



LAKE MARY CITY COMMISSION

**Lake Mary City Hall
100 N. Country Club Road**

WORK SESSION

THURSDAY, OCTOBER 16, 2014 5:30 PM

1. Items for Consideration

A. Proposed Utility Ordinance

B. Economic Development Marketing

2. THE ORDER OF ITEMS ON THIS AGENDA IS SUBJECT TO CHANGE

Per the direction of the City Commission on December 7, 1989, this meeting will not extend beyond 11:00 P. M. unless there is unanimous consent of the Commission to extend the meeting.

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY ADA COORDINATOR AT LEAST 48 HOURS IN ADVANCE OF THE MEETING AT (407) 585-1424.

If a person decides to appeal any decision made by this Commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim

record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Per State Statute 286.0105.

NOTE: If the Commission is holding a meeting/work session prior to the regular meeting, they will adjourn immediately following the meeting/work session to have dinner in the Conference Room. The regular meeting will begin at 7:00 P. M. or as soon thereafter as possible.



MEMORANDUM

DATE: October 16, 2014
TO: Mayor and City Commission
FROM: Dianne Holloway, Finance Director
VIA: Jackie Sova, City Manager
SUBJECT: Proposed Utility Ordinance

Background: Title V, Public Works of the Code of Ordinances are the regulations of the City's water and wastewater systems. Since these systems were established almost 40 years ago, minor adjustments have been made to these ordinances. As these regulations are currently crafted, language is outdated, operations have changed in such a way that conditions no longer apply, and there is a need to update current policies and practices that may not be specifically addressed. The proposed code amendments address changes in nomenclature, eliminate unnecessary sections, clarifies ambiguities and ratify current practices as summarized by Chapter below.

Public Services Tax Code. Currently Section 52.032 needs to be amended to eliminate reference to the Communications Service Tax (CST) which is now administered by the state. The Commission does set these tax rates which is at 5.22% for CST and 10% for Public Services Tax on purchases of electric and gas. These rates are not changing. The proposed language will also clarify ambiguities. With the exception of § 52.032(B) the entire section will be moved to Chapter 31, Finance, as this is a tax authorized pursuant to F.S § 166.231 or § 166.232 on the purchase of electricity and gas.

Chapter 50, City Wastewater System. These regulations were originally created in 1980. Several of the definitions need to be updated to reflect provisions in Florida State Statutes such as mandatory connection as well as changes in the wastewater system itself. Because nearly all wastewater generated in the City is conveyed to Seminole County for proper treatment and disposal by agreement, industrial users and pretreatment standards are subject to and shall follow Seminole County Code. Changes to the Sewer Impact Fee Code include adding Equivalent Residential Unit (ERU) categories of Warehouse, Self Service Storage, Place of Worship/Assembly and

Nursing Home/Assisted Living. Clarification has been added as to the method of calculation and that the impact fee itself is comprised of the Seminole County portion and the City's portion. Sewer and Water ERU Categories are now consistent. Penalty provision has been repealed as there is currently a provision in § 10.99 of the City's code for general penalty; attorneys' fees and costs. All of the fees and charges for services have been moved to Chapter 53.

Chapter 51, City Waterworks System. Originally created in 1976 as the City's Waterworks System. Revisions include renaming to the City Water System. Added a section for mandatory connection and provision for impact fee payment plan. Moved in its entirety Chapter 55 – Water System Impact and renamed to Water System Impact Fee. Changes to the Sewer Impact Fee Code include adding Equivalent Residential Unit (ERU) categories of Warehouse, Self Service Storage, Place of Worship/Assembly and Nursing Home/Assisted Living. Clarification has been added as to the method of calculating the impact fee itself. Sewer and Water ERU Categories are now consistent. Penalty provision has been repealed as there is currently a provision in § 10.99 of the City's code for general penalty; attorneys' fees and costs. All of the fees and charges for services have been moved to Chapter 53.

Chapter 52, Public Utilities. This ordinance was originally adopted in 1975, prior to the creation of the City's water and wastewater systems. The intent was to regulate and control sanitary sewage collection, treatment, and disposal systems, and to control public water supply, treatment, and distribution systems in the city. The City's systems have developed over the past 40 years and we require mandatory connection to the City's system rather than allow private utilities to operate within the City. With the exception of § 52.032(B) which references the imposition and levy of the Communication Services Tax, this chapter is no longer needed and proposed to be repealed.

Chapter 53, Wastewater and Water System Fees and Charges. This is a new chapter proposed to integrate all fees and charges of the City's Wastewater and Water Systems into one comprehensive chapter. Currently fees and charges for utility services are identified individually in Chapter 50 and Chapter 51. The Finance Department bills all utility services monthly on a consolidated statement with each service listed separately. Combining fees, charges and general provisions into one Chapter will enable the consistent application of regulations. This restructuring also streamlines administrative procedures when the need arises to make modifications to regulations or fees. The proposed language makes a provision for the City Commission to make modifications by resolution. Fees and charges remain unchanged. Administrative changes include revising the method in which we currently notify users of delinquency, changing the "after hours" time from 5:00 p.m. to 3:00 p.m. and clarifying the fees and charges for 8" and 10" meters. Additional unnecessary language was eliminated.

Chapter 54, Emergency Water Shortages. Adopted in 1983, the provisions within this ordinance have been replaced with our water conservation efforts in conjunction with the regulations imposed by the St. Johns River Water Management District. This Chapter is no longer needed and proposed to be repealed.

Chapter 55, Water System Impact. This ordinance adopted water impact fees and regulations in 1984. This chapter is hereby repealed in its entirety becoming part of

Chapter 51, City Water System. These regulations did not need to stand alone in its own chapter and should be incorporated into the City Water System regulation. This is also consistent with the City's sewer impact fees as they are a provision of the City Wastewater System.

Chapter 56, Cross-Connection Control Program. There are no proposed changes. In an abundance of caution, the effective date is 90 days out to satisfy any statutory requirements, although no fees and charges are being changed through this ordinance.

Recommendation: The City Commission adopt Ordinance No. 1518, amending, moving and repealing portions of Title V, Public Works of the City's Charter.

ORDINANCE NO. 1518

AN ORDINANCE OF THE CITY OF LAKE MARY, FLORIDA, AMENDING, MOVING AND REPEALING PORTIONS OF TITLE V, PUBLIC WORKS OF THE LAKE MARY CODE OF ORDINANCES; ESTABLISHING SECTION 31.20, PUBLIC SERVICES TAX; AMENDING CHAPTER 50, CITY WASTEWATER SYSTEM AND CHAPTER 51, CITY WATERWORKS SYSTEM; REPEALING CHAPTERS 52, 54 AND 55, SINCE THESE ARE NOW MADE REDUNDANT OR UNNECESSARY, EXCEPT SECTION 52.032(B); REORGANIZING TEXT TO ESTABLISH CHAPTER 53, CITY WASTEWATER AND WASTE SYSTEM FEES AND CHARGES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, the City Commission has evaluated the City's regulations governing the wastewater and water systems and has concluded that certain provisions of the City's Code, including, but not limited to, definitions and administrative requirements need clarification; and

WHEREAS, the City Commission, through this Ordinance, is primarily reorganizing existing code into different sections, or repealing obsolete text, and is not changing any rates or charges; and

WHEREAS, the City Commission of the City of Lake Mary, Florida, hereby finds this Ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Lake Mary.

WHEREAS, words with double underlined type shall constitute additions and ~~strike through~~ shall constitute deletions to the original text from the language existing prior to adoption of this Ordinance.

NOW THEREFORE, IT IS HEREBY ENACTED BY THE CITY OF LAKE MARY AS FOLLOWS:

SECTION 1. Section 31.20, Public Services Tax, (formerly Section 52.032 with amendments) is hereby added to Chapter 31, Finance, as indicated in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. Chapter 50, City Wastewater System, is hereby amended as indicated in Exhibit “B” attached hereto and made a part hereof.

SECTION 3. Chapter 51, City Waterworks System, is hereby amended as indicated in Exhibit “C” attached hereto and made a part hereof.

SECTION 4. Chapter 52, Public Utilities, of the Lake Mary City Code, except Section 52.032(B), is hereby repealed in its entirety.

SECTION 5. Chapter 53, City Wastewater and Water System Fees and Charges, is hereby established, as set forth in Exhibit “D” attached hereto and made a part hereof.

SECTION 6. Chapter 54, Emergency Water Shortages, is hereby repealed in its entirety.

SECTION 7. Chapter 55, Water System Impact, is hereby repealed in its entirety becoming part of Chapter 51.

SECTION 8. Codification. The Code of Ordinances of the City of Lake Mary, Florida, be and the same is hereby amended in accordance with the terms, provisions and conditions of this ordinance. Further, that the sections of this ordinance may be renumbered or re-lettered to accomplish said amendment; “Ordinance” may be changed to “Section”, “Article”, or other appropriate word.

SECTION 9. Conflicts. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 10. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section,

sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 11. Effective Date. This Ordinance shall take effect 90 days after passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2014.

