

**TEMPLE TERRACE CODE
CHAPTER 21 - WATER AND SANITARY SEWER SYSTEMS**

Section 21.100 DEFINITIONS

For the purpose of this Chapter, the following words, terms and phrases shall be construed and interpreted as having the following meanings unless some other meaning or interpretation is plainly intended:

(a) *Service Area.* The City limits and the designated area outside the City where potable water and sanitary sewer service is provided under contract with Hillsborough County and/or other applicable provisions of Florida Statutes.

(b) *Sewer Department.* The City Public Works Department/Sanitary Sewer Division.

(c) *Sewer System.* The sanitary sewage collection system owned and operated by the City.

(d) *Water Department.* The City Public Works Department/Water Division.

(e) *Water System.* The potable water treatment and distribution system owned and operated by the City.

Section 21.200 WATER SYSTEM.

Section 21.210 CONNECTION TO THE WATER SYSTEM - WHEN REQUIRED.

The owner of each and every parcel of land heretofore or hereafter developed within the service area shall be required to connect to the water system when service is adjacent to the parcel. For purposes of this Section, adjacent means that a service lateral abuts the parcel.

Section 21.210.1 CONNECTION PERIOD.

(a) Any parcel with an existing building shall be required to connect to the water system within ninety (90) days after written notification of service availability is provided to the property owner by the City.

(b) Any new building hereinafter erected shall be connected to the water system prior to the issuance of a certificate of occupancy for said building.

Section 21.210.2 CONNECTION TO BE MADE BY THE CITY.

All connections to the water system shall be made by City employees or persons authorized by the City.

Section 21.210.3 ILLEGAL CONNECTIONS.

The City shall have the right to discontinue service in cases where an illegal connection is found and, when it has been established that the consumer has been receiving water service without payment for same, the City shall have the right to assess against the consumer an amount equal to the estimated average water bill for said consumer for the previous twelve-month period, less any payments received during that period.

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Section 21.215 WATER PRESSURE NOT GUARANTEED; RIGHT OF CITY TO TURN OFF WATER; FEE FOR RESTORATION OF WATER.

(a) Neither the City nor its Water Department guarantees an uninterrupted supply of water or water at any particular pressure for any purpose but reserves and shall have the right to shut off the water in its mains at any time for the purpose of making repairs or extensions or for other purpose incidental to a public water supply, and will not be responsible for any damage resulting from a consumer leaving a faucet open or otherwise caused by low pressure.

(b) The Water Department shall have the right to disconnect water service from a parcel at the main for the protection of the City or the consumer in cases where a private water system has been illegally installed, or building has been burned or torn down or where the consumer has been found to be using water illegally, and to assess the regular schedule of fees for restoration of service.

Section 21.220 STOP AND WASTE COCK OR CUTOFF VALVE.

A stop and waste cock or cutoff valve must be placed by the property owner at the property line or at some convenient point on the premises. Such cock or valve shall be under the control of the tenant or owner and be used in case of break in the building or structure, or other necessity, so that repairs can be made without the necessity of using the shutoff valve maintained and installed by the City at the meter.

Section 21.225 PERSONS USING HOT WATER HEATERS OR STEAM BOILERS RESPONSIBLE FOR DAMAGE.

Persons using hot water heaters or steam boilers which take supply of water directly from the service lines of the Water Department will do so at their own risk, as the Water Department shall not be responsible for accidents or damages resulting in such cases, and should the hot water back up in the water pipes, damaging the meter or other connections, the cost of all necessary repairs to such equipment shall be paid by the consumer responsible therefor.

Section 21.230 MAINTENANCE AND TESTING OF METERS.

The Water Department shall maintain all meters and may test any meter without notice to or permission from the consumer and assess the cost of meter repairs and replacement parts to the consumer if he owns said meter. Whenever any such meter becomes incapacitated or otherwise wears out so that the Water Department cannot repair it, the Water Department may install a new meter and assess the cost of same to the consumer. Except when approved in writing, only the Water Department may repair or replace water meters.

Section 21.235 PRIVATE FIRE HYDRANTS AND SYSTEMS.

Section 21.235.1 PRIVATE FIRE HYDRANTS, SPRINKLER SYSTEMS, ETC. - OWNERS TO PAY COST OF PIPES, ETC.

Fire hydrants, fire sprinkler systems or hose racks may be established on private property by the owner thereof at his own cost for pipe, valves, fittings and connection to water mains, etc., provided the same shall be done under the supervision and subject to the inspection of and in accordance with the requirements of the Water Department, and the maintenance of such mains, valves and hydrants shall be at the cost and expense of the owner of the property. The regularly established rate for such connection for such fire hydrants, fire sprinkler systems and hose racks shall be paid, and, if not, the same shall be disconnected from the water system of the Water Department.

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Section 21.235.2 CONNECTION TO CITY WATER SYSTEM; METER; CHARGE FOR WATER SERVICE; ATTACHMENT OF OTHER FIXTURES ON FIRE LINE.

Upon approval by the City, any property owner installing fire hydrants, fire sprinkler systems or hose racks may connect them to the City's water system and have installed and maintained at his own cost by the Water Department, a water meter, and to pay therefor the regularly established charge for water service as listed in the published rates, whether water has been used for the fire or any other purpose. No fixture whatsoever, other than fire hydrants, sprinkler connections and hose racks, used for fire only, shall be connected on such fire line.

Section 21.235.3 LIABILITY OF CITY FOR DAMAGE DUE TO LOW PRESSURE, ETC.

The City guarantees no certain water pressure and shall in no case be in any way liable or responsible to any persons whatsoever in case of fire, for any damage that may result from any alleged insufficiency of such fire protection, either from want of pressure or volume, accessibility, or for any other cause.

Section 21.240 CROSS CONNECTION WITH PRIVATE WATER SUPPLY - PROHIBITED.

(a) It shall be unlawful for any person to connect or cause to be connected to the City water system, by any means whatsoever, other pipes containing water from any water supply other than the water supply of the City, and the owner of the property where any such cross connection is made shall be held responsible for the violation of this Section.

(b) The City shall have the right to discontinue service in cases where an illegal connection is found, and assess an average water bill back for the period of time during which water has been consumed without payment, when it has been established that the consumer has been receiving water service for such period of time without payment for same, provided that any bill for such service shall not exceed a period of twelve months.

Section 21.240.1 DUAL SYSTEM OF PIPES REQUIRED ON PROPERTY WHERE WATER FURNISHED BY CITY AND BY PRIVATE SUPPLY.

If any person as the owner of the property, shall have upon such property a supply of water other than the supply of water furnished by the Water Department of the City, and also have upon such property a water supply furnished by the Water Department of the City, such owner shall have and is hereby required to have a dual system of pipes upon the property; one system of pipes being for water supplied by the Water Department of the City, and the other system of pipes being for the supply of water from the private supply. It shall be unlawful for the two systems to be connected together in any manner whatsoever.

Section 21.245 LOCATION AND CONSTRUCTION OF TANKS INTO WHICH CITY WATER IS DISCHARGED.

It is hereby required that tanks into which water furnished by the Water Department of the City is discharged, shall be at such distance below the discharge pipes so that at no time can the water in such tanks raise to a level as to come in contact with the discharge pipe, and that the installation shall be constructed so that the outlet of the discharge pipes shall be at least six inches above the maximum possible height of the water in the tanks and that the pipes shall be so constructed in conjunction with the discharge of water into the tanks which shall create an atmospheric gap to prevent any possible siphonage or siphoning effect, and it shall be unlawful to construct or erect the pipes or tanks otherwise than herein prescribed.

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Section 21.250 CITY NOT RESPONSIBLE FOR WATER LOSS FROM LEAKS, ETC., ON PRIVATE PROPERTY.

The City shall not be responsible for any loss of water from leaks or otherwise on the private property of a consumer, and shall be under no obligation to make adjustments for such leaks.

Section 21.255 RIGHT OF ENTRY.

The officers and employees of the Water Department and Code Compliance Department shall have the right of access to the premises of a consumer at any reasonable hour for the purpose of conducting the normal business of the Water and Sanitary Sewer Departments, such as reading meters and making tests and inspections. (*Ord. No. 1219, 2-19-08*)

Section 21.260 USE OF FIRE HYDRANTS BY BUILDERS AND CONTRACTORS.

The City may permit the use of water from a fire hydrant by contractors or builders for special purposes, provided the applicant applies for permission therefor to the Water Department and makes the necessary payment for such services.

Section 21.265 CONSUMER FURNISHING WATER TO ANOTHER PERSON.

