u>	<u>\$71.58</u>	<u>\$64.79</u>
<u>2"</u>	<u>8</u>	<u>\$114.53</u>	<u>\$103.66</u>
<u>3"</u>	<u>15</u>	<u>N/A</u>	<u>\$194.37</u>
<u>4"</u>	<u>25</u>	<u>N/A</u>	<u>\$323.95</u>
<u>6"</u>	<u>50</u>	<u>N/A</u>	<u>\$647.90</u>
<u>8"</u>	<u>80</u>	<u>N/A</u>	<u>\$1,036.64</u>
<u>10"</u>	<u>115</u>	<u>N/A</u>	<u>\$1,490.17</u>
<u>Metered fireline (any size)</u>	<u>N/A</u>	<u>\$23.48</u>	<u>\$23.48</u>

**The former Section 19-11.3(a)(3) has been moved to new Section 19-11.3(e).*

3. Fiscal Year 2022

There shall be a minimum charge per billing period of fourteen dollars and ninety-six cents (\$14.96) for single-family and thirteen dollars and fifty-four cents (\$13.54) for multi-family and nonresidential meters. The number of billing units used to compute the minimum charge is determined by the meter size as follows:

<u>Meter Size</u>	<u>Equivalency Factor</u>	<u>Single-Family</u>	<u>Multi-Family Non-residential</u>
<u>5/8"</u>	<u>1</u>	<u>\$14.96</u>	<u>\$13.54</u>
<u>3/4"</u>	<u>1</u>	<u>\$14.96</u>	<u>\$13.54</u>
<u>1"</u>	<u>2.5</u>	<u>\$37.40</u>	<u>\$33.86</u>
<u>1½"</u>	<u>5</u>	<u>\$74.80</u>	<u>\$67.71</u>
<u>2"</u>	<u>8</u>	<u>\$119.68</u>	<u>\$108.32</u>
<u>3"</u>	<u>15</u>	<u>N/A</u>	<u>\$203.12</u>
<u>4"</u>	<u>25</u>	<u>N/A</u>	<u>\$338.53</u>
<u>6"</u>	<u>50</u>	<u>N/A</u>	<u>\$677.06</u>
<u>8"</u>	<u>80</u>	<u>N/A</u>	<u>\$1,083.29</u>
<u>10"</u>	<u>115</u>	<u>N/A</u>	<u>\$1,557.23</u>
<u>Metered fireline (any size)</u>	<u>N/A</u>	<u>\$23.48</u>	<u>\$23.48</u>

~~4. Annual Index Adjustment. Commencing on October 1, 2002 and effective as of the first billing date on or after October 1 of each year, all water rates, fees and charges may be automatically adjusted without hearing, in accordance with the Florida Public Services Commission Deflator Index as prescribed in Section 367.081(4)(a) Florida Statutes.~~

Fiscal Year 2023

There shall be a minimum charge per billing period of fifteen dollars and sixty-three cents (\$15.63) for single-family and fourteen dollars and fifteen cents (\$14.15) for multi-family and nonresidential meters. The number of billing units used to compute the minimum charge is determined by the meter size as follows:

<u>Meter Size</u>	<u>Equivalency Factor</u>	<u>Single-Family</u>	<u>Multi-Family Non-residential</u>
<u>5/8"</u>	<u>1</u>	<u>\$15.63</u>	<u>\$14.15</u>
<u>3/4"</u>	<u>1</u>	<u>\$15.63</u>	<u>\$14.15</u>
<u>1"</u>	<u>2.5</u>	<u>\$39.08</u>	<u>\$35.38</u>
<u>1 1/2"</u>	<u>5</u>	<u>\$78.17</u>	<u>\$70.76</u>
<u>2"</u>	<u>8</u>	<u>\$125.07</u>	<u>\$113.19</u>
<u>3"</u>	<u>15</u>	<u>N/A</u>	<u>\$212.26</u>
<u>4"</u>	<u>25</u>	<u>N/A</u>	<u>\$353.76</u>
<u>6"</u>	<u>50</u>	<u>N/A</u>	<u>\$707.53</u>
<u>8"</u>	<u>80</u>	<u>N/A</u>	<u>\$1,132.04</u>
<u>10"</u>	<u>115</u>	<u>N/A</u>	<u>\$1,627.31</u>
<u>Metered fireline (any size)</u>	<u>N/A</u>	<u>\$23.48</u>	<u>\$23.48</u>