FIRST READING:

SECOND READING:

CITY OF LAKE MARY, FLORIDA

MAYOR, DAVID J. MEALOR

ATTEST:

CITY CLERK, CAROL A. FOSTER

For the use and reliance of the City of Lake Mary only. Approved as to form and legal sufficiency.

CATHERINE REISCHMANN, CITY ATTORNEY

EXHIBIT A

§ 31.20 PUBLIC SERVICES TAX

(A) Definitions. The following definitions shall apply:

ELECTRONIC TRANSFER. The use of the Automated Clearing House (the "ACH"), or other electronic transfer system approved by the City Finance Director on a case by case basis, by the Seller, to send the taxes collected directly from the Seller's bank to the City's primary bank.

LEVY. Means and includes the imposition of the tax under Florida Statutes §§ 166.231 and 166.232, all changes in the rate of the tax imposed under either of those Sections, and all changes of election under Florida Statutes § 166.231.

REMIT, REMITTANCE AND REMITTING. The sending by the Seller and the receipt by the City of all taxes levied and collected pursuant to this Section. The date of receipt of such taxes by the City will be the date of the postmark, or if by electronic transfer, the date received by the City's primary bank as indicated on the City's bank statement.

RETURN. As used in Section (C), means the supporting documentation submitted periodically in accordance with the provisions of this Chapter, and to be accompanied by the tax remittance, if any for that period, to the Finance Director of the City, which at a minimum shall indicate:

- (1) the name and address of the Seller; and
- (2) the time period covered with respect to the particular return being filed; and
- (3) the amount (in U.S. Dollars) of the revenue collected from the sale of the taxable service; and
- (4) the amount (in U.S. Dollars) of any collection allowance taken in accordance with Florida law; and
- (5) the amount (in U.S. Dollars) of tax being remitted to the City, or having been sent by electronic transfer to the City's bank, which is the subject of the particular return being filed; and
- (6) the name and telephone number of a person authorized by the Seller to respond to inquiries from the City concerning how the Seller is administering and collecting the tax.

Those Sellers remitting the tax by electronic transfer must nevertheless send periodic returns to the Finance Director of the City.

SELLER. A person, firm, corporation, or other legal entity who sells a service that is subject to a levy.

TAX OR TAXES. The municipal public service tax authorized pursuant to Florida Statutes § 166.231 or Florida Statutes § 166.232, and this Section.

(B) Purchase of Electricity and Gas—Levy of Tax; Amount; Payment Generally of Tax.

- (1) Except as provided below or as otherwise exempted by Section (D), there is hereby levied and imposed by the City on each and every purchase of electricity and metered or bottled gas (natural liquefied petroleum gas or manufactured gas), within the corporate limits of the City, a tax at the rate of ten percent (10%) of the total amount charged for such utility service or commodity. For purposes of calculating the tax, the amount charged for the taxable service shall be deemed to include any gross receipts taxes and franchise fees separately stated on the customer's bill.
- (2) The tax imposed by this section shall not be applied against any fuel adjustment charge, and such charge shall be separately stated on each bill. "Fuel adjustment charge" shall mean all increases in the cost of utility services to the ultimate consumer resulting from an increase in the cost of fuel to the utility subsequent to October 1, 1973.
- (3) Subject to the provisions of Section (D), such tax shall in every case be paid by the purchaser to the Seller of such electricity or metered or bottled gas at the time of paying the charge therefor, and shall be for the use of the City.
- (4) Services competitive with those enumerated in subsection (B)(1), as defined by this Ordinance, shall be taxed on a comparable base at the same rates.

(C) Collection Generally and Disposition of Tax; Discontinuance of Service upon Failure of Purchaser to Pay Tax and Seller's Charge.

- (1) It shall be the duty of every Seller of electricity or metered or bottled gas (natural or manufactured) to collect from the purchaser for the use of the City the tax levied by the preceding section, at the time of collecting the selling price charged for each transaction and to file a return and remit on or before the twentieth (20th) day of each calendar month, or if the twentieth day is either a legal holiday or is not a City business day, then on or before the first City business day, that is not also a legal holiday, following the twentieth day of the month, unto the Finance Director of the City all such taxes levied and collected during the preceding calendar month. It shall be unlawful for any Seller to collect the price of any sale of electricity or metered or bottled gas, (natural or manufactured) without, at the same time, collecting the tax hereby levied in respect to such sales, unless such Seller shall elect to assume and pay such tax without collecting the same from the purchaser. Any Seller failing to collect such tax at the time of collecting the price of any sale where the Seller has not elected to assume and pay such tax shall be liable to the City for the amount of such tax in like manner as if the same had actually been paid to the Seller, and the City Manager shall bring all proceedings in the name of the City as may be necessary for the recovery of such tax; provided, however, that the Seller shall not be liable for the payment of such tax upon uncollected charges. If any purchaser shall fail, neglect or refuse to pay to the Seller the Seller's charge and the tax hereby imposed and as hereby required on account of the sale for which such charge is made, or either, the Seller shall have and is hereby vested with the

right, power and authority to immediately discontinue further service to such purchaser until the tax and the Seller's bill shall have been paid in full.

- (2) Sellers remitting tax collections of ten thousand dollars (\$10,000) or more, on average, per month over a period of three (3) consecutive months shall thereafter, beginning in the month immediately following the third (3rd) consecutive month, make all tax remittances to the City's primary bank by electronic transfer using the ACH system, or other electronic means as may be approved by the Finance Director on a case by case basis. Those Sellers meeting this criteria shall continue remittances by electronic transfer regardless of whether the Seller's average collections fall below the ten thousand dollar (\$10,000) threshold for any subsequent consecutive three (3) month period.

All other Sellers may remit by hand-delivery, postal service or electronic transfer. However, if a Seller elects to remit by electronic transfer, that Seller shall thereafter always remit by electronic transfer.

- (3) Notwithstanding any other provision of this section, in the event the total amount of tax anticipated to be collected within a calendar quarter does not exceed \$120, the Seller of such service may, with the written authorization of the City, remit the taxes collected during such calendar quarter to the City quarterly. In such case, the tax shall be due on or before the 20th day of the month following the end of the calendar quarter in which the taxes were collected.

(D) Exemptions and Exclusions from Payment of Tax.

- (1) Purchases by the United States Government, this State, and all counties, school districts, and municipalities of the State, and by public bodies exempted by law or court order, are exempt from the tax authorized by Section (B). However, governmental bodies which sell or resell taxable service to non-exempt end users must collect and remit the tax levied under Section (B).
- (2) The following purchases of bottled gas are hereby excluded from the tax levied by Section (B):
- (a) Purchases of natural gas, manufactured gas by a public or private utility for resale or for use as fuel in the generation of electricity.
- (3) Purchases by any recognized church in the City for use exclusively for church purposes are hereby exempt from the tax authorized by Section (B).

(E) Computation of Tax When Seller Collects the Tax in Monthly Periods.

In all cases where the seller of electricity or metered or bottled gas, (natural or manufactured) collects the tax in monthly periods, the tax hereby levied may be computed on the aggregate amount of sales during such period; provided, that the amount of tax to be collected shall be to

the nearest whole cent to the amount computed, and shall not exceed the rates set forth in Section (B) for any monthly period on each separate service. Such service shall be classified as a separate service in case of metered electricity or gas whenever an individual meter is used for the measuring thereof.

(F) Records to be Kept by Seller: General Administrative Audit Plan for Enforcement of Ordinance; Authority of City to Audit such Records.

- (1) Each and every Seller of electricity or metered or bottled gas, (natural or manufactured) shall keep at its principal place of business complete records showing all sales in the City of such commodities or service, which records shall show the price charged upon such sale, the amount of taxes charged upon each sale, the date of the sale, the date of payment thereof, the date such tax was remitted to the City, the period of time covered by such remittance and other related information that may be required to verify proper collection and remittance of said taxes.
- (2) To assure proper administration of the provisions of this Chapter, the City may, where possible and practical, conduct a periodic audit of such sales records of all businesses in connection with which the tax is imposed under this Chapter. Failure to conduct such an audit will not eliminate the liability of the Seller for collection and remittance of such tax.
- (3) Pursuant to Florida Statutes § 166.234, the City may, during the Seller's normal business hours at the official location of the Seller's books and records, audit the records of any Seller of a service that is taxable by the City under Florida Statutes § 166.231 or Florida Statutes § 166.232, for the purpose of ascertaining whether taxable services have been provided or the correctness of any return that has been filed or payment that has been made, if the City's power to assess tax or grant a refund is not barred by the applicable limitations period. Each such Seller must provide to the City, upon 60 days' written notice of intent to audit from the City, access to applicable records for such service, except an extension of this 60-day period must be granted if reasonably requested by the Seller. The Seller may at its option waive the 60-day notice requirement. If either the City or the Seller requires an additional extension, it must give notice to the other no less than 30 days before the existing extension expires, except in cases of bona fide emergency or waiver of the notice requirement by the other party. In an audit, the Seller is liable only for its taxable accounts collected which correspond to the information provided to it by the City under Florida Statutes § 166.233(3). As used in this section, "applicable records" means records kept in the ordinary course of business which establish the collection and remittance of taxes due. Such applicable records may be provided to the City on an electronic medium if agreed to by the Seller and the City. In accordance with Florida Statutes § 166.231(9)(c), any information received by the City or its agent in connection with such audit is confidential and exempt from the provisions of Florida Statutes § 119.07(1).