No consumer shall furnish water to any other person either by use of pipes or fixtures on his own premises or by extending pipes to the premises of other persons without first obtaining written permission from the Water Department.

Section 21.270 TAMPERING WITH PROPERTY OF CITY WATER OR SEWER SYSTEMS.

No person, unless authorized by the City, has the right to turn off or turn on water at a valve, or to in any way disconnect or remove any water meter or otherwise tamper with any water connection, meter, or water main belonging to the City.

Section 21.275 ANNUAL EXAMINATION OF WATER; PROCEDURE WHEN FOUND IMPURE.

It shall be the duty of the owner of all potable water wells in the service area to have made, by a certified State laboratory of the State Division of Health and Rehabilitative Services, an examination of all wells at least once a year and if, upon such laboratory examination, it is found that the water in any well is detrimental to health, the owner or person maintaining such well shall be notified that it is detrimental to health and required to discontinue use of the water from said well for human consumption.

Section 21.280 MANDATORY WATER USE RESTRICTIONS.

(a) **Definitions:** For the purpose of this Section, the following terms, phrases, words and their derivations shall have the meaning given herein. When consistent with the context, words used in the present value include the future, words in the plural include the singular, and words in the singular include the plural. The word "shall" is always mandatory and not merely directory.

- (1) *District* is the Southwest Florida Water Management District.
- (2) *Person* is any person, firm, partnership, association, corporation, company or organization of any kind.

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- (3) *Water resource* means any and all water on or beneath the surface of the ground, including natural or artificial watercourses, lakes, ponds or diffused surface water, and water percolating, standing, or flowing beneath the surface of the ground.
- (4) *Water shortage condition* is when sufficient water is not available to meet present or anticipated needs of persons using the water resources, or when conditions are such as to require temporary reduction in total water usage within a particular area to protect the water resources from serious harm.
- (5) *Water shortage plan* means Chapter 40D-21, Florida Administrative Code, the codification of the Water Shortage Plan adopted and published by the Southwest Florida Water Management District, or any modification or derivative of Chapter 40D-21 which may be current at the time a water shortage emergency is declared, with the exception that irrigation shall not be allowed between the hours of 8:00 a.m. and 6:00 p.m. (*Ord. No. 1049, 9-13-01*)

(b) The provisions of this Section shall apply to all persons using the water resource, whether from public or privately-owned water utility systems, private wells or private connections with surface water bodies. This Section shall not apply to persons using treated effluent or saltwater.

(c) Declaration of water shortage; water shortage emergency. The declaration of a water shortage emergency affecting all of the City of Temple Terrace by the Governing Board of the District has invoked the provisions of this Section. All water use restrictions or other measures imposed by the District pursuant to Chapter 40D-21, Florida Administrative Code, applicable to the City or any portion thereof, shall be subject to enforcement action pursuant to subsection (d) of this Section.

(d) Enforcement. Every Police Office shall, in connection with all other duties imposed by law, diligently enforce the provisions of this Section. In addition, the City Manager may also delegate enforcement responsibility for this Section to other City employees in accordance with State and local law.

(e) Penalties. Violations of the provisions contained herein shall constitute a civil offense and violators will be subject to the following penalties:

First violation	\$25.00
Second and subsequent violations	Fine not to exceed \$500 and/or imprisonment in the County jail not to exceed sixty (60) days.

Each day in violation of this Section shall constitute a separate offense. Law enforcement officials may attempt to provide violators with no more than one written warning.

(f) Water users to accept provisions of Section. No water service shall be furnished to any person unless such person agrees to accept all the provisions of this Section. The acceptance of water service or the withdrawal of water from a private source shall be in itself the acceptance of the provisions contained herein.

Section 21.290 PRIVATELY OWNED WELLS.

See Section 25.680.7(g) of this Code.

Section 21.290.1 DIGGING WELLS - PERMIT REQUIRED; INFORMATION TO BE SHOWN.

See Section 25.680.7(g) of this Code.

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Section 21.290.2 PERMIT FEES.

See Section 25.680.7(g) of this Code.

Section 21.290.3 REFUSAL OF PERMIT IF DETRIMENTAL TO HEALTH.

See Section 25.680.7(g) of this Code.

Section 21.290.4 MAINTAINING WELL DETRIMENTAL TO HEALTH.

See Section 25.680.7(g) of this Code.

Section 21.290.5 WELLS TO BE INSPECTED AND APPROVED.

See Section 25.680.7(g) of this Code.

Section 21.290.6 SALE OF WATER FROM PRIVATE WELLS.

See Section 25.680.7(g) of this Code.

Section 21.300 SANITARY SEWER SYSTEM

Section 21.310 CONNECTION TO SEWER SYSTEM.

Section 21.310.1 WHEN REQUIRED.

The owner of each and every parcel of land heretofore or hereafter developed within the service area shall be required to connect to the sewer system when any of the following conditions are met:

(a) Existing Development

- (1) Single-family residential, multi-family or commercial flow under 500 GPD - a gravity main exists in a public easement or right-of-way that abuts the property and gravity flow can be naturally or artificially maintained from the residence's or establishment's drain to the gravity main; or a low pressure sanitary sewer system abuts the property.**
- (2) Multi-family or commercial flow over 500 GPD - a gravity main, force main, or lift station exists in a public easement or right-of-way that abuts the property of the establishment and is within 100 feet of the property line of the establishment as accessed via rights-of-way or easements.**
- (3) Industrial/manufactured zoned areas - a public sanitary sewer system exists in a public easement or right-of-way that abuts the property of the establishment and is within 500 feet of the property line of the establishment as accessed via existing easements or rights-of-way.**

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(b) New Development

- (1) Single-family residential, multi-family or commercial flow under 500 GPD - a gravity main exists in a public easement or right-of-way that abuts the property and gravity flow can be naturally or artificially maintained from the residence's or establishment's drain to the gravity main; or a low pressure sanitary sewer system abuts the property.**
- (2) Multi-family or commercial flow over 500 GPD and less than 1,500 GPD - a gravity main, force main, or lift station exists in a public easement or right-of-way that abuts the property of the establishment and is within 100 feet of the property line of the establishment as accessed via rights-of-way or easements.**
- (3) Multi-family or commercial flow over 1,500 GPD - a gravity main, force main, or lift station exists in a public easement or right-of-way that abuts the property of the establishment and is within 500 feet of the property line of the establishment as accessed via rights-of-way or easements.**
- (4) Industrial/manufactured zoned areas - a public sanitary sewer system exists in a public easement or right-of-way that abuts the property of the establishment and is within 1,320 feet of the property line of the establishment as accessed via existing easements or rights-of-way.**

(c) Exceptions

When the City Engineer determines that a connection to the system cannot reasonably be completed due to system hydraulics or other limitations, the City Manager may grant a waiver of this Section until such time as conditions reasonably permit said connection.

Section 21.310.2 CONNECTION PERIOD.

- (a) Any parcel with an existing building shall be required to connect to the sewer system within ninety (90) days after written notification of service availability is provided to the property owner by the City.**
- (b) Any new building hereafter erected shall be connected to the sewer system prior to the issuance of a certificate of occupancy for said building.**

Section 21.310.3 PRIVATE LIFT STATION MAINTENANCE RESPONSIBILITY.

When a lift station is required on private property to connect a parcel to the sewer system, the owner of the parcel is responsible for the construction, installation, operation and maintenance of said private lift station.

Section 21.310.4 HOUSES BUILT BELOW STREET LEVEL.

Houses or buildings built or to be built with a floor or basement elevation such that a connection to the City sewer system requires the use of a lift station, shall, at their own expense, construct, own, operate and maintain any necessary lift stations or other devices to pump the sewage up to the sewers. Plans for said lift stations or other pumping devices must be submitted to the City for approval before the connection to the City sewer system is made.

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Section 21.310.5 CONNECTION TO BE MADE BY THE CITY.

All connections to the sewer system shall be made by City employees or persons authorized by the City.

No person shall uncover, make any connections with, or openings into, use, alter or disturb any sanitary sewer or appurtenances thereof, including house connections, without first obtaining written permission from the City.

Section 21.315 PRE-TREATMENT REQUIREMENT FOR EXTREME WASTE.

The City shall have the right to require any producer of extreme waste to install necessary pre-treatment requirements at producer's own expense, prior to connecting to the City sewage facilities. No substance will be discharged into the sanitary sewers which could be injurious thereto or potentially dangerous to the public.

Section 21.320 CONNECTION OF ANY NON-SANITARY WASTE PROHIBITED.