**The former Section 19-11.3(a)(5) has been moved to new Section 19-11.3(f).*

5. Fiscal Year 2024

There shall be a minimum charge per billing period of sixteen dollars and thirty-three cents (\$16.33) for single-family and fourteen dollars and seventy-nine cents (\$14.79) for multi-family and nonresidential meters. The number of billing units used to compute the minimum charge is determined by the meter size as follows:

<u>Meter Size</u>	<u>Equivalency Factor</u>	<u>Single-Family</u>	<u>Multi-Family Non-residential</u>
<u>5/8"</u>	<u>1</u>	<u>\$16.33</u>	<u>\$14.79</u>
<u>3/4"</u>	<u>1</u>	<u>\$16.33</u>	<u>\$14.79</u>
<u>1"</u>	<u>2.5</u>	<u>\$40.84</u>	<u>\$36.97</u>
<u>1 1/2"</u>	<u>5</u>	<u>\$81.69</u>	<u>\$73.94</u>
<u>2"</u>	<u>8</u>	<u>\$130.70</u>	<u>\$118.28</u>
<u>3"</u>	<u>15</u>	<u>N/A</u>	<u>\$221.81</u>
<u>4"</u>	<u>25</u>	<u>N/A</u>	<u>\$369.68</u>
<u>6"</u>	<u>50</u>	<u>N/A</u>	<u>\$739.37</u>
<u>8"</u>	<u>80</u>	<u>N/A</u>	<u>\$1,182.98</u>
<u>10"</u>	<u>115</u>	<u>N/A</u>	<u>\$1,700.54</u>
<u>Metered fireline (any size)</u>	<u>N/A</u>	<u>\$23.48</u>	<u>\$23.48</u>

6. ~~There shall be a Homeland Security Surcharge of two dollars and thirty-seven cents (\$2.37) per billing unit. The number of billing units used to compute the charge is determine by the meter size as follows:~~

<u>Meter Size</u>	<u>Equivalency Factor</u>	<u>Homeland Security Surcharge</u>
<u>5/8 "</u>	<u>1</u>	<u>\$2.37</u>
<u>3/4"</u>	<u>1</u>	<u>\$2.37</u>
<u>1"</u>	<u>2.5</u>	<u>\$5.93</u>

1½"	5	\$11.85
2"	8	\$18.96
3"	16	\$37.92
4"	25	\$59.25
6"	50	\$118.50
8"	80	\$189.60
10"	115	\$272.55

** The former section 19-11.3(b)(1) has been moved to new section 19-11.3(g).*

b. The following consumption charges for metered water apply to retail customers of the utility for the fiscal years 2020, 2021, 2022, 2023, and 2024:

1. Fiscal Year 2020

**formerly, Section 19-11.3(a)(2)-2.* There shall be a base consumption charge of ~~three dollars and twenty two cents (\$3.22)~~ three dollars and eighty-two cents (\$3.82) per one thousand (1,000) gallons. The schedule of consumption charges including increments is as follows:

	Single-Family and Nonresidential	Multi-Family	Consumption Charge per 1,000 gallons
Base consumption	0—7,000 Ggallons per Mmonth	0—5,000 Ggallons per Mmonth per dwelling Uunit	\$3.22 <u>\$3.82</u>
First increment	8,000 <u>7,001</u> —12,000 Ggallons per Mmonth	6,000 <u>5,001</u> —9,000 Ggallons per Mmonth per dwelling Uunit	\$3.59 <u>\$4.25</u>
Second Increment	Over 12,000 Ggallons per Mmonth	Over 9,000 Ggallons per Mmonth per dwelling Uunit	\$4.47 <u>\$5.30</u>

2. Fiscal Year 2021

There shall be a base consumption charge of three dollars and ninety-nine cents (\$3.99) per one thousand (1,000) gallons. The schedule of consumption charges including increments is as follows:

	Single-Family and Nonresidential	Multi-Family	Consumption Charge per 1,000 gallons
<u>Base consumption</u>	<u>0—7,000 gallons per month</u>	<u>0—5,000 gallons per month per dwelling unit</u>	<u>\$3.99</u>
<u>First increment</u>	<u>7,001 —12,000 gallons per month</u>	<u>5,001 —9,000 gallons per month per dwelling unit</u>	<u>\$4.44</u>
<u>Second Increment</u>	<u>Over 12,000 gallons per month</u>	<u>Over 9,000 gallons per month per dwelling unit</u>	<u>\$5.54</u>