(G) Interest and Penalties for Late Payments and Late Returns.

Any Seller of electricity or metered or bottled gas (manufactured or natural) failing to remit to the City on or before the twentieth (20th) day of each calendar month or quarter, as applicable, or if the twentieth day is either a legal holiday or is not a City business day, then on or before the first City business day, that is not also a legal holiday, following the twentieth day of the month or quarter, as applicable, all such taxes levied and collected during the preceding tax period shall be liable for interest on the unpaid amount of tax at the rate of one percent (1%) per month from the date the tax was due until paid. In addition, penalties will be assessed at a rate of 5 percent (5%) per month of the delinquent tax, not to exceed a total penalty of 25 percent (25%), except that in no event will the penalty for failure to file a return be less than \$15. In the case of a fraudulent return or a willful intent to evade payment of the tax, the Seller making such fraudulent return or willfully attempting to evade payment of the tax, shall be liable for a specific penalty of 100 percent (100%) of the tax. Interest and penalties shall be computed on the net tax due after application of any overpayments. The interest and penalties shall accrue from the due date until the date such taxes are paid, provided however, that the Finance Director may settle or compromise any interest due pursuant to this section as is reasonable under the circumstances.

(H) Costs Incurred in Pursuit of Tax or Information as a Result of a Violation of any of this Section. The City is entitled to and may assess against Sellers not complying with any provision of this Chapter, a fee being based upon the actual costs incurred by the City in collecting the tax or information due.

EXHIBIT B

CHAPTER 50: CITY WASTEWATER SYSTEM

General Provisions

- 50.001 Definitions
- 50.002 Notice of violations; liability
- 50.003 Remedies

Public Sewers

- 50.010 Unlawful deposits; discharges
- 50.011 Privies prohibited
- 50.012 Connection to public sewer required
- 50.013 Tampering with sewer equipment
- 50.014 Inspections
- 50.015 ~~Hearing Board~~ Appeals
- 50.016 Major contributing industries
- 50.017 Restricted discharges

Private Sewage Disposal

- 50.025 Private system permitted
- 50.026 Permit required
- 50.027 Compliance with regulations
- 50.028 Availability of public sewer
- 50.029 Sanitary maintenance
- 50.030 Additional requirements may be imposed

Building Sewers and Connections

- 50.035 Permit required
- 50.036 Application
- 50.037 Installation costs
- 50.038 Separate sewers required; exception
- 50.039 Use of old sewers
- 50.040 Specifications
- 50.041 Elevation

- 50.042 Surface and drain water prohibited
- 50.043 Connections to conform to technical codes
- 50.044 Inspection
- 50.045 Excavations
- 50.046 Types of water prohibited
- 50.047 Discharge to storm drains

Industrial Users

- 50.055 ~~Federal pretreatment standards~~ Industrial pretreatment
- 50.056 ~~Special agreements~~ [REPEAL]
- 50.057 ~~Water and energy conservation~~ [REPEAL]
- 50.058 ~~Information required~~ [REPEAL]
- 50.059 ~~Monitoring~~ [REPEAL]
- 50.060 ~~Determination of sewerage characteristics~~ [REPEAL]

Pretreatment

- 50.065 ~~Sewerage with special characteristics~~ [REPEAL]
- 50.066 ~~Compliance with pretreatment requirements~~ [REPEAL]
- 50.067 ~~Monitoring~~ [REPEAL]
- 50.068 ~~Effect of federal law~~ [REPEAL]
- 50.069 ~~Revision of pretreatment standards~~ [REPEAL]
- 50.070 ~~Special interceptors~~ [REPEAL]
- 50.071 ~~Control manholes; testing~~ [REPEAL]
- 50.072 ~~Acceptance of wastes of unusual strength~~ [REPEAL]

Fees and Charges

- 50.080 Objective [MOVED TO § 53.20]
- 50.081 ~~Basic form of system~~ [REPEAL]
- 50.082 ~~Sewer user classification~~ [REPEAL]
- 50.083 User rates and charges [MOVED TO § 53.23]
- 50.084 ~~Sampling of wastes~~ [REPEAL]
- 50.085 ~~Billing~~ [REPEAL]
- 50.086 ~~Disconnection for nonpayment~~ [REPEAL]
- 50.087 ~~No free service~~ [REPEAL]

- 50.088 ~~Review and changes of rates~~ [REPEAL]
- 50.089 ~~Sewer charges applicable if sewer available~~ [REPEAL]
- 50.090 Payment plan for connection of current water customers to City's sewer system [MOVED TO § 50.148]

Sewer System Extensions

- 50.095 Purpose
- 50.096 Construction of extension projects
- 50.097 Sewer service without water service
- 50.098 Design standards
- 50.099 Construction standards

Sewer Service Allocation Regulations

- ~~50.120 Short title~~ [REPEAL]
- ~~50.121 Definitions~~ [REPEAL]
- ~~50.122 Sewer permit required for sewer connections~~ [REPEAL]
- ~~50.123 Application for permit~~ [REPEAL]
- ~~50.124 Fees and charges~~ [REPEAL]
- ~~50.125 Allocation of sewer service capacity~~ [REPEAL]
- ~~50.126 Transfer of sewer service capacity~~ [REPEAL]
- ~~50.127 Term of permit~~ [REPEAL]
- ~~50.128 Responsibility for collection and transmission costs~~ [REPEAL]

Sewer Impact Fee

- 50.140 Short title
- 50.141 Findings of fact
- ~~50.142 Liberal interpretation~~ [REPEAL]
- ~~50.143 Definitions~~ [REPEAL]
- 50.144~~2~~ Sewer impact fee
- 50.145~~3~~ Determination of equivalent residential unit factors
- 50.146~~4~~ Applicability of charge
- 50.147~~5~~ When payment required
- 50.148~~6~~ Sewerage Wastewater System Capital Improvement Fund
- 50.149~~7~~ Responsibility for collection and transmission costs

50.148 Payment plan for connection of ~~current water~~ customers to City's sewer system [MOVED FROM § 50.090]

~~50.999~~ Penalty [REPEAL]

Cross-reference:

Wastewater and Water System Fees and Charges, see Chapter 53

GENERAL PROVISIONS

§ 50.001 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AVAILABLE. Shall be as defined in F.S. 381.0065, as may be amended from time to time.

B.O.D. (denoting biochemical oxygen demand). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C., expressed in milligrams per liter (mg/l) or parts per million (ppm).

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal.

BULK USER. A customer such as a utility company or governmental entity which conveys sewage in large quantities through either their own or City-owned transmission mains from their service area to the City's regional plant for treatment service area.

CITY. The City of Lake Mary, Florida, a municipal corporation of the state.

CITY OF LAKE MARY SEWERAGE SYSTEM. All facilities and interests in real and personal property owned, operated, managed, or controlled by the City, now and in the future, and used to provide sewer service to existing and future customers within the service area of the City.

CITY RATE RESOLUTIONS AND ORDINANCES. All resolutions and ordinances, either currently in effect or to be adopted in the future, by the City Commission or its successors, which establish and fix rates, fees, and charges for the City sewerage system.

C.O.D. (denoting chemical oxygen demand). The quantity of oxygen utilized in the chemical oxidation of the chemically oxidizable carbonaceous contents found within the wastewater sample, expressed in milligrams per liter (mg/l) or parts per million (ppm).

COLLECTION AND TRANSMISSION FACILITIES. The lines, pipes, meters, and appurtenant equipment owned, operated, and maintained by the City to collect sewage and to transmit it to Seminole County's transmission facilities.

COMBINED SEWER. A sewer receiving both surface runoff and sewage.

COMMISSION. The City Commission.

COUNTY. Seminole County, a political subdivision of the state.

COUNTY RATE RESOLUTIONS AND ORDINANCES. All sewer use ordinances, resolutions, rules, and regulations relating to the use and discharge to the Seminole County wastewater system as may be adopted by the county from time to time.

DEPARTMENT. ~~The Utilities Department.~~ The Public Works Department.

EFFLUENT DISPOSAL CAPACITY. The rate of treated effluent flow, measured in GPD or MGD, for which effluent disposal facilities are designed and are capable of disposing, in accordance with all applicable government requirements.

EFFLUENT DISPOSAL FACILITIES. Those wastewater facilities necessary to store and dispose of wastewater previously treated at treatment facilities.

ERU. An equivalent residential unit.

GARBAGE. Solid animal and vegetable wastes resulting from the domestic or commercial preparation, cooking, storage, and dispensing of food, and from the handling, storage, and sale of produce.

GPD. Gallons per day on an annual average basis.

GRAYWATER Part of domestic sewage that is not blackwater, including waste from the bath, lavatory, laundry, and sink, except kitchen sink waste.