There shall be no connections for surface drainage, storm water or any non-sanitary waste to the sanitary sewage line facilities.

Section 21.325 GREASE MANAGEMENT.

Section 21.325.1 TITLE.

This article shall be known and may be cited as the "City of Temple Terrace Grease Management Ordinance."

Section 21.325.2 PURPOSE.

This article establishes uniform maintenance and monitoring requirements for controlling the discharge of grease from food service facilities discharging into the City's treatment works and for regulation of grease haulers operating within the City limits. The objectives of this ordinance are:

- (a) To prevent the introduction of excessive amounts of grease into the municipal treatment works, either in the City of Temple Terrace or the City of Tampa.
- (b) To prevent clogging or blocking of the City's sewer lines due to grease build-up causing sanitary sewer overflows onto streets, into stormwater systems or waterways and into residences and commercial buildings, resulting in potential liability to the City.
- (c) To prevent maintenance and odor problems at wastewater pumping stations due to grease build-up.
- (d) To implement a process to recover costs for any liability incurred by the City for damage caused by grease blockages resulting in sanitary sewer overflows.
- (e) To establish fees for the recovery of costs resulting from the program established herein.
- (f) To register grease haulers operating within the City of Temple Terrace.
- (g) To establish enforcement procedures for violations of the article.

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Section 21.325.3 APPLICABILITY.

(a) The provisions of this article shall apply to all food service facilities discharging into the City's treatment works and to all grease haulers doing business within the City of Temple Terrace.

(b) Where there is a conflict between this article and the Florida Building Code - Plumbing, as amended (current edition), the Florida Building Code – Plumbing, as amended (current edition) shall be applicable.

(c) The City of Temple Terrace currently regulates the improper discharge of grease into water or wastewater pursuant to the City of Tampa Technical Services Manual, on file in the Office of the City Clerk, as adopted by the City of Temple Terrace, and as updated and revised from time to time by the City of Tampa. Where there is a conflict between this article and the Technical Services Manual, as amended, this article shall be applicable.

Section 21.325.4 DEFINITIONS.

For the purposes of Section 21.325, *Grease Management*, certain abbreviations, terms, phrases, words and their derivatives shall have the following meanings:

(a) ***Director.*** The Director of the Wastewater Department or his or her designee.

(b) ***Food service facility or facility.*** Any business or food service facility which prepares and/or packages food or beverages for sale or consumption. This does not apply to private residences. Food service facilities may include, but are not limited to, food courts, food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, meat markets, hospitals, hotels, nursing homes, churches, schools, cafeterias, delicatessens, coffee shops, concession stands and all other food service facilities not specifically listed above.

(c) ***Food service facility owner or owner.*** In the case of individual food service facilities, the owner or proprietor of the food service facility. Where the facility is a franchise operation, the owner of the franchise is the responsible person or entity. Where the facility is owned by a partnership, corporation, or other type of business entity, the individual who is authorized to legally act on behalf of the business entity under Florida State law shall be the responsible person. Where two or more food service facilities share a common grease interceptor, the owner shall be the individual who owns or assumes control of the grease interceptor or the property on which the grease interceptor is located. Owner shall also mean his or her duly authorized representatives, employees or agents.

(d) ***GMP inspector.*** The City of Temple Terrace Code Compliance Director and/or his designee.

(e) ***Gray water.*** All liquid contained in a grease interceptor that lies below the floating grease layer and above the food solids layer.

(f) ***Grease.*** A material either liquid or solid, composed primarily of fats, oils or grease from animal or vegetable sources.

(g) ***Grease hauler.*** A person who collects the contents of a grease interceptor or trap and transports it to an approved recycling or disposal facility.

(h) ***Grease interceptor.*** An interceptor whose rated flow exceeds 50gpm or has a minimum storage capacity of 750 gallons or more and is a device located underground and outside of a facility. It is designed to collect, contain or remove food wastes or grease from the wastewater while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

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(i) **Grease trap.** An interceptor whose rated flow is 50gpm or less and is a device located inside a facility and/or under a sink designed to collect, contain or remove food wastes and grease from the wastewater while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

(j) **Notice of Violation (NOV).** A written notice informing a food service facility owner or grease hauler that a violation of the City of Temple Terrace Grease Management Ordinance has occurred.

(k) **Registered hauler.** A grease hauler registered with the City of Temple Terrace in accordance with this article who is authorized to perform inspection, cleaning, and grease disposal for food service facilities.

(l) **Sanitary facilities.** Bathrooms, bathroom fixtures, bathroom groups, hand sinks or other similar fixtures or facilities.

(m) **Treatment Works.** Any part of the City's wastewater system as defined in Section 26-117 of the City of Temple Terrace Code.

Section 21.325.5 AUTHORITY.

Pursuant to Section 25.315 of the City of Temple Terrace Code, the Municipal Code Enforcement Board, the Code Compliance Director, and the GMP Inspector shall have the power, duty and responsibility to administer and enforce the provisions of this article.

Section 21.325.6 FACILITY INSPECTIONS.

(a) **Entry.** Pursuant to Section 21.255 of the City of Temple Terrace Code each facility shall allow the Director or the GMP Inspector access at all reasonable times to all parts of the facility premises for the purpose of inspection, observation, records examination, measurement, and sampling in accordance with the provisions of this article.

(b) **Inspections.** The GMP inspector shall inspect food service facilities on either an unannounced or scheduled basis to verify continued compliance with the requirements of this article. The GMP inspector shall inspect all grease traps or interceptors, plumbing connections, the logbook and file, other pertinent data or take samples as necessary. The GMP inspector shall record all observations in a written report. Any deficiencies shall be noted, including but not limited to:

- (1) Failure to properly maintain the grease interceptor or trap in accordance with the provisions of this article.
- (2) Failure to report changes in operation, or wastewater constituents and characteristics.
- (3) Failure to maintain logs, files, records or access for inspection or monitoring activities.
- (4) Inability of existing grease interceptor or trap to prevent discharge of grease into the City's treatment works.
- (5) Any other inconsistency with or violation of this article.

(c) **Re-inspections.** The GMP inspector shall inspect any repairs, replacements or other deficiencies and shall provide written notice of compliance or noncompliance. In the event of continuing noncompliance, re-inspections will be performed.

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Section 21.325.7 GREASE TRAPS AND INTERCEPTORS.

(a) **Permit Required.** Any food service facility that intends to erect, install, enlarge, alter, repair, remove, convert or replace any grease trap or interceptor is required to make application to the building official and obtain the required permit. The facility shall submit with its permit application the appropriate design criteria in accordance with the Florida Building Code - Plumbing, as amended (current edition).

(b) **Requirements.** All food service facilities are required to have a grease interceptor or trap properly installed in accordance with any and all applicable requirements of the Florida Building Code – Plumbing, as amended (current edition).

- (1) **New facilities.** On or after the effective date of the City of Temple Terrace Grease Management Ordinance, food service facilities which are newly proposed or constructed, or existing food service facilities which will be expanded or renovated to include a food service facility, where such a food service facility did not previously exist, shall be required to install a grease interceptor or trap according to the requirements of the Florida Building Code – Plumbing, as amended (current edition) and to operate and maintain the grease interceptor or trap according to the requirements contained in this article.
- (2) **Existing facilities.** Food service facilities existing prior to the date of the City of Temple Terrace Grease Management Ordinance shall be permitted to operate and maintain existing grease interceptors or traps provided their grease interceptors or traps are in good operating condition.

The City may require an existing facility to install a new grease interceptor or trap that complies with the requirements of the Florida Building Code – Plumbing, as amended (current edition) or to modify or repair any noncompliant plumbing or existing grease interceptor or trap when any one or more of the following conditions exist:

- a. The facility is found to be contributing grease in quantities sufficient to cause line stoppages or necessitate increased maintenance on the wastewater collection system.
- b. Grease concentrations exceed 400 mg/l on wastewater effluent as determined by sampling performed by the GMP inspector.
- c. The facility does not have a grease interceptor or trap.
- d. The facility has an irreparable or defective grease interceptor or trap.
- e. Remodeling of the food preparation or kitchen waste plumbing system is performed which requires a plumbing permit to be issued by the City of Temple Terrace.
- f. The facility is sold or undergoes a change of ownership.
- g. The facility does not have plumbing connections to a grease interceptor or trap in compliance with the requirements of this article.

(c) **Plumbing connections.** Grease interceptors or traps shall be installed in accordance with Florida Building Code – Plumbing, as amended (current edition). Wastewater from sanitary facilities shall not be introduced into the grease interceptor or trap under any circumstances.