3. Fiscal Year 2022

There shall be a base consumption charge of four dollars and seventeen cents (\$4.17) per one thousand (1,000) gallons. The schedule of consumption charges including increments is as follows:

	<u>Single-Family and Nonresidential</u>	<u>Multi-Family</u>	<u>Consumption Charge per 1,000 gallons</u>
<u>Base consumption</u>	<u>0—7,000 gallons per month</u>	<u>0—5,000 gallons per month per dwelling unit</u>	<u>\$4.17</u>
<u>First increment</u>	<u>7,001 —12,000 gallons per month</u>	<u>5,001 —9,000 gallons per month per dwelling unit</u>	<u>\$4.64</u>
<u>Second Increment</u>	<u>Over 12,000 gallons per month</u>	<u>Over 9,000 gallons per month per dwelling unit</u>	<u>\$5.79</u>

4. Fiscal Year 2023

There shall be a base consumption charge of four dollars and thirty-six cents (\$4.36) per one thousand (1,000) gallons. The schedule of consumption charges including increments is as follows:

	<u>Single-Family and Nonresidential</u>	<u>Multi-Family</u>	<u>Consumption Charge per 1,000 gallons</u>
<u>Base consumption</u>	<u>0—7,000 gallons per month</u>	<u>0—5,000 gallons per month per dwelling unit</u>	<u>\$4.36</u>
<u>First increment</u>	<u>7,001 —12,000 gallons per month</u>	<u>5,001 —9,000 gallons per month per dwelling unit</u>	<u>\$4.85</u>
<u>Second Increment</u>	<u>Over 12,000 gallons per month</u>	<u>Over 9,000 gallons per month per dwelling unit</u>	<u>\$6.05</u>

5. Fiscal Year 2024

There shall be a base consumption charge of four dollars and fifty-six cents (\$4.56) per one thousand (1,000) gallons. The schedule of consumption charges including increments is as follows:

	<u>Single-Family and Nonresidential</u>	<u>Multi-Family</u>	<u>Consumption Charge per 1,000 gallons</u>
<u>Base consumption</u>	<u>0—7,000 gallons per month</u>	<u>0—5,000 gallons per month per dwelling unit</u>	<u>\$4.56</u>
<u>First increment</u>	<u>7,001 —12,000 gallons per month</u>	<u>5,001 —9,000 gallons per month per dwelling unit</u>	<u>\$5.07</u>
<u>Second Increment</u>	<u>Over 12,000 gallons per month</u>	<u>Over 9,000 gallons per month per dwelling unit</u>	<u>\$6.32</u>

c. The City Council Commission, from time to time, shall set rates to be charged to those users within the City's service area.

d. There shall be a twenty-five (\$25.00) dollar charge for each visit to the property by a City representative other than for regular meter readings which may include but is not limited to the following: additional reading attempts (i.e. due to no meter access), multiple attempts to turn meter off or on due to no access or water running, notification of delinquency, and collection of a payment.

e. ~~(a)(3)~~. There shall be a twenty-five (25%) percent surcharge added to water rates, fees, and charges to consumers outside the boundaries of the City of North Miami Beach.

f. ~~(a)(5)~~. Annual Pass-Through Adjustment. Commencing on October 1, 2004 and effective as of the first billing date on or after October 1 of each year, all water rates, fees and charges shall be automatically adjusted, without hearing, to pass-through any increases in the wholesale water rates charged to the City by the Miami-Dade Water & Sewer Department or other wholesale provider.

g. ~~(b)(4)~~. The City reserves the right to enter into special contracts for rates with consumers of larger quantities of water and also reserves the right to read meters and bill consumers on a monthly or quarterly basis as it deems best.

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19-31 - Rates and Charges.