HEARING BOARD. ~~The City Council.~~ The City Commission

INDUSTRIAL WASTES. The liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.

MGD. Million gallons per day on an average annual basis

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake, or any other body of surface or open water.

NORMAL SEWAGE. Sewage having the following limiting characteristics.

Sewage	Maximum
C.O.D.	400 ppm
B.O.D. 5 day 20°C	250 ppm
Chlorine demand 15 min., 68°F	6 ppm

Suspended solids	250 ppm
Grease	100 ppm
Temperature	150°F
Total nitrogen	25 ppm
Total phosphates	10 ppm

NPDES PERMIT. National Pollutant Discharge Elimination System permit, issued by the federal government to the owner of a wastewater plant which discharges to waters of the United States.

OBJECTIONABLE ITEMS-WASTE. Includes, but is not limited, to waters or wastes containing any of the following concentrations above the maximum quantities shown.

Concentration	Maximum PPM
Chromium	2
Zinc	4
Nickel	4
Mercury	4
Iron	4
Lead	4
Tin	4
Silver	4
Cadmium	4
Phenols	4

<u>Concentration</u>	<u>Instantaneous Maximum PPM</u>
<u>Arsenic</u>	<u>0.18</u>
<u>CBOD 5</u>	<u>300</u>
<u>Cadmium</u>	<u>0.12</u>
<u>Chromium</u>	<u>4.66</u>
<u>Chlorides</u>	<u>695</u>
<u>Copper</u>	<u>1.69</u>
<u>Cyanide</u>	<u>1.74</u>
<u>Lead</u>	<u>0.91</u>
<u>Mercury</u>	<u>0.05</u>

<u>Molybdenum</u>	<u>0.35</u>
<u>Nickel</u>	<u>1.41</u>
<u>Oil and Grease</u>	<u>100</u>
<u>pH</u>	<u>>5.0, <9.5 s.u.</u>
<u>Selenium</u>	<u>0.35</u>
<u>Silver</u>	<u>4.66</u>
<u>Total Dissolved Solids</u>	<u>500</u>
<u>Total Nitrogen</u>	<u>50</u>
<u>Total Phenols</u>	<u>13.2</u>
<u>Total Suspended Solids</u>	<u>300</u>
<u>Zinc</u>	<u>3.97</u>

ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM means a system that contains a standard subsurface, filled, or mound drainfield system; an aerobic treatment unit; a graywater system tank; a laundry wastewater system tank; a septic tank; a grease interceptor; a pump tank; a solids or effluent pump; a waterless, incinerating, or organic waste-composting toilet; or a sanitary pit privy that is installed or proposed to be installed beyond the building sewer on land of the owner or on other land to which the owner has the legal right to install a system. The term includes any item placed within, or intended to be used as a part of or in conjunction with, the system. This term does not include package sewage treatment facilities and other treatment works.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in moles per liter of solution.

PROPERLY SHREDDED GARBAGE. Wastes from the preparation, cooking, and dispensing of food that have been shredded to the degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2-inch in any dimension (1.27 centimeters).

PUBLIC SEWER. A sewer which is controlled or owned by public authority.

SANITARY SEWER. A sewer that conveys sewage or industrial wastes, or a combination of both, and into which storm, surface, and groundwaters are not admitted.

SEMINOLE COUNTY WASTEWATER SYSTEM. Those transmission facilities, including the County treatment facilities in which sewage is received, transmitted, treated, detained, and disposed of, and from which the City is exclusively receiving and shall exclusively receive sewage treatment and effluent disposal capacity on a wholesale basis, and which are operated and maintained by the county.

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with any ground, surface,

~~and stormwaters that may be present. **SEWAGE** may sometimes be referred to as sewerage.~~

SEWAGE TREATMENT CAPACITY. The rate of sewage flow, measured in GPD, which can be treated by treatment facilities in accordance with all applicable governmental requirements.

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

SEWAGE or WASTEWATER. Water-carried wastes from residences, business buildings, institutions, industrial establishments, and other customers, but does not mean or include hazardous or toxic wastes.

SEWAGE WORKS. All facilities for collecting, pumping, treating, and disposing of sewage.

SEWER. A pipe or conduit for carrying sewage.

SEWER IMPACT FEES. (See, Wastewater Connection Fee.) Those fees and charges established and collected by the City at or before the payment of a local business tax, or the issuance of site or building permits, whichever comes first, to pay for or recover the capital costs of sewerage facilities, as set forth from time to time in the City's rate resolutions and ordinances. The City's sewer impact fee includes the fee the County charges the City for each connection to the County's system, which is passed through to the City customers.

SEWER SERVICE CAPACITY. The volume of sewage flow, measured in GPD, which can be collected, transmitted, treated, and disposed of.

SEWERAGE FACILITIES. All sewage collection, transmission, treatment, and effluent disposal facilities, whether interim or permanent, including all interceptors, lines, pipes, meters, couplings, pumps, force mains, and plant and appurtenant equipment necessary to provide sewer or wastewater service.

SLUG. Any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period or duration longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation. The number of **SLUGS** permitted over a given period of time will be determined by the ~~Utilities Department~~ Public Works Department. If it is considered a result of negligence or harmful to the system, the number permitted may be no more than one.

~~**STORM DRAIN.** Any sewer or natural or man-made drainage channel which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water. Any pipe or natural or man-made drainage channel which~~

carries storm and surface waters and drainage, excluding sewage and industrial wastes, other than unpolluted cooling water.

STANDARD METHODS. "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, Water Pollution Control Federation, and American Waterworks Association, latest editions. All sampling and testing procedures required under provisions of this chapter shall be in accordance with "Standard Methods".

TRANSMISSION FACILITIES. Those master lift stations, lines, pipes, force mains, pumps, meters, and appurtenant equipment used by the county to transmit wastewater from the point of connection from the City's collection and transmission facilities to the headworks of the treatment facilities.

TREATMENT FACILITIES. Those sewage treatment facilities and rights used by the county to treat wastewater in accordance with applicable governmental and regulatory requirements.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently.

WASTEWATER CONNECTION FEE. (See, Sewer Impact Fees.)

WASTEWATER FACILITIES. All wastewater collection, transmission, treatment, and effluent disposal facilities, including all interceptors, lines, pipes, meters, couplings, pumps, force mains, and appurtenant equipment necessary to provide sewer service capacity or wastewater service capacity.

WASTEWATER TREATMENT PLANT. The structure, process, equipment, and management necessary to treat and discharge wastewater.

§ 50.002 NOTICE OF VIOLATIONS; LIABILITY.

(A) Any person found to be violating any provision of this chapter, except § 50.013, shall be served by the City with a written notice stating the nature of the violation and providing a reasonable time limit for satisfactory correction. Any notice given shall be in writing and served in person or by registered or certified mail. The notice shall be sent to the last known address of the violator. Where the address is unknown, service may be made upon the owner of record of the property involved at the address listed in the tax collector's office for tax notices. The offender shall, within the period of time stated in the notice, permanently cease all violations.

(B) Any person violating any of the provisions of this chapter shall become liable to the City for any expense, loss, or damage incurred-occasioned by the City as a result of the violation, to include cost of any repairs necessitated by said violation. Any charges not paid shall constitute a lien on the property involved.

§ 50.003 REMEDIES.

Nothing contained in this chapter shall prevent the City from taking any lawful action, including but not limited to resorting to equitable and injunctive action as necessary to prevent or remedy any violation of this chapter.

PUBLIC SEWERS

§ 50.010 UNLAWFUL DEPOSITS; DISCHARGES.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage, septage, or other objectionable waste. It shall be unlawful to discharge into any natural outlet within the City, or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter. No future construction of combined sewers shall be allowed by the City.

§ 50.011 PRIVIES PROHIBITED.

Except as hereafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

§ 50.012 CONNECTION TO PUBLIC SEWER REQUIRED.

~~The owner or user of all homes, buildings, or properties used for human occupancy, employment, recreation, business, or other purposes, situated within the city and abutting on any street, alley, right of way, or easement in which there is now located or may in the future be located and available for use a public sanitary sewer of the city, shall at his or her expense install suitable toilet facilities therein, and connect these facilities directly with the city's public sewer in accordance with the provisions of this chapter within 90 days after date of official notice from the city to do so, provided the public sewer is within 100 feet of the property line. It shall be unlawful for any owner or user to fail or refuse to connect with the city sanitary sewer system where it is available as set forth in this section.~~

(A) The owner of a properly functioning onsite sewage treatment and disposal system, excluding an approved onsite graywater system, must connect the system or the building's plumbing to an available publicly owned or investor-owned sewerage system as provided is F.S. 381.00655, as may be amended from time to time. Requests for exemption shall be handled by the Public Works Director as provided in the statutes.

(B) "Available" shall mean as defined in F.S. 381.0655, as may be amended from time to time.

(C) No certificate of occupancy shall be granted by the Building Official for any building until such time as owner has fully complied with the provision of this Section.

(D) Nothing herein shall be construed as prohibiting any state or federal agency from requiring a property owner to connect to the City's sewer system, provided the Public Works Director determines the City's sewer system has the needed capacity.