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(d) **Records maintenance.** Each food service facility shall maintain a bound logbook in which a record of all interceptor maintenance is entered. Maintenance information shall include, but not be limited to, date and time of the maintenance, gallonage removed from interceptor or trap, any defects in the grease interceptor or trap, details of any repairs required and dates of repair completion, changes in operations, or wastewater constituents and characteristics, receipts from grease haulers, plumbers, parts suppliers, etc., and any other records pertaining to the interceptor. This logbook shall be made available for review upon request. Records shall be maintained for a period of three years. Each facility shall provide, upon request of the GMP Inspector within 10 days, drawings of sufficient detail to depict the plumbing layout of the facility.

(e) **Grease interceptors.** Grease interceptors shall be designed and installed in accordance with the Florida Building Code – Plumbing, as amended (current edition) and shall be operated and maintained as follows:

- (1) **Pumping and maintenance.** Each food service facility shall be responsible for the costs of pumping, cleaning, and maintaining its grease interceptor. All food service facilities that have grease interceptors shall utilize a registered grease hauler. Pumping services shall include the complete removal of all contents, including floating materials, gray water, bottom sludge and solids from the interceptor. Grease interceptor cleaning shall include scraping excessive solids from the walls, floors, baffles and all piping.

It shall be the responsibility of the grease hauler to inspect an interceptor during, or immediately after the pumping procedure to ensure that the interceptor is clean and that all fittings and fixtures inside the interceptor are in working condition and functioning properly. If the interceptor is not functioning properly, the grease hauler shall notify the owner in writing. The notice shall include a sufficient description of the malfunction.

- (2) **Interceptor pumping frequency.** Each food service facility shall have its grease interceptor pumped according to the following criteria:
 - a. When the settled solids layer exceeds the invert of the outlet pipe (typically eight inches in depth), or;
 - b. When the total volume of captured grease and solid material displaces more than twenty-five percent (25%) of the capacity of the interceptor, or;
 - c. When the interceptor is not retaining or capturing oils and greases.
- (3) **Inspection.** Grease interceptors shall be inspected by a GMP inspector as necessary to assure compliance with this article.
- (4) **Disposal.** Wastes removed from each grease interceptor shall be disposed of at a facility permitted to receive such wastes. Grease, solid materials, or gray water removed from interceptors shall not be returned to any grease interceptor, private sewer line or to any portion of the City's treatment works, except for food service facilities that use a two compartment pump truck where the compartments are fully separate with their own valve system, so there is no cross contamination between the gray water with the solids and grease. With this type of equipment, gray water may be re-introduced back into the interceptor as long as the wastewater effluent grease concentrations do not exceed 400 mg/l.

(f) **Grease traps.** Grease traps shall be installed in accordance with the Florida Building Code – Plumbing, as amended (current edition), and shall meet the following criteria:

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- (1) **Flow control device.** Grease traps shall be equipped with a device to control the rate of flow through the unit. The rate of flow shall not exceed the manufacturer's rated capacity recommended in gallons per minute for the unit. Each food service facility is responsible for maintaining appropriate flow control devices.
- (2) **Venting.** The flow-control device and the grease trap shall be vented in accordance with the Florida Building Code – Plumbing, as amended (current edition). The vent shall terminate not less than six inches above the flood-rim level or in accordance with the manufacturer's instructions. Each facility is responsible for maintaining appropriate venting of the grease trap.
- (3) **Cleaning and maintenance.** Each food service facility shall be solely responsible for the cost of grease trap cleaning, and maintenance. Each facility may contract with a registered grease hauler or it may develop a written protocol and perform its own grease trap cleaning and maintenance procedures. Cleaning and maintenance must be performed when the total volume of captured grease and solid material displaces more than twenty-five percent (25%) of the total volume of the grease trap. Each facility shall determine the frequency at which their grease trap shall be cleaned, but all grease traps shall be opened, inspected, cleaned, and maintained at a minimum of once per week.
- (4) **Inspection.** Grease traps shall be inspected by a GMP inspector as necessary to assure compliance with this article and to assure proper cleaning and maintenance is being performed.
- (5) **Disposal.** Grease and solid materials removed from a grease trap shall be removed by a registered grease hauler unless the grease is in a solid waste disposal system, dry form, mixed with an oil absorbent in an enclosed bag or container, and does not exceed five (5) pounds.

(g) **Additives.** Any chemicals, enzymes, emulsifiers, live bacteria or other grease cutters or additives, used for the purpose of grease reduction, shall be approved by the GMP inspector prior to their addition to grease interceptors or traps. Applicable information concerning the composition, frequency of use and mode of action of the proposed additive shall be sent to the City together with a written statement outlining the proposed use of the additive(s). The City may request a sampling port installed by the food service facility at the facility's expense to demonstrate the additive will work. The City, upon evaluation of all of the information received, shall permit or deny the use of the additive in writing. Permission to use additives may be withdrawn by the City at any time.

(h) **Alternative grease removal devices or technologies.** Alternative devices and technologies such as automatic grease removal systems shall be subject to written permission by the Director prior to installation. Permission to use the device shall be based on demonstrated and proven removal efficiencies and reliability of operation. The City may permit these types of devices depending on manufacturer's specifications on a case-by-case basis. The food service facility may be required to furnish analytical data demonstrating grease removal effectiveness, or perform effluent monitoring. Permission to use alternative devices and technologies may be withdrawn by the City at any time.

Section 21.325.8 GREASE INTERCEPTOR AND TRAP ENFORCEMENT.

(a) Whenever the GMP inspector determines that a grease interceptor or trap is in need of pumping, repairs, maintenance, or replacement, enforcement shall be as follows:

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- (1) **Notice of Violation (NOV).** The GMP inspector conducting the inspection shall immediately notify the food service facility owner that a violation exists and issue the owner a NOV stating the nature of the violation.
- (2) **Inspection and Re-inspection.** If a grease interceptor or trap has to be re-inspected because of deficiencies found during a previous inspection, and all of the deficiencies have been corrected, there shall be no charge for the re-inspection. If all of the deficiencies have not been corrected, a re-inspection fee shall be charged to the food service facility.
- (3) **Sampling fees.** Fees for any sampling and analysis of wastewater discharges deemed necessary for the protection of the treatment works shall be charged to the food service facility owner in the amount per sampling event.
- (4) **Pump-out and cleaning.** A violation involving the lack of proper cleaning and maintenance of a grease trap shall require the food service facility owner to clean out the trap(s) within twenty-four (24) hours of the NOV. If interceptor pumping frequency is not being met, the owner shall be required to have the interceptor pumped out within seventy-two (72) hours of the NOV.
- (5) **Repairs and Replacement.** The food service facility owner shall be responsible for the cost and scheduling of all repairs to or replacement of its grease interceptor(s) or trap(s). Repairs and replacements required by a GMP inspector shall be completed within a reasonable time as established in written guidelines prepared by the Director. The time for corrective action shall commence on the date of receipt of the NOV. Written guidelines shall include provisions for time extensions if the owner responds with an acceptable plan for rectifying the situation.
- (6) **Noncompliance.** If the food service facility owner continues to violate the provisions set forth in this article, or fails to initiate or complete corrective action in response to a NOV, or a City approved plan to rectify a violation, the Director may pursue one or more of the following options at the Director's sole discretion:
 - a. Pump the grease interceptor and seek reimbursement of the costs from the food service facility owner;
 - b. Assess further inspection fees as provided;
 - c. Terminate sanitary sewer service.
 - d. Refer any violation by any food service facility or its owner for enforcement for any or all applicable remedies, including, but not limited to, the City's Municipal Code Enforcement Board.

Section 21.325.9 GREASE HAULERS.

(a) **Grease hauler registration.** Any person, firm, or business desirous of collecting, pumping or hauling grease interceptor or trap wastes from businesses located within the City limits shall be required to register with the City. It shall be unlawful for any grease hauler to clean or pump out grease interceptors or traps within the City limits without being registered.

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Registrations shall be effective for a period of three years. The registration required by the City shall be in addition to any other permits, registrations, or occupational licenses required by federal, state, and local agencies having lawful jurisdiction. The registration is not transferable. The Director shall issue stickers to all City of Temple Terrace registered grease haulers. The stickers shall be displayed in a visible location on all vehicles used to clean interceptors or traps.

- (1) **Application.** To register with the City, a grease hauler shall submit a completed application form to the Director. The Director shall approve, deny, or approve with conditions all applications by written notice within forty-five (45) calendar days of the City's receipt of the completed application form. The grease hauler shall be registered prior to providing grease hauling services within the City limits.