The following rates and charges are hereby adopted for all customers of the wastewater service of North Miami Beach, Florida for fiscal year 2020 and 2021.

a. ~~Rates for Wastewater Collection and Disposal~~. The following rates for wastewater collection and disposal, based on metered water usage, shall apply to all retail customers:

1. Fiscal Year 2020

There shall be a minimum charge of ~~twenty-three dollars and eighty-five cent (\$23.85)~~ thirty-four dollars and fifty cents (\$34.50) per billing unit period for single-family and twenty-five dollars and ten cents (\$25.10) for multi-family and nonresidential meters. The number of billing units used to compute the minimum charge is determined by the meter size as follows:

Meter Size	Equivalency Factor	<u>Minimum Single-Family Charge</u>	<u>Multi-Family Non-residential</u>
5/8"	1	\$23.85 <u>\$34.50</u>	\$23.85 <u>\$25.10</u>
3/4"	1	\$23.85 <u>\$34.50</u>	\$23.85 <u>\$25.10</u>
1"	2.5	\$59.63 <u>\$86.25</u>	\$59.63 <u>\$62.75</u>
1½"	5	\$119.24 <u>\$172.50</u>	\$119.24 <u>\$125.50</u>
2"	8	\$190.79 <u>\$276.00</u>	\$190.79 <u>\$200.80</u>
3"	16 <u>15</u>	\$381.57 <u>\$517.50</u>	\$381.57 <u>\$376.50</u>
4"	25	\$596.2 <u>\$862.50</u>	\$596.20 <u>\$627.50</u>

6"	50	\$1,192.39 \$1,725.00	\$1,192.39 \$1,255.00
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**The former Section 19-31(a)(2) has been moved to new Section 19-31(a)(3).*

2. Fiscal Year 2021

There shall be a minimum charge of thirty-six dollars and fifty-seven cents (\$36.57) per billing period for single-family and twenty-six dollars and sixty-one cents (\$26.61) for multi-family and nonresidential meters. The number of billing units used to compute the minimum charge is determined by the meter size as follows:

<u>Meter Size</u>	<u>Equivalency Factor</u>	<u>Single-Family</u>	<u>Multi-Family Non-residential</u>
<u>5/8"</u>	<u>1</u>	<u>\$36.57</u>	<u>\$26.61</u>
<u>3/4"</u>	<u>1</u>	<u>\$36.57</u>	<u>\$26.61</u>
<u>1"</u>	<u>2.5</u>	<u>\$91.43</u>	<u>\$66.52</u>
<u>1 1/2"</u>	<u>5</u>	<u>\$182.85</u>	<u>\$133.03</u>
<u>2"</u>	<u>8</u>	<u>\$292.56</u>	<u>\$212.85</u>
<u>3"</u>	<u>15</u>	<u>\$548.55</u>	<u>\$399.09</u>
<u>4"</u>	<u>25</u>	<u>\$914.25</u>	<u>\$665.15</u>
<u>6"</u>	<u>50</u>	<u>\$1,828.50</u>	<u>\$1,330.30</u>

**The former Section 19-31(a)(3) has been moved to new Section 19-31(a)(6).*

2.3. Fiscal Year 2020

There shall be a base consumption charge of five dollars and fifty cents (\$5.50) six dollars and forty-nine cents (\$6.49) per one thousand (1,000) gallons. The schedule of consumption charges including increments is as follows:

	<u>Single-Family and Multi-Family (per dwelling unit)</u>	<u>Non-Residential</u>	<u>Consumption Charge per 1,000 gallons</u>
<u>Base consumption</u>	<u>0—3,000 Ggallons per Mmonth</u>	<u>0—9,000 Ggallons per Uunit</u>	<u>\$5.50 \$6.49</u>
<u>First increment</u>	<u>3,000 3.001—7,000 Ggallons per Mmonth</u>	<u>9,000 9.001—21,000 Ggallons per Mmonth per Uunit</u>	<u>\$6.35 \$7.49</u>
<u>Second increment</u>	<u>7,000 7.001—12,000 Ggallons per Mmonth</u>	<u>21,000 21.001—36,000 Ggallons per Mmonth per Uunit</u>	<u>\$6.87 \$8.11</u>
<u>Third increment</u>	<u>≥ 12,000 Ggallons per Mmonth</u>	<u>≥ 36,000 Ggallons per Mmonth per Uunit</u>	<u>\$7.15 \$8.44</u>

4. Annual Index Adjustment. Commencing on October 1, 2002 and effective as of the first billing date on or after October 1 of each year, all sewer rates, fees and charges may be automatically adjusted, without hearing, in accordance with the Florida Public Services Commission Deflator Index as prescribed in Section 367.081(4)(a) Florida Statutes.
Fiscal Year 2021

There shall be a base consumption charge of six dollars and eighty-eight cents (\$6.88) per one thousand (1,000) gallons. The schedule of consumption charges including increments

is as follows:

	<u>Single-Family and Multi-Family (per dwelling unit)</u>	<u>Non-Residential</u>	<u>Consumption Charge per 1,000 gallons</u>
<u>Base consumption</u>	<u>0—3,000 gallons per month</u>	<u>0—9,000 gallons per month per unit</u>	<u>\$6.88</u>
<u>First increment</u>	<u>3,001—7,000 gallons per month</u>	<u>9,001—21,000 gallons per month per unit</u>	<u>\$7.94</u>
<u>Second increment</u>	<u>7,001—12,000 gallons per month</u>	<u>21,001—36,000 gallons per month per unit</u>	<u>\$8.60</u>
<u>Third increment</u>	<u>≥ 12,000 gallons per month</u>	<u>≥ 36,000 gallons per month per unit</u>	<u>\$8.95</u>

5. Annual Pass-Through Adjustment. Commencing on October 1, 2004 and effective as of the first billing date on or after October 1 of each year, all sewer rates, fees and charges shall be automatically adjusted, without hearing, to pass-through any increases in the wholesale wastewater rates charged to the City by the Miami-Dade Water & Sewer Department or other wholesale provider.

6. ~~Reserved.~~ 3. There shall be a twenty-five (25%) percent surcharge added to sewer rates, fees, and charges to consumers outside the boundaries of the City of North Miami Beach.

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19-24 – Emergency Water Conservation Rates.

During periods of mandated water restrictions by the South Florida Water Management District, an automatic adjustment to the rates shall be instituted. The rate adjustments are as follows:

a. ~~During Phase I restrictions, a five (5%) percent surcharge will be added to the consumption portion of the bill for the following: each single-family customer for all water used in excess of three thousand (3,000) gallons per month per Equivalent Residential Connection; each multi-family customer for all water used in excess of two thousand (2,000) gallons per unit per month per Equivalent Residential Connection; each nonresidential customer for all water used in excess of two thousand (2,000) gallons per month per Equivalent Residential Connection; each wholesale customer for all water used.~~

Currently, permanent mandatory year-round water restrictions are imposed by the South Florida Water Management District in lieu of phases. It is the policy of the City of North Miami Beach to apply Phase II Emergency Water Conservation Rates.

~~b-1.~~ During Phase II restrictions, a ten (10%) percent surcharge will be added to the consumption portion of the bill for the following: each single-family customer for all water used in excess of three thousand (3,000) gallons per month per Equivalent Residential Connection; each multi-family customer for all water used in excess of two thousand (2,000) gallons per unit per month per Equivalent Residential Connection; each nonresidential customer for all

water used in excess of two thousand (2,000) gallons per month per Equivalent Residential Connection; each wholesale customer for all water used.

~~e. During Phase III restrictions, a fifteen (15%) percent surcharge will be added to the consumption portion of the bill for the following: each single family customer for all water used in excess of three thousand (3,000) gallons per month per Equivalent Residential Connection; each multi-family customer for all water used in excess of two thousand (2,000) gallons per unit per month per Equivalent Residential Connection; each nonresidential customer for all water used in excess of two thousand (2,000) gallons per month per Equivalent Residential Connection; each wholesale customer for all water used.~~

~~d. During Phase IV restrictions, a twenty five (25%) percent surcharge will be added to the consumption portion of the bill for the following: each single family customer for all water used in excess of three thousand (3,000) gallons per month per Equivalent Residential Connection; each multi-family customer for all water used in excess of two thousand (2,000) gallons per unit per month per Equivalent Residential Connection; each nonresidential customer for all water used in excess of two thousand (2,000) gallons per month per Equivalent Residential Connection; each wholesale customer for all water used.~~

* * *

Section 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 4. If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

Section 5. It is the intention of the City of North Miami Beach and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish this intention and the word "Ordinance" may be changed to "Section," "Article," or other appropriate word as the Codifier may deem fit.

Section 6. This Ordinance shall be effective ten (10) days after adoption on second reading.

[SIGNATURE PAGE TO FOLLOW]

APPROVED on first reading this 17th day of September, 2019.

APPROVED AND ADOPTED on second reading this 26th day of September, 2019.

ATTEST:

ANDRISE BERNARD, CMC
CITY CLERK

(CITY SEAL)

ANTHONY F. DEFILLIPO
MAYOR

APPROVED AS TO FORM
& LANGUAGE & FOR EXECUTION


SARAH L. JOHNSTON
CITY ATTORNEY

Sponsored by: Mayor and City Commission