§ 50.013 TAMPERING WITH SEWER EQUIPMENT.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this section shall be subject to immediate arrest, ~~under a charge of disorderly conduct~~ and subject to the penalties provided by state law and Section 10.99.

§ 50.014 INSPECTIONS.

(A) Each person, by virtue of making application or request to the City for any utility service or receiving or using any City utility service, thereby grants or causes to be granted to the City, without additional cost or consideration, all rights, easements, permits, licenses, and privileges that are deemed necessary by the City for the establishment, Rendering, maintenance termination, disconnection, or reconnection of utility services. Pursuant to said authority, The appropriate Utilities Department Public Works Department official and other duly-authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this chapter, at all reasonable or necessary times. The Utilities Department shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

(B) The Utilities Department Public Works Department and other duly-authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly-negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly-negotiated easement pertaining to the private property involved.

§ 50.015 HEARING BOARD APPEALS.

The City Council City Commission shall sit as an appellate board for hearing appeals from any decision by the Hearing Board for arbitration of differences between the

~~Utilities Department Public Works Director~~ and sewer users on matters concerning interpretation and execution of the sections of this chapter by the Department, and to hear appeals from any industrial sewer user as to the reasonableness of charges imposed by the City for these users. Any appeals or grievances shall be in writing on a form provided by the City, and submitted to the Hearing Board along with a fee as provided by resolution of the City Commission, and the Hearing Board shall render its decision within 30 days after receipt thereof. The cost of the arbitration will be divided equally between the city and the sewer user.

§ 50.016 MAJOR CONTRIBUTING INDUSTRIES.

Any major contributing industry as defined by 40 C.F.R. 128.124 shall comply with 40 C.F.R. 128 and any other regulation established by the United States Environmental Protection Agency or other appropriate regulating governmental agency.

§ 50.017 RESTRICTED DISCHARGES.

(A)—No person shall discharge or cause to be discharged to any of the City's sewer facilities any substances, materials, waters, or wastes in the quantities or concentrations which will do any of the following, or which have the following properties:

(1) Create a fire or explosion hazard, including but not limited to gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(2) Cause corrosive damage or hazard to structures, equipment, or personnel of the sewer facilities, but in no case discharges having a pH lower than 5.0 or greater than 9.5 for any period of time. ~~with the following properties.~~ These requirements may be modified for facilities designed to accommodate greater ranges.

(a)—~~Having a pH lower than 5.0 or greater than 10.0 for more than 10% of the time in a 24 hour period.~~ 9.5 for any period of time.

(b)—~~Having a pH lower than 3.5 or greater than 12.0 for any period exceeding 15 minutes.~~

(3) Cause obstruction to the flow in sewers, or other interference with the operation of sewer facilities due to accumulation of solid or viscous materials.

(4) Constitute a rate of discharge or substantial deviation from normal rates of discharge, (slug discharge), sufficient to cause interference in the operation and performance of the sewer facilities.

(5) Contain heat in amounts which will accelerate the biodegradation of wastes, causing the formation of excessive amounts of hydrogen sulfide in the sewer or inhibit biological activity in the sewer treatment facilities. However, in no case shall the discharge of heat cause the temperature in the City sewer to exceed 58°C. (150°F.) or the

temperature of the influent to the treatment facilities to exceed 40°C. (104°F.) unless the facilities can accommodate this heat.

(6) Contain more than 100 milligrams per liter of no biodegradable oils of mineral or petroleum origin.

(7) Contain floatable oils, fat, or grease.

(8) Contain noxious, malodorous gas or substances present in quantities that create a public nuisance or a hazard to life.

(9) Contain radioactive wastes in harmful quantities as defined by applicable state and federal regulations.

(10) Contain any garbage that has not been properly shredded.

(11) Contain any odor or color-producing substances exceeding concentration limits which may be established by the Utilities Department Public Works Department for purposes of meeting the City's sewer permit.

~~(B) If, in establishing discharge restrictions, discharge limits, or pretreatment standards pursuant to this section, the Utilities Department Public Works Department established concentration limits to be met by an industrial user, the Department in lieu of concentration limits, shall establish mass limits of comparable stringency for an individual industrial user at the request of this user.~~

PRIVATE SEWAGE DISPOSAL

§ 50.025 PRIVATE SYSTEM PERMITTED.

Where a public sanitary or combined sewer is not available under the provisions of § 50.012, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this subchapter.

§ 50.026 PERMIT REQUIRED.

~~(A) Before the commencement of construction or reconstruction of a private sewage disposal system, the owner shall first obtain a written permit from the County Health Department. The application for this permit shall be made on a form furnished by the County Health Department; the applicant shall supplement by any plans, specifications, and other information deemed necessary by the County Health Department.~~
Before the commencement of construction or reconstruction of a private sewage disposal system, the owner shall first obtain written permits from the County Health Department and the City Building Official. The application for these permits shall be made on a form furnished by the County Health Department and City Building Official respectively; the applicant shall supplement said application with any plans, specifications, and other

information deemed necessary by the County Health Department or the City Building Official.

~~(B) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Utilities Department. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Department when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of notice by the Department, provided notice is received prior to the close of business on the day preceding the last working day of the week. The Seminole County Health Department or the City Building Official shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify both when the work is ready for final inspection, and before any underground portions are covered.~~

§ 50.027 COMPLIANCE WITH REGULATIONS.

The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the State Department of Environmental ~~Regulations~~ Protection or other departments designated by state law. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities unless the installation complies in all respects with the pertinent requirements of the county. No septic tank or cesspool shall be permitted to discharge into any natural outlet.

§ 50.028 AVAILABILITY OF PUBLIC SEWER.

When a public gravity sewer becomes available to a property served by a private sewage disposal system, ~~as provided in § 50.027,~~ a direct connection shall be made to the public ~~plans,~~ gravity sewer in compliance with this chapter and with the notice requirements of F.S. 381.00655, as may be amended from time to time, ~~§ 50.012 above,~~ ~~within 90 days.~~ Any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned in accordance with the Seminole County Health Department regulations, ~~and filled with approved material.~~

§ 50.029 SANITARY MAINTENANCE.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City. These facilities shall be subject to inspection by the City and/or the Seminole County Health Department at reasonable times.

§ 50.030 ADDITIONAL REQUIREMENTS MAY BE IMPOSED.

No statement contained in this subchapter shall be construed to interfere with any additional requirements that may be imposed by the City or other applicable authority.

BUILDING SEWERS AND CONNECTIONS

§ 50.035 PERMIT REQUIRED.

(A) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City Utilities Department. There shall be two classes of building sewer permits.

- (1) Residential and commercial service
- (2) Service to establishments producing industrial wastes.

(B) The City ~~Department~~ shall not issue a permit for any class of connection to the City sewer system unless there is sufficient capacity, not legally committed to other users, in the sewer and treatment facilities to convey and adequately treat the quantity of sewage which the requested connection will add to the system. The City ~~Department~~ shall ~~may~~ permit such a connection if there are legally binding commitments to provide the needed capacity.

§ 50.036 APPLICATION.

For ~~a either class of building sewer permit~~, the owner or ~~his~~ their agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the City Utilities Department. A connection, permit, and inspection fee as periodically established by the City for a residential or commercial building sewer permit or for an industrial building sewer permit shall be paid to the City at the time the application is filed.

§ 50.037 INSTALLATION COSTS.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

§ 50.038 SEPARATE SEWERS REQUIRED; EXCEPTION.

A separate and independent building sewer shall be provided for every building. However, where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. The City assumes no obligation or responsibility for damage caused by or resulting from any single building sewer which serves two buildings.

§ 50.039 USE OF OLD SEWERS.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the City Utilities Department, to meet all requirements of this chapter.

§ 50.040 SPECIFICATIONS.

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the City building and plumbing codes, or other applicable rules and regulations of the City.

§ 50.041 ELEVATION.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by the building drain shall be lifted by an approved means and discharged to the building sewer.

§ 50.042 SURFACE AND DRAIN WATER PROHIBITED.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

§ 50.043 CONNECTIONS TO CONFORM TO TECHNICAL CODES.

The connection of the building sewer into the public sewer shall conform to the requirements of the City building and plumbing codes, or other applicable rules and regulations of the City. All connections shall be made gastight and watertight and verified by proper testing. Gasketed fittings shall be required and no connections shall be made by cement grouting. Any deviation from the prescribed procedures and materials must be approved by the City Utilities Department before installation.

§ 50.044 INSPECTION.

The applicant for the building sewer permit shall notify the City Utilities Department when the building sewer is ready for inspection and connection to the public sewer before any underground portions are covered. The connection and testing shall be made under the supervision of the City Department.

§ 50.045 EXCAVATIONS.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

§ 50.046 TYPES OF WATER PROHIBITED.

No person shall discharge or cause to be discharged any untreated stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, swimming pool water, or unpolluted industrial process waters to any sanitary sewer, or into the regional wastewater treatment plant. ~~Unpolluted industrial process waters shall be considered those wastes with B.O.D. and suspended solids concentrations less than those of the wastewater treatment plant effluent.~~

§ 50.047 DISCHARGE TO STORM DRAINS.