The application shall require, but not be limited to, the following information:

- a. List of all trucks or vehicles used to clean interceptors or traps, which include vehicle make, model, year, identification number, color, tank capacity, proof of insurance and tag number.
 - b. List of all drivers or personnel used to clean interceptors or traps, including proof of valid driver's licenses.
 - c. List of all disposal sites.
- (2) **Information update.** Registered grease haulers shall update application information annually from date of issuance of registration.
- (3) **Registration renewal.** An application for registration renewal shall be submitted on the appropriate renewal form at least forty-five (45) calendar days prior to the expiration date of the existing registration by each applicant wishing to provide grease hauling services in the City limits.

(b) **Spill reporting.** Any accident, spill, or other discharge of grease, solids or gray water, which occurs within the City, shall be reported to the City by the grease hauler as soon as possible but not longer than twenty-four (24) hours after the incident. The grease hauler shall comply with all procedures and reporting requirements contained in federal, state and local regulations. The grease hauler shall be responsible for all clean-up procedures and costs.

(c) **Record keeping.** Grease haulers shall retain and make available for inspection and copying, all records related to grease interceptor or trap pumping and grease disposal. A City of Temple Terrace grease hauler manifest or approved form shall be required to be signed by the grease hauler certifying the accuracy of the information on the manifest. The manifest shall include, but not be limited to, name, location, date and time of the facility serviced, gallonage removed from interceptor or trap, disposal times, dates, locations, and amounts. These records shall remain available for a period of at least three (3) years. The failure to provide information to the City within ten (10) days of a written request is a violation of this article.

(d) **Vehicle Inspection.** Grease haulers shall permit the City to inspect grease hauler's registered vehicles.

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(e) **Disposal.** Wastes removed from each grease interceptor or trap shall be disposed of at a grease disposal facility permitted to receive such wastes. Grease, solid materials, or gray water removed from interceptors or traps shall not be returned to any grease interceptor, trap, private sewer line, or to any portion of the City's treatment works, except for food service facilities that use a two compartment pump truck where the compartments are fully separate with their own valve system, so there is no cross contamination between the gray water with the solids and grease. With this type of equipment, gray water may be re-introduced back into the interceptor as long as the wastewater effluent grease concentrations do not exceed 400 mg/l.

(f) **Grease hauler enforcement.** Enforcement actions against grease hauler in violation of this article shall be as follows:

- (1) **Notice of Violation (NOV).** A NOV will be issued to any grease hauler that is found to be in non-compliance with this article. Response to this NOV must be received by the City within ten (10) calendar days of its receipt by the grease hauler. The grease hauler will be required to describe how the violation occurred, verification that the violation has been corrected, and shall provide assurance that steps will be taken to prevent the re-occurrence of the violation.
- (2) **Registration revocation.** Any registration issued pursuant to the provisions of this article may be modified, suspended or revoked in whole or in part during its term for cause shown including, but not limited to any one of the following:
 - a. Falsification of any information.
 - b. Discharging any grease, liquid, or solid waste into a non-authorized location.
 - c. Failure to comply with this article.

Section 21.325.10 FEES.

Fees associated with this article will be established pursuant to the provisions of Section 21.400 of the City of Temple Terrace Code.

Section 21.325.11 ENFORCEMENT.

(a) **Search or Inspection warrant.** The Director, or the GMP Inspector, through the City Attorney, may seek to obtain a search or inspection warrant from the appropriate authority to gain access to a facility for the purposes of inspection and monitoring if such lawful entry under Section 21.325.6 of this article has been denied by the owner.

(b) **Referral to Code Enforcement Board.** The Director, or the GMP Inspector, may enforce the violation of any provision of this ordinance against an owner or grease hauler, pursuant to and in the manner provided by Section 25.315 of the City of Temple Terrace Code and the provisions of Florida Statutes Chapter 162.

(c) **Injunctive and other relief.** The City may file an action in the Circuit Court, or any other courts having jurisdiction, seeking the issuance of an injunction, damages, and other appropriate relief to enforce the provisions of this article or applicable State or Federal law or regulations.

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(d) ***Recovery of damages.*** When the discharge from a food service facility causes an obstruction, damage or any other impairment to the treatment works, or causes any expenses, fines, penalties or damages of whatever character or nature to the City, the Director shall invoice the owner for same incurred by the City. If the invoice is not paid, the Director shall notify the City Attorney to take such actions as shall be appropriate to seek reimbursement.

(e) ***Remedies nonexclusive.*** The remedies provided for in the ordinance are not mutually exclusive. The Director may take any, all, or any combination of these actions against a noncompliant person.

(f) ***Appeal of revocation or denial of grease hauler registration.*** Any revocation or denial of grease hauler registration may be appealed to the City Council of the City of Temple Terrace, which shall conduct a Quasi-Judicial Hearing and enter an Order either upholding the revocation or denial, or over-turning such decision. The grease hauler shall have fifteen (15) days from receipt of written notice of denial or revocation of the registration to file an appeal. Failure of the grease hauler to file an appeal within the fifteen (15) day time limit shall constitute acceptance of the decision to deny or revoke the registration.

Section 21.325.12 ADDITIONAL CRIMINAL OFFENSES.

(a) ***Damage to City property.*** Pursuant to Section 14.160 of the City of Temple Terrace Code, it is unlawful for any person to maliciously, willfully or negligently break damage, destroy or deface, tamper with or remove any City property.

(b) ***Falsifying information.*** Any person who knowingly makes any false statements, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this article, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this article, shall, upon conviction, be subject to a penalty in an amount not to exceed \$500.00 or by imprisonment for not more than sixty (60) days, or by both. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense.

(Ord. No. 1219, 2-19-08; Ord. No. 1241, 1-20-09)

Section 21.330 STANDARDS FOR INDUSTRIAL AND SPECIAL USERS.

The provisions of the City of Tampa Wastewater Department Technical Manual (Manual of Standards for Industrial and Special Users), as updated April 2006, and all subsequent duly adopted amendments thereto, are incorporated by reference into the City of Temple Terrace Code of Ordinances, as setting forth uniform requirements for users of the Publicly Owned Treatment Works of the City of Tampa and enables the City to comply with applicable State and Federal laws, including the Clean Water Act (33 United States Code at Section 1251 et. seq.) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403). *(Ord. No. 1218, 2-19-08)*

Section 21.350 INSTALLATION AND USE OF SEPTIC TANKS, CESSPOOLS, ETC., UPON APPROVAL.

See Section 25.680.7(f) of this Code.

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Section 21.410.2 CHAPTER AS PART OF WATER AND/OR SEWER SERVICE CONTRACT.

The provisions of this Chapter shall be deemed a part of the City's contract with every person who takes water supplied by the City or who has sewage service supplied by the City.

Section 21.410.3 TERMINATION OF CONTRACT FOR SERVICES.

A customer for water, sanitary sewer, and solid waste service may terminate the contract for such service at any time by giving notice to the City and by paying all amounts due for services up to the date of termination of service by the City; but in case notice is not given or the bills due for service not paid, then the customer shall continue to be liable for service thereafter and for the minimum monthly rate or charge in case no water is consumed, even though the premises are vacated or occupied by other parties who fail to make application for service and sign a contract. (*Ord. No. 954, 10-21-97*)

Section 21.410.4 APPLICANT FOR SERVICE SOLELY RESPONSIBLE FOR BILLS.

Anyone signing an application for service and requesting the bill to be sent to a different address for payment by another party does so at his own risk, as the City does not act as a collection agency for owner or agent, and takes no responsibility for collection of the account and should the account become delinquent, it will be charged to the contracting party and handled as any ordinary account.

**Section 21.410.5 SCHEDULE OF DEPOSITS; MONTHLY PAYMENT FOR SERVICES;
DELINQUENCY CHARGES; CUT-OFF; RESTORATION OF SERVICE.**

(a) **Residential Accounts:**

- (1) Upon written application for commencement of water, sanitary sewer, or solid waste service, a deposit shall be made with the Finance Department. The required deposit will be in accordance with the level of service provided as follows:

	Per Owner Occupied Unit	Per Tenant Occupied Unit
<u>Any Single Service Deposit</u>	\$ 50.00	\$100.00
<u>Multiple Service Deposit</u>		
Water, sanitary sewer, solid waste	\$100.00	\$200.00

The City shall have the right, however, to increase a deposit to an amount equal to three (3) times the highest monthly combined water, sanitary sewer, and solid waste bill from the customer's preceding year, whenever the same is deemed necessary to guarantee customer payment of future water, sanitary sewer, and/or solid waste bills.

The City reserves the right to require proof of ownership to determine the amount of the applicable deposit.

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An owner-occupied unit that has a service history with the City for a minimum of two (2) consecutive years and has a satisfactory payment history for that two-year period shall not be required to pay a deposit. This provision shall apply to only one account per customer. A satisfactory payment history shall be defined as a payment history that consists of fewer than two (2) penalties, no returned checks, and no delinquencies.

Deposits shall be returned to the depositor when all service provided and any delinquencies have been paid in full and further services are not required.

The City may from time to time refund utility deposits to any customer of an owner-occupied unit who has established a satisfactory payment history with the City for a period of two (2) years.

(Ord. No. 1213, 11-6-07)

- (2) Bills for water, sanitary sewer, and solid waste service or any other authorized billings shall be prepared and forwarded monthly to customers. Such bills shall set forth the separate charge for water service, sanitary sewer service, solid waste service, and each additional authorized service.

The fact that a customer does not receive a bill shall not constitute grounds for late payment, discount or adjustment. A bill shall not be considered paid until remittance for same has been received at the office of the Finance Department, and the Department shall not be responsible for delays or losses in transportation in the mails or otherwise.

- (3) If the rates or charges for all or any part of the services provided are not paid by the specified due date of any bill rendered, a late payment charge in the amount of 1.5% of the outstanding balance or \$10.00, whichever is greater, shall be imposed and collected.

(Ord. No. 1213, 11-6-07)

- (4) If the rates or charges for all or any part of the services provided are not paid by the specified disconnect date or as otherwise provided by State law after the date of any bill rendered, service to the delinquent customer may be immediately discontinued unless satisfactory payment arrangements have been made. Such utility service shall not be restored until the delinquent bill and any reconnection charges are paid. Where water services are not provided, the City, at its option, may discontinue other services until the delinquent bill and reconnection charges have been paid. Any part of a utility bill that is delinquent shall constitute the entire bill being delinquent.

- (5) Any depositor whose service is discontinued due to a delinquency for a second time within a twelve (12) month period shall be required to increase the amount of deposit to three times the highest monthly bill and penalty. Said increased deposit shall be returned to the depositor as provided in (1) above. When it becomes necessary to remove the water meter to enforce the provisions of this Section, a reconnection charge of one hundred dollars (\$100.00) shall be paid for each such reconnection in addition to any other applicable charges or delinquent balances.

- (6) When the City Manager, or his designee, determines that certain inequities exist with regard to requirement of a deposit from a customer who has previously established satisfactory credit for a water, sanitary sewer, and solid waste account, the deposit requirement may be waived.

(Ord. No. 954, 10-21-97)

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(b) Commercial Accounts:

- (1) Upon application for commencement of water, sanitary sewer, and solid waste service, a deposit shall be made with the Finance Department in an amount equal to two (2) times the estimated monthly combined water, sanitary sewer and solid waste bill for service to the account.
- (2) All money so deposited shall be returned to the depositor when all service provided and any delinquencies have been paid in full and further services are not required.
- (3) Annually, each deposit shall be reviewed on the basis of actual utilization and if any significant difference is noted, appropriate reduction or increase in the amount of the deposit shall be required accordingly.
- (4) Bills for the services of water, sanitary sewer, and solid waste and any other authorized billings shall be prepared and forwarded monthly to customers. Such bills shall set forth the separate charge for water service, sanitary sewer service, and solid waste service, and each additional authorized service.

The fact that a customer does not receive a bill shall not constitute grounds for late payment, discount or adjustment. A bill shall not be considered paid until remittance for same has been received at the office of the Finance Department, and the Department shall not be responsible for delays or losses in transportation in the mails or otherwise.

- (5) If the rates or charges for all or any part of the services provided are not paid by the specified due date of any bill rendered, a delayed payment charge in the amount of 1.5% of the outstanding balance or ten dollars (\$10.00), whichever is greater, shall be imposed and collected. (*Ord. No. 1246, 6-02-09*)
- (6) If the rates or charges for all or any part of the services provided are not paid by the specified disconnect date or as otherwise provided by State law after the date of any bill rendered, utility service to the delinquent customer shall be discontinued immediately unless satisfactory payment arrangements have been made. Such utility service shall not be restored until the delinquent bill and all reconnection charges are paid. Where meter services are not provided, the City, at its option, may discontinue other services until the delinquent bill and reconnection charges are paid. Any part of a utility bill that is delinquent shall constitute the entire bill being delinquent.
- (7) Any depositor whose service is discontinued due to delinquency for a second time within a twelve-month period shall also be required to increase the amount of deposit to three times the highest monthly bill and penalty. Said increased deposit shall be returned to the depositor as provided in (2) above. When it becomes necessary to remove the water meter to enforce the provisions of this Section, a reconnection charge of one hundred dollars (\$100.00) shall be paid for each reconnection in addition to any other applicable charges or delinquent balances.

(c) Governmental Agencies. A governmental agency shall not be required to pay a deposit for water, sanitary sewer, or solid waste services.

(d) Interest on Deposits. All utility deposits held by the City of Temple Terrace, placed by customers of any utility service provided by the City, shall earn interest and the customers shall receive a credit for the interest so earned, in accordance with the following criteria:

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- (1) Deposits will earn interest from the date of posting forward, to the date of final disbursement.
- (2) Deposits shall earn interest at a rate adjustable monthly and equal to the rate promulgated by the account where the deposits are held for the month which is two months prior to the month for which the rate is being computed. For example, the interest rate on deposits in the month of May will be the rate set by the interest earned for the month of March.
- (3) Interest will be compounded monthly and credited to the customer's account annually in September. For accounts which are terminated, interest will be credited as of the date of termination on a daily, prorated basis.
- (4) At the time a utility account is terminated, the deposit and any interest earned thereon will be applied to the customer's final bill to the extent necessary to pay that bill. Any amount of the deposit plus earned interest then remaining shall be refunded to the customer.
- (5) Only cash deposits shall earn interest. Any deposits held in the form of a bond or letter of credit shall not earn interest or receive any credit for interest.
- (6) No customer shall be eligible for the interest credit unless and until the customer has furnished the City with the customers' Social Security number, or a Federal Taxpayer Identification Number.
(Ord. No. 1229, 6-17-08)

Section 21.410.6 WATER METER AND CONNECTION CHARGES.

(a) Water Connection.

- (1) Charges for tapping water mains including the cost of labor and materials related to the meter, meter box, corporation stop, valves and appurtenances thereto shall be in accordance with the schedule below. All meters and appurtenances thereto shall be and remain the property of the City.

Meter Size

	<u>5/8"</u>	<u>3/4"</u>	<u>1"</u>	<u>1-1/2"</u>	<u>2"</u>
In City	\$500	\$535	\$570	\$740	\$870
Outside of City	\$625	\$670	\$715	\$925	\$1,090

(Ord. No. 1246, 6-02-09)

- (2) The Public Works Director shall determine charges of the installation of meters larger than two inches.
- (3) Responsibility for damage to meters. Where meters are broken or damaged by the negligence of the owners, tenants or occupants of the premises, the cost of repair or replacement shall be paid by the owner, tenant or occupant of the premises; and if the same is not paid upon repair or replacement of a meter, the water supply shall be turned off and shall not be turned on again until payment of such amount due is made. If it cannot be determined whose negligence is responsible for the damage to the meter, the owner is responsible.

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(b) **Refund of Meter or Installation Charges.** When a consumer has made application for water service and paid the installation or meter charges, the City shall not be required to refund these charges if the consumer withdraws application after a connection has been installed to the premises, but shall retain such payments as liquidated damages.

(c) **Sewer Connection.** Charges for sewer connections will be as follows:

- (1) Connection to sewer lateral - \$250.00
- (2) There shall be no charges for sewer connections in subdivisions when the subdivider or developer has provided the minimum improvements required under the provisions of Chapter 25 of the Code of Ordinances, and has made sanitary sewer service available to each plot or lot in the subdivision.

Section 21.410.7 IMPROVEMENT CHARGE: WATER AND SEWER.