Stormwater and all other unpolluted drainage shall be discharged to storm drains approved by the City Utilities Department. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Department, to a storm drain.

INDUSTRIAL USERS

§ 50.055 ~~FEDERAL PRETREATMENT STANDARDS.~~ INDUSTRIAL PRETREATMENT

~~(A) — No person shall discharge or cause to be discharged to any sewer facilities, sewerage containing substances subject to applicable federal categorical pretreatment standards promulgated by the United States Environmental Protection Agency in excess of the quantity prescribed in these applicable pretreatment standards, and compliance shall be within three years of the date the standards are promulgated. However, compliance with categorical pretreatment standards for new sources shall be required upon promulgation.~~

Nearly all wastewater generated in the City is conveyed to Seminole County for proper treatment and disposal. The City of Lake Mary and Seminole County have entered into an exclusive wholesale sewage treatment and disposal agreement. All sewer users are subject to and shall follow the current Seminole County Wastewater System User Rules, Seminole County Code Chapter 270, Part 8, also known as the "Industrial Pretreatment Ordinance of Seminole County, Florida" as may be amended from time to time. Any sewer users connected directly to the City of Sanford's wastewater system shall follow the industrial pretreatment standards of the City of Sanford.

~~(B) — Upon application by an industrial user, the Utilities Department Public Works Department shall revise any limitations on substances specified in the applicable pretreatment standards to reflect removal of the substances by the sewer treatment facility. The revised discharge limit for specified substances shall be derived in accordance with federal law. Upon application by an industrial user, the Department shall adjust any limitation on substances specified in the applicable pretreatment standards to consider factors relating to the person which are fundamentally different from the factors considered by the Environmental Protection Agency during the development of the pretreatment standards. Requests for and determinations of a fundamentally different adjustment shall be in accordance with federal law. The Department shall notify any~~

~~industrial user affected by the provisions of this section and establish an enforceable compliance schedule for each.~~

§ 50.056 SPECIAL AGREEMENTS. [REPEAL]

§ 50.057 WATER AND ENERGY CONSERVATION [REPEAL].

§ 50.059 MONITORING. [REPEAL]

§ 50.060 DETERMINATION OF SEWERAGE CHARACTERISTICS. [REPEAL]

PRETREATMENT [REPEAL]

§ 50.065 SEWERAGE WITH SPECIAL CHARACTERISTICS. [REPEAL]

§ 50.066 COMPLIANCE WITH PRETREATMENT REQUIREMENTS. [REPEAL]

§ 50.067 MONITORING. [REPEAL]

§ 50.068 EFFECT OF FEDERAL LAW. [REPEAL]

§ 50.069 REVISION OF PRETREATMENT STANDARDS. [REPEAL]

§ 50.070 SPECIAL INTERCEPTORS. [REPEAL]

§ 50.072 ACCEPTANCE OF WASTES OF UNUSUAL STRENGTH. [REPEAL]

FEEES AND CHARGES [MOVE TO § 53]

§ 50.080 OBJECTIVE. [MOVE TO § 53.20]

§ 50.081 BASIC FORM OF SYSTEM. [REPEAL]

§ 50.082 SEWER USER CLASSIFICATION. [REPEAL]

§ 50.083 USER RATES AND CHARGES. [MOVE TO-§ 53.23]

§ 50.084 SAMPLING OF WASTES. [REPEAL]

§ 50.085 BILLING. [REPEAL]

§ 50.086 DISCONNECTION FOR NONPAYMENT. [REPEAL]

§ 50.087 NO FREE SERVICE. [REPEAL]

§ 50.088 REVIEW AND CHANGES OF RATES. [REPEAL]

§ 50.089 SEWER CHARGES APPLICABLE IF SEWER AVAILABLE. [MOVE TO-§ 53.29]

§ 50.090 PAYMENT PLAN FOR CONNECTION OF CURRENT WATER CUSTOMERS TO CITY'S SEWER SYSTEM. [MOVE TO-§ 50.150]

SEWER SYSTEM EXTENSIONS

§ 50.095 PURPOSE.

This subchapter establishes procedures to facilitate the orderly expansion of the city's sewerage system and drainage systems and provides alternatives for funding of the expansion by those benefiting thereby.

§ 50.096 CONSTRUCTION OF EXTENSION PROJECTS.

A City sewerage or drainage system extension project may be constructed by the City or by one or more property owners, in accordance with plans prepared by or approved by the City. The City may construct an extension to its sewerage or drainage system at the sole expense of one or more property owners or in whole or in part at City expense.

(A) If the project is to be constructed at the sole expense of one or more property owners benefiting from the project, the City Engineer shall prepare or approve a plan describing the scope and purpose of the proposed extension and the estimated cost thereof. Before any expenses are incurred or obligated by the City, the property owners agreeing to bear the expense of the project shall pay over to the City the total estimated cost of the project and shall agree in writing to pay on demand any additional expenses actually incurred by the City in constructing the extension. The funds paid to the City shall be deposited in a ~~special extension project trust account~~ in the water and sewer or drainage enterprise fund for the benefit of the special extension project, from which all expenses of the project shall be paid without further appropriation. After completion of the project, any remaining funds in excess of those required to be expended for construction thereof may be refunded to the contributing property owners in proportion to their contribution to the project.

(B) If the City determines that a sewerage or drainage system extension project is to be constructed by the City in whole or in part at City expense, the City Engineer shall submit to the City Commission for approval by resolution a description of the scope and purpose of the proposed extensions, the estimated cost thereof, and an analysis of project feasibility, including the basis upon which construction with City funds is recommended. Upon approval by the City Commission, the City Engineer shall proceed with the project only after the funds, if any, to be contributed by one or more property owners benefiting from the project have been paid to the City. Contributions by property owners shall be subject to the provisions of division (A) (1) above.

~~(B) — The city may authorize a city sewerage or drainage system extension project to be constructed by one or more property owners benefiting from the project. A property owner requesting an extension shall apply in writing to the city, describing in detail the scope and purpose of the proposed extension and an analysis of project feasibility, including an estimate of projected operation and maintenance cost and projected revenue related to the project. The applicant shall also file, before final authorization to commence the project is given by the city, detailed project plans and specifications. The city shall, within 60 days from the filing of the detailed project plans and specifications, either approve or deny final authorization of the project; however, the time limitation may be extended by mutual written agreement of the city and the property owner. The city may deny an application if the project fails to comply with a requirement of this chapter or authorized city regulations, or the project will result in an economic operating loss to the city.~~

§ 50.097 SEWER SERVICE WITHOUT WATER SERVICE.

A sewerage system extension project to extend sewer service to any area not served, and not to be concurrently served, by the City's water system, may be initiated only after approval by the City Commission.

§ 50.098 DESIGN STANDARDS.

All plans and specifications relating to sewerage or drainage system extension projects shall comply with established City standards set forth in the Department of Public Work's policies, and shall have affixed to them the seal of a registered professional engineer. With respect to projects not designed and constructed by the City, the property owner authorized to undertake the project shall file with the City a reproducible set of plans (hard copy and .TIF file) showing the completed work, as built. The City Engineer or his designated representative shall make periodic inspections and a final inspection certifying that the work as constructed complies with established City standards, and shall submit a final project approval report to the City.

§ 50.099 CONSTRUCTION STANDARDS.

All extensions of the City's sewerage or drainage systems shall comply with the following standards.

(A) All sanitary sewers, sewerage pumping stations, and related appurtenances or drainage structures installed or constructed under this chapter are to be conveyed to the City and shall be located only in a public right-of-way, on City-owned property, or in easements acceptable to the City. Where the property is under development, sewerage, or drainage system extensions shall not be installed until the finished grades of the rights-of-way or easements have been established and approved by the City Engineer and the rights-of-way or easements have been constructed to at least design subgrade.

(B) All installations shall be made in a manner and of those materials that are in accordance with standards and requirements established by the City, and all plans, specifications, promises, or construction sites shall be subject to inspection and approval by the City Engineer or his designee at any time during or after completion of construction prior to acceptance by the City. ~~No installation or construction by a property owner shall be accepted by the city as finally approved until there is delivered to the city an affidavit which adequately protects the city's interests against mechanics liens or other liens which might be asserted against the property under applicable law, the form and conditions of the affidavit to be approved by the City Attorney.~~

(C) Every building sewer shall terminate at the owner's property line and shall be installed and connected to the building plumbing by the property owner at his expense.

(D) Actual interconnection of an extension with the existing City sewerage system shall be prevented by omitting a connecting section or by placing a temporary bulkhead in the connecting lines until the extension project has been fully inspected and approved and all other conditions for extension of service have been met.

(E) All portions of a sewerage system extension project located in a public right-of-way, City-owned property, or a public easement, shall upon installation, become the property of the City, and the filing of an application for approval of construction of a project by a property owner shall be deemed to be consent to the transfer of ownership. The property owner shall execute and deliver to the City deeds or other evidences of ownership that the City may require. ~~No installation on construction by a property owner made pursuant to this chapter shall be accepted by the city as finally approved until there is delivered to the city an affidavit which adequately protects the city's interests against mechanics liens or other liens which might be asserted against the property under applicable law. The forward conditions of the affidavit must be approved by the City Attorney.~~

SEWER SERVICE ALLOCATION REGULATIONS

§ 50.120 SHORT TITLE. [REPEAL]

§ 50.121 DEFINITIONS. [REPEAL]

§ 50.122 SEWER PERMIT REQUIRED FOR SEWER CONNECTIONS. [REPEAL]

§ 50.123 APPLICATION FOR PERMIT. [REPEAL]

§ 50.124 FEES AND CHARGES. [REPEAL]

§ 50.125 ALLOCATION OF SEWER SERVICE CAPACITY. [REPEAL]

§ 50.126 TRANSFER OF SEWER SERVICE CAPACITY. [REPEAL]

§ 50.127 TERM OF PERMIT. [REPEAL]

§ 50.128 RESPONSIBILITY FOR COLLECTION AND TRANSMISSION COSTS. [REPEAL]

SEWER IMPACT FEE

§ 50.140 SHORT TITLE.

This subchapter shall be known and may be cited as the "City of Lake Mary Sewer Impact Fee Regulations" ~~and constitutes one of several city rate resolutions and ordinances.~~

(Ord. 354, passed 12-17-87; Am. Ord. 638, passed 4-15-93; Am. Ord. 839, passed 6-5-97)

§ 50.141 FINDINGS OF FACT.

In adopting a sewer impact fee and adopting regulations related thereto, the City Commission hereby makes and expresses the following findings, purposes, and intent:

(A) It is the policy of the City Commission to assist in the control of growth within the City.

~~(B) Due to the proximity of the city to the expanding Orlando area, the availability of large tracts of undeveloped property, and access to Interstate Highway 4, the city is under extensive development and growth pressures.~~

~~(C) In order to have a degree of control over the impending and continuing growth, the city has taken several steps to provide guidelines on development, including amendments to its land development code, its comprehensive plan, its land use regulations, and a wastewater master plan.~~

~~(DB) As a part of a total planning effort, the City adopted a wastewater master plan in June of 1986.~~

~~(EC) The main objectives of the wastewater master plan are to define and meet the wastewater needs of the city for the next 20 years and develop a systematic approach to providing centralized wastewater services to a portion of the city the entire City.~~

(FD) The findings, conclusions, and results of the wastewater master plan are hereby incorporated into these findings and this subchapter.

(GE) As growth and its attendant population increase continues in the City, the need for additional central sewerage services increases.

(HF) In order to accommodate the need for additional central sewerage service within the City, the City must acquire additional sewerage treatment and effluent disposal capacity to meet these needs.

(IG) Previously, the City has selected one of the four ownership options referred to in its wastewater master plan by entering into the Seminole County/City of Lake Mary, Florida Exclusive Wholesale Sewage Treatment and Disposal Agreement executed on July 28, 1987.

(JH) This agreement allows the City to purchase sewage treatment and effluent disposal capacity on a wholesale basis from Seminole County in order to ultimately provide wastewater service capacity to developers and any other future City customers.

(KI) This agreement requires the City to pay certain impact fees to Seminole County in order to purchase sewage treatment and effluent disposal capacity, based upon the then prevailing wastewater connection fee rate charged by Seminole County for capital facilities necessary to provide sewage treatment and effluent disposal capacity.

(LJ) In addition to this capacity, the City must provide major sewage transmission facilities in order to collect and transmit raw sewage and transmit that sewage to the Seminole County wastewater system in order to utilize said purchased sewage treatment and effluent disposal capacity.

(MK) The City authorized its wastewater engineers to prepare a report to establish a just, fair, and equitable impact fee, which report is hereby adopted and incorporated into this subchapter as if fully set forth herein.

(NL) Pursuant to Article VIII, Section II(b), Florida Constitution; F.S. § 166.021; F.S. Chapter 180; and other provisions of state law, the City Commission is authorized to provide, regulate, purchase, construct, improve, extend, enlarge, and reconstruct a sewerage system, and if further authorized, to fix and collect rates, fees, and other charges for the service and facilities furnished by its sewerage system.

(OM) It is the policy and object of the City Commission to ensure that rates, charges, and fees levied to pay for the cost of the sewerage system acquisitions, additions, and expansions are just and reasonable and cover the true costs of said acquisitions, additions, and expansions.

(PN) It is just and reasonable that the cost of the new sewerage system facility should be borne by the new users only to the extent that new use requires new facilities so that new users shall pay their fair share based on the additional burden their use places on the City's sewerage system.

(QO) The City Commission has scheduled and held a public hearing to allow public comment on the adoption of the sewer impact fees.

§ 50.142 LIBERAL INTERPRETATION. [REPEAL]

§ 50.143 DEFINITIONS. [REPEAL]

§ 50.144 SEWER IMPACT FEE.

(A) The City hereby adopts and establishes a sewer impact fee equal to the product of the sum of: (1) the amount actually charged (a.k.a., ~~the wastewater connection fee~~) to the City by Seminole County for providing sewage treatment and effluent disposal capacity per gallon of wastewater (a/k/a the wastewater connection fee), and (2) a City charge \$1.45 per gallon of wastewater as established by City Commission; and multiplied by the volume of sewage estimated by the City to be generated by a given customer or project as defined in § 50.1453. All fees and charges paid pursuant to this Section shall be nonrefundable.

(B) No City permits shall be issued prior to the receipt of the sewer impact fee.

(C) Sewer service shall be allocated on a first come first serve basis based on the order of receipt of application. Sewer service capacity is non-transferrable to other properties.

§ 50.1453 DETERMINATION OF EQUIVALENT RESIDENTIAL UNIT (ERU) FACTORS.

(A) For purposes of calculating and imposing the sewer impact fee provided for in § 50.142 ~~50.144~~, the ERU factor (and corresponding volume of sewage measured in GPD) for any particular connection shall be calculated and imposed in the manner provided as follows:

	<i>Establishment</i>	Unit	Factor	Volume
(1)	Residential:			
	Single-family home (<u>detached or attached</u>)	Per unit	1.000	300
	Multi-family (<u>building containing three or more D.U.'s</u>) (1 or 2 bedrooms)	Per unit	0.833	250
	Multi-family (<u>building containing three or more D.U.'s</u>) (3 or more bedrooms)	Per unit	1.000	300
	Mobile home (1 or 2 bedrooms)	Per unit	0.833	250
	Mobile home (3 or more bedrooms)	Per unit	1.000	300
(2)	Commercial:			
	Barber/beauty shop	<u>Per Chair</u>	0.333	100

	Bowling alley	Per Lane	0.333	100
(3)	Food service <u>w/seating</u> :			
	Restaurant/cafeteria	Per Seat	0.100	30
	Restaurant (24 hours)	Per Seat	0.167	50
	Restaurant ("fast food")	Per Seat	0.083	25
	Bar/cocktail lounge	Per Seat	0.100	30
(4)	Hotel, motel (not including food service, banquet and meeting rooms, and laundries)	Per Bed	0.333	100
(5)	Laundry/self-service	Per machine	1.333	400
(6)	Motel (see Hotel)			
(7)	Office building (not including food service and retail space) /shopping center/convenience stores – not including food service w/seating	1,000 sq. ft. gross	0.334 <u>0.33</u>	(0.1 100)
(8)	Service station <u>Auto Repair:</u>	Per bay	1.000	300
		Per wash bay	3.200	960
		Per toilet room	1.000	300
(9)	Theater	Per seat	0.016	5
(10)	Dentist's office:	Per dentist	0.833	250
		Per wet chair	0.333	100
(11)	Doctor's office	Per doctor	0.833	250
(12)	Hospital	Per bed	0.167	50
(13)	Schools, day type	Per student	0.050	15
(14)	Schools, boarding	Per student	0.25	75
(15)	<u>Warehouse</u>	<u>1,000 sq. ft. gross</u>	<u>0.14</u>	<u>42</u>
(16)	<u>Self Service Storage</u>	<u>1,000 sq. ft. gross</u>	<u>0.067</u>	<u>20</u>
(17)	<u>Place of Worship/Assembly (excludes schools)</u>	<u>Per seat</u>	<u>0.01</u>	<u>3</u>
(18)	<u>Nursing Home, Adult Assisted Living</u>	<u>Per bed</u>	<u>0.286</u>	<u>85</u>

(B) One ERU (~~Equivalent Residential Unit~~) shall, for the purposes of this section, have an assigned value of 1.00. One ERU is hereby established and determined to be equal to a flow of 300 gallons per day (300 GPD), average annual basis. The "Total Equivalent Residential Unit Value" for an establishment shall be calculated by multiplying the ERU factor listed in division (A) above times the number of units.

(C) ~~(H)~~For all establishments not listed above, the total ERU value shall be determined by multiplying the number of fixture units, as published in the Southern Plumbing Florida Plumbing/Building Code, by 25, and then dividing that numerator by 300 GPD/ERU. For example:

$$\text{Total} = \frac{\text{Number of fixture units} \times 25}{300}$$

$$\text{ERU value} = \frac{\text{Total}}{300}$$

$$\text{Total ERU value} \times \$ \text{_____} = \text{sewer impact fee}$$

~~(2)~~In no event shall the total ERU value used to calculate a sewer impact fee for ~~any separate establishment, when using this method,~~ be less than 1.00, nor less than the volume determined to be required by Seminole County.

~~(D)~~— If an applicant for sewer connection within any of the categories set forth in division (A) above can demonstrate to the satisfaction of the Director of Public Works that actual sewage usage will be less than 80% of the ERU usage assigned to such establishment as set forth above, then the Director of Public Works may determine, based on actual usage, anticipated usage, peak load requirements, or any combination of the foregoing using accepted engineering standards, a different or lesser total ERU value. If the Public Works Director determines that the actual sewage usage will be greater than the ERU usage assigned to such category as set forth above, then the Director may determine, based on actual usage, anticipated usage, peak load requirements, or any combination of the foregoing using accepted engineering standards, a different or greater total ERU value. Notice of any such determination shall be sent to the City Commission.

§ 50.1464 APPLICABILITY OF CHARGE.

The sewer impact fee set forth in § 50.142 ~~50.144~~ shall be paid by all those customers who connect to the City sewerage system. The charge will be adjusted periodically to reflect changes made by Seminole County to the ~~cost of~~ charge for providing wastewater service capacity to the City. When fees are incurred due to a recalculation based on a change in use of a particular property, ~~the City may exempt any customer from the payment of any portion of the sewer capital charge to the extent that the city accepts a contribution in aid of construction having a value of not less than the portion of the sewer impact fee being exempted~~ provide partial credit to applicants who prove that sewer impact fees were previously collected by the City on that property.

§ 50.1475 WHEN PAYMENT REQUIRED.

All sewer impact fees shall be paid prior to the issuance of a building site construction permit, building permit or payment of the local business tax, whichever comes first, for a ~~structure or structures~~ site/parcel to be served by the City sewerage system; or at such other time as may be specifically provided by City or County resolution, ordinance, or agreement.

§ 50.1486 SEWERAGE WASTEWATER SYSTEM CAPITAL IMPROVEMENT FUNDS.

(A) The sewer impact fee collected pursuant to this subchapter and retained by the City shall be ~~deposited into a fund called the City Sewerage System Capital Improvement Fund.~~ The fees deposited in this Fund shall be used only for the construction and acquisition of additions and extensions to the city wastewater system and all components thereof, including collection and transmission facilities, transmission facilities, treatment facilities, and effluent disposal facilities, in order to provide additional sewage treatment capacity, effluent disposal capacity, or wastewater service capacity to those new customers who connect to the City sewerage wastewater system.

(B) The City may by resolution provide for the application of some or all of the City's portion of the sewer impact fee to the payment or security for the payment of revenue bonds issued in whole or in part for the purpose set out in division (A) above, provided the amount of sewer capital charges applied to the payment of such bonds shall not exceed the amount of bond proceeds actually expended for such purpose with interest at the average rate borne by said bonds. Such application or pledge may be made directly in the proceedings authorizing such bonds or in an agreement with an insurer of bonds to assure such insurer of additional security therefor.

§ 50.1497 RESPONSIBILITY FOR COLLECTION AND TRANSMISSION COSTS.

(A) In addition to the sewer impact fee, the developer or customer shall ~~either provide, or pay the capital costs (including land costs) of~~ the required capital improvements for:

(1) The collection of raw sewage within the boundaries of the property owned by the developer or customer to which the City intends to provide wastewater service capacity; and

(2) The transmission of sewage from those boundaries to the City's collection and transmission facilities prior to connection to treatment facilities.

(B) The City shall allow the developer or customer to connect to the nearest feasible point as determined by the City.

§ 50.090148 PAYMENT PLAN FOR CONNECTION OF ~~CURRENT WATER~~ CUSTOMERS TO CITY'S SEWER SYSTEM.

(A) The following options for payment of all ~~charges~~ impact fees incident to connection to the City sewer system ~~fees shall be offered to owners of property served by city water on the effective date of this section,~~ at such time as said properties are provided notice of sewer availability ~~hereinafter required to connect to the city's sewer system:~~

(1) Option one: Full payment within 90 days of receipt of notice of sewer availability ~~to connect~~ or actual connection to the system, whichever date is earlier, with no interest charged.

(2) Option two: Payment in 12 or 24 equal monthly installments at 4% interest per annum with the first installment due 90 days after receipt of notice of sewer availability ~~to connect~~ or actual connection to the system, whichever date is earlier.

(3) Option three: Payment in ~~four~~ three equal annual installments at 7% interest per annum on the unpaid balance with the first installment due 90 days after receipt of notice of sewer availability ~~to connect~~ or actual connection to the system, whichever date is earlier. The second installment would be due 12 months after the date that the first installment became due and payable and would include the payment of interest accrued to the actual date of payment of the second installment. The third and final installment would be due 24 months after the first installment became due and payable and would include the payment of interest accrued to the actual date of the payment. ~~The fourth and final installment would be due 36 months after the first installment became due and payable and would include the payment of interest accrued to the date of actual payment.~~

(4) If any payment under options two or three is not made within 30 days after the date same is due and payable, the entire balance shall become due and payable without notice. In addition, the City ~~would~~ reserves the right to exercise such other authority as it ~~has~~ has to enforce payment, including but not limited to the discontinuance of water service, until the full balance then due and owing ~~was~~ is paid.

(5) The interest rates set forth in options two and three may from time to time be modified by resolution of the City Commission.

(B) The City is hereby authorized to terminate all City utility service to any establishment which fails to pay the connection charges as herein provided until such time as said charges have been paid in full.

(C) Security for payment:

(1) In the event that an affected property owner shall elect to pay the required connection fee as provided for by division (A) hereof, the owner shall provide the City with evidence of actual title to the affected property and all persons having an ownership interest therein shall be required to join in the application for service, ~~for the purpose of affecting~~ The City shall place a lien on the affected property in favor of the City as security for payment of the said charges. ~~To the extent that any property shall be determined to be the homestead of the owners, then and in that event the owners shall be~~

~~required to comply with Art. X, § 4, Fla. Const. for the purpose of affecting a lien on the affected property in favor of the city as security for payment of the said charges.~~

(2) ~~The Director of Finance~~ Finance Director is hereby authorized and directed to prepare such forms and agreements as are necessary to carry out the intent of this section.

(D) In the event an owner fails or refuses to timely connect to the City's sewer system, the City may employ any legally available remedy, including but not limited to, injunctive relief, and use of the code enforcement process. In the event the City is required to resort to legal action, all costs incurred, including attorney's fees and court costs, shall be assessed to the owner. ~~In addition, but not in lieu of, †The City Manager is authorized to initiate such proceedings as are permitted by law to enforce any rights that the City may have to recover by law, by ordinance or hereunder to enforce connection to the city's sewer system and the payment of impact and connection fees therefor for sewer connection,~~ including but not limited to the foreclosure of any lien herein provided for.

§ 50.999 PENALTY. [REPEAL]

EXHIBIT C

CHAPTER 51: CITY WATERWORKS SYSTEM

General Provisions

- 51.01 Connection with system
- ~~51.02~~ Mandatory connection and payment plan
- ~~51.023~~ Unlawful connections
- ~~51.034~~ Connecting old plumbing
- ~~51.045~~ Installation and maintenance
- ~~51.056~~ Free service prohibited
- ~~51.067~~ Separate meters
- ~~51.078~~ Rates and charges [MOVED TO § 53.20]
- ~~51.089~~ Payment of bills [MOVED TO § 53.21]
- ~~51.09~~ ~~Fluoridation~~ [REPEALED]
- ~~51.10~~ ~~Drainage culvert installation~~ [REPEALED]

Water Conservation for Landscape Irrigation

- 51.20 Intent; purpose
- 51.21 Definitions
- 51.22 Landscape irrigation schedule
- 51.23 Exceptions to landscape irrigation schedule
- 51.24 Additional requirement
- 51.25 Variance from specific day of the week limitations
- 51.26 Application
- 51.27 Enforcement officials

51.28 Enforcement penalties* [MOVED FROM § 51.99]

Water System Impact Fee [MOVED FROM § CHAPTER 55]

51.51 Short title [MOVED FROM§ 55.01]

51.52 ~~Commission findings~~ Finding of Fact [MOVED FROM§ 55.02]

51.53 Definitions [MOVED FROM§ 55.03]

51.54 Water permit; application [MOVED FROM§ 55.04]

51.55 Capital improvements funds; application and pledge to revenue bonds or notes
[MOVED FROM§ 55.05]

51.56 Distribution system [MOVED FROM§ 55.06]

~~51.57—Effective date~~ [MOVED FROM§ 55.07]

51.65 Adoption [MOVED FROM§ 55.15]

51.66 Determination of equivalent residential unit factors [MOVED FROM§ 55