(a) In addition to the other charges levied by this Chapter, there is hereby imposed on all new connections to the water or sewer system, an improvement charge based on the equitable portion of the cost of financing the extension of the City's water or sewer system upon the person creating the need for additional system financing. Except as provided in Subsection 21.410.7(a)(1)b. below, regarding water improvement fees for new commercial connections to the City's water distribution system in the corporate park area, all persons with property which is to be connected to the City's water distribution or sewer collection systems shall pay the improvement charge as set forth herein:

(1) Improvement Charge - Water.

a. The improvement charge for water service shall be as follows:

	Distribution System Component	Plant Expansion Component	Total
Single-family residential connection	\$1,300	\$1,450	\$ 2,750
Multi-family residential, per unit	1,300	1,450	2,750
Commercial/Industrial connection meter size (inches):			
5/8 inch meter.....	\$ 1,300	\$ 1,450	\$ 2,750
3/4 inch meter.....	2,925	3,250	6,175
1 inch meter.....	4,550	5,075	9,625
1-1/2 inch meter.....	9,750	10,875	20,625
2 inch meter.....	16,900	18,850	35,750
3 inch meter.....	29,900	33,350	63,250
4 inch meter.....	58,500	65,250	123,750
6 inch meter.....	120,250	134,125	254,375

Charges for meter sizes in excess of six (6) inches shall be established by the City Council upon the recommendation of the City Engineer.

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- b. **Improvement surcharge - Water.** In addition to the Water Improvement Charges outlined in Section 21.410.7(a)(1)a., all new connections to the City's water system in the area bounded by the Hillsborough River, Fletcher Avenue, Interstate 75, and Cow House Creek, shall pay a water improvement fee charge as follows:

Commercial/Industrial facility	\$.25 per square foot of gross leasable floor area
Single family house	350.00 each
Apartments/other multi-family	250.00 per dwelling unit
Hotel/Motel	125.00 per room or suite

- (2) **Improvement Charge - Sewer.**

- a. **The improvement charge for City sanitary sewer service shall be as follows:**

	Temple Terrace Component	Tampa Component	Total
Single-family residential connection	\$800	1,769	\$2,569
Multi-family residential connection, (per unit)	800	**	

** Tampa component for multi-family residential connection based on meter size.

**Commercial/Industrial
(connection meter size-inches)**

5/8 inch meter	800	1,769	2,569
3/4 inch meter	1,800	1,769	3,569
1 inch meter	2,800	7,111	9,911
1-1/2 inch meter	6,000	23,422	29,422
2 inch meter	10,400	45,446	55,846
3 inch meter	18,400	132,357	150,757
4 inch meter	36,000	217,976	253,976
6 inch meter	74,000	312,918	386,918

Charges for meter sizes in excess of six (6) inches shall be established by the City Council upon the recommendation of the City Engineer.

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- b. **Reduction in Sewer Improvement Charge - Buildings used for residential, commercial or industrial purposes which received its initial certificate of occupancy prior to October 1, 1987, for which a sanitary sewer line has been subsequently constructed, the Tampa component of the improvement charge for sewer service shall be as follows:**

<u>Water Meter Size</u>	<u>Tampa Component</u>
5/8 inch meter	\$ 800
3/4 inch meter	800
1 inch meter	2,000
1-1/2 inch meter	4,000
2 inch meter	6,400
3 inch meter	12,000
4 inch meter	20,000
6 inch meter	40,000

Provided, however, buildings used for residential, commercial or industrial purposes which received its initial certificate of occupancy prior to August 3, 1973, for which a sanitary sewer line has been subsequently constructed, the Tampa component of the sewer improvement fee shall be twenty-five (25) percent of the fee established above in this Section.
(Ord. No. 939, 1-7-97)

- (3) **Combination Residential and Commercial/Industrial Connection.** If a single connection is installed to service a facility containing both residential and commercial/industrial units, the improvement charge shall be in the sum of the charge for the meter size needed to service the commercial/industrial unit(s) and the per unit charge for the residential unit(s) based on the multi-family rates.
- (4) **Disputed Charges.** In the event of a dispute as to the appropriate classification and improvement charge, the City Manager shall have the right to final determination of the appropriate meter size and charge.
- (5) **Definitions.** For purposes of this Section, the following definitions shall apply:
- a. *Single-family residential connection:* A utility connection to a structure which is intended for occupancy by a single family and which is situated on an individual, defined parcel or property (zoning lot), irrespective of whether the structure has common walls with an adjacent structure.
- b. *Multi-family residential connection:* A utility connection to a structure or group of structures, on one individual, defined parcel of property (zoning lot) which contains or may contain residential dwelling units for more than one family, e.g. multi-family connections for duplexes, triplexes, apartments, condominiums, mobile home parks, campsites and related uses but not those for motels, hotels and rooming or boarding houses.
- c. *Commercial/industrial connection:* Any utility connection to a structure not used as a dwelling unit, and all utility connections to motels, hotels and rooming or boarding houses.

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d. *Unit:* Each room, combination of rooms, or prepared mobile home space that includes connection points for sewer and/or water service that are owner occupied, offered separately for rent as a rental unit or vacant. Multi-unit apartments, condominiums, office buildings, shopping centers, hotels, motels, and similar multi-unit structures or complexes are defined to consist of multiple units, regardless of whether or not a single water or sewer connection serves the entire complex.

(6) **Laterals.** The foregoing fees, as computed, are based upon costs relating to the plant and main lines and do not include costs related to laterals and other lines installed by the owner and/or developer of the property to be connected.

(7) **Irrigation Meters.** The improvement charge regarding water shall not apply to separate meters installed for irrigation purposes only; the prevailing tap and meter fees only will apply to irrigation meters.

(b) The total improvement charges for water and sewer service shall be determined by the computation as set forth above. The above figures are for the computation of the improvement charge only and do not establish the number of units properly served by a particular meter size. Each additional connection subsequent to the effective date of this Chapter shall be subject to an improvement charge computed in accordance with whichever of the foregoing criteria is applicable. If a new connection is requested subsequent to the effective date of this Chapter, the improvement charge shall be computed as follows:

(1) If the improvement charge previously paid was less than the charge imposed pursuant to this Chapter, then the applicant for the new connection shall pay the difference between the improvement imposed by this Chapter and the improvement charge previously paid;

(2) If the improvement charge previously paid was more than the charge imposed pursuant to this Chapter, then said new connection may be installed without payment of any additional improvement charge.

(c) The amount of the improvement charge shall be reviewed periodically to determine whether the current fee is an appropriate amount.

(d) Improvement charges shall be assessed prior to approval of the application for service for either water or sewer service; provided, however, that upon a showing of hardship, arrangements for the payment of the improvement charge over a period of time may be made with the City Manager in accordance with the administrative memorandum prevailing at the time of assessment. Since the improvement charge is comprised of two (2) separate charges, water and sewer, in areas where only one of these services is available, the applicant shall be charged only for the service provided. When the other service is made available, the applicant shall be charged therefore.

(e) Improvement charges for all units within a subdivision or other multi-unit development shall be entirely due and payable prior to final acceptance of the subdivision plat or before either water or sewer service is provided to any unit within said subdivision or other multi-unit development, whichever occurs first, unless an agreement is approved by the City Council establishing alternate due dates for the payment of said charges. The improvement charges for all other construction shall be due and payable at the time of issuance of a building permit for the unit for which water and/or sewer service is available.

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(f) The proceeds accumulated by reason of the establishment of an improvement charge can be used only for water system or sanitary sewer system projects which meet the following criteria:

- (1) Each project must be needed because of the present or projected addition of customers; or
- (2) Each project must serve a transmission, treatment or pumping function for a number of new connections. Projects whose functions are limited to providing service to abutting properties are not included; or
- (3) Projects which are needed for public health, safety or welfare for a large group of people can be built from improvement charge funds.

(g) Two (2) trust funds are hereby established. One shall be designated as the improvement charge capital improvement trust fund for the expansion of the water system, and the other shall be designated as the improvement charge capital improvement trust fund for the expansion of the sanitary sewage system. All improvement charges paid to the City shall be recorded in the appropriate trust fund to be used only for the purpose of the expansion of the City of Temple Terrace's water and sewer systems. Any funds on deposit in the said trust funds which are not immediately necessary for expenditure may be invested as provided by law for investment of municipal funds.

Section 21.410.8 CUSTOMER SERVICE CHARGES.

Water customer service charges shall be as follows:

Initial turn on charge	\$ 25.00
Temporary turn off and on (requested by customer)	25.00
Meter accuracy check (requested by customer)	25.00
Restore service to delinquent customer:	
During regular City hours	25.00
After regular City hours	40.00
Returned check charge	25.00
Other (per trip)	25.00

(Ord. No. 1060, 2-19-02; Ord. No. 1213, 11-6-07)

Section 21.410.9 FIRE SPRINKLER SYSTEM; ANNUAL SERVICE CHARGE.

The service charge for non-metered fire sprinkler systems in the service area, is hereby prescribed and fixed as follows: thirty dollars (\$30.00) per year for each four (4) inch sprinkler system connection; thirty-six dollars (\$36.00) per year for each six (6) inch sprinkler system connection; fifty-four dollars (\$54.00) per year for each eight (8) inch sprinkler system connection. No water is to be used from sprinkler systems at any point on the line except in case of fire; nor are any fixtures whatsoever to be connected with such fire line.

Section 21.410.10 FIRE HYDRANTS ON PRIVATE PROPERTY; ANNUAL SERVICE CHARGE.

The service charge for non-metered fire hydrants on private property in the service area and utilized for private fire protection is hereby prescribed and fixed as follows: within the City, thirty dollars (\$30.00) per year per hydrant; on private property or streets outside the City, sixty dollars (\$60.00) per year per hydrant. No water is to be used from fire hydrants, or from the service line on which they are situated, unless metered, except in case of fire; nor are any other fixtures whatsoever to be connected with such fire line.

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Section 21.410.11 HOSE RACKS ON PRIVATE PROPERTY; ANNUAL FEE

Non-metered hose racks on private property in the service area, connected to the City mains, shall pay a service charge of fifteen dollars (\$15.00) per year per hose rack. No water shall be used from such hose or from the line upon which they are situated unless metered except in case of fire, nor are any other fixtures whatsoever to be connected with such fire line.

Section 21.410.12 BASIC RATE SCHEDULE FOR WATER AND WASTEWATER SERVICE.

(a) The minimum monthly rates for water and wastewater service will be as reflected in the most recent Water and Wastewater Rate Schedule adopted by Resolution of the City Council and annually adjusted, by Resolution of the City Council, pursuant to Section 21.410.15, Annual Rate Adjustment. Said schedule is on file and available for inspection in the office of the City Clerk. (*Ord. No. 1246, 6-02-09*)

(b) A ten percent (10%) utility tax will be added to all water charges within the corporate limits of the City.

(c) Any charge levied on the volume of water consumption will be based on one thousand (1,000) gallons, or fraction thereof, of water use.

(d) Single family residences where public potable water is not supplied will be charged a flat rate of seventy dollars and twenty-three cents (\$70.23) for residential wastewater sewer service and one hundred twenty-five dollars and thirty nine cents (\$125.39) for commercial wastewater service. (*Ord. No. 1246, 6-02-09*)

(e) The City Council may negotiate or authorize the City Manager to negotiate rates other than those provided in this Section for public or governmental agencies when it is in the best interest of the City of Temple Terrace. In all such cases, due consideration shall be given to the number of persons using the facility, size or purpose of building, number of rooms and the estimated amount of sewage discharged into the wastewater sewer system of the City.

(f) Wastewater charges will not apply to consumption on an irrigation meter at a single-family residence.
(*Ord. No. 918, 4-16-96; Ord. No. 1106, 12-02-03; Ord. No. 1246, 6-02-09*)

**Section 21.410.13 TRANSFER OF DELINQUENT BILL TO NEW ADDRESS OF CONSUMER;
DISCONTINUANCE OF SERVICE FOR NONPAYMENT OF TRANSFERRED
BILL.**

The Department of Finance and Administration shall have the right to transfer a delinquent water bill at one address to the account of the same consumer at another address, provided the consumer is receiving service at the latter address, and shall have the right to discontinue service at the latter address for nonpayment of the transferred bill.

**Section 21.410.14 COLLECTION OF CHARGES FOR SEWER SERVICE WHEN WATER IS NOT
SUPPLIED BY THE CITY.**

If any bill for sanitary sewer service charges rendered in connection with any premises not connected with the water system of the City shall not be paid when due, the owner, tenant or occupant of such premises shall cease to dispose of sewage or industrial wastes originating from or on such premises by discharge thereof directly or indirectly into the sewer system of the City until such sanitary sewer service charges, plus an additional charge equal to ten (10)

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percent of such bill which shall be added thereto, shall be paid and it shall be the duty of any district, private corporation, board, body or person, including owner of premises to cease supplying water or selling water for use on such premises within five (5) days after the receipt of notice of such delinquency from the City Manager, and if such district, private corporation, board, body or person shall not, at the expiration of such five day period, cease supplying water to or selling water for use on such premises, then the City Manager, unless the City shall have theretofore contracted to the contrary, shall shut off the supply of water to such premises by any legal process, and shall proceed forthwith to recover the amount of such sewer service charges, together with all costs of collection, including attorney's fees, in such lawful manner as he may deem advisable.

(Ord. No. 954, 10-21-97)

Section 21.410.15 COLLECTION OF CHARGES; ADDITIONAL REMEDY.

All owners of property accepting services from the City, do, by such acceptance, consent that any lawful charge made for such service or services, together with the costs of collection, including attorney's fees, shall constitute a lien upon and against the property receiving such service or services, such lien to be enforced and collected by the City as provided by law. This remedy shall be in addition to all other remedies available to the City for the collection of such charges.

Section 21.410.16 ANNUAL RATE ADJUSTMENT.

The minimum monthly rates for water, irrigation, and wastewater service may be adjusted annually on October 1 based on the percentage change in CPI-U (Consumer Price Index – Urban) from January to January each year. The annual adjustment will be no greater than 3% or the CPI-U, whichever is less, and will be no less than 0%. Rates so adjusted shall go into effect as of the next billing cycle following October 1 of each year, but no earlier than permitted by Florida law. *(Ord. No. 1246, 6-02-09)*

Section 21.410.17 DROUGHT SURCHARGE.

A surcharge amount of 15% greater than the discretionary water or irrigation rate, based on the metered service, shall be placed on usage in excess of 8,000 gallons per month for all water and wastewater customers of the City of Temple Terrace, to pay for the cost to implement water conservation measures and to recover lost revenue as a result of drought conditions. The surcharge shall be imposed on the first day of the first month following the declaration of a Phase III “Extreme” Water Shortage Alert by the Southwest Florida Water Management District (SWFWMD) and shall remain in effect until the first day of the month following the termination of the declared Phase III Alert by SWFWMD. *(Ord. No. 1246, 6-02-09)*

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Section 21.415 WATER AND SEWER EXTENSIONS.

None of the Sections of this Chapter shall be construed as prohibiting the further expansion of the water system or the sewer system by the City.

Section 21.420 EXTENSION BY OTHERS.

Requests for the extension of water or sewer systems to serve properties not currently served must be processed in accordance with the provisions of the City's Land Development Code, Section 25.690. At the City's discretion, a development agreement may be required to detail the terms and conditions of said water and sewer extensions.

Section 21.425 EXTENSIONS SERVING APPLICANT'S PROPERTY SOLELY.

(a) The cost of water and sewer extensions intended to serve the applicant's property solely shall be paid entirely by the applicant.

(b) At the City's discretion, a water and sewer line may be oversized to serve possible future development. The additional cost of said oversizing shall be determined by the City and the determination of cost pro-ratio shall be established in a development agreement.

Section 21.430 EXTENSIONS SERVING MULTIPLE PROPERTY OWNERS.

The cost of water and sewer extension projects resulting in service availability to more than one property owner will be allocated as follows:

(a) For projects approved for funding in the City's six-year capital improvement program, the applicant shall receive credit on the applicable water and/or sewer improvement fees up to the amount of said improvement fees.

(b) For projects unfunded, or not contained in the City's six-year capital improvement program, the applicant shall receive credit on the applicable water and/or sewer improvement fees up to the amount of said improvement fees for the oversizing of a project as required by the City, above what is required to serve the applicant's project.

Section 21.435 CONSTRUCTION RESPONSIBILITY.

The City shall determine whether the applicant shall be responsible for the construction of said extensions or whether the applicant shall deposit with the City a sum equivalent to the projected cost of the applicant's share, at which time the City will be responsible for the construction of the extension. At the conclusion of the construction by the City, a final cost allocation shall be made and a refund or charge made to the applicant.

Section 21.440 DESIGN STANDARDS

See Section 25.745.12 and 25.745.13 of this Code.

(Ord. No. 892, 1-17-95; Ord. No. 918, 4-16-96; Ord. No. 939, 1-07-97; Ord. No. 954, 10-21-97; Ord. No. 1049, 9-13-01; Ord. No. 1060, 2-19-02; Ord. No. 1106, 12-02-03; Ord. No. 1213, 11-06-07; Ord. No. 1218, 2-19-08; Ord. No. 1219, 2-19-08; Ord. No. 1229, 6-17-08; Ord. No. 1241, 1-20-09; Ord. No. 1246, 6-02-09)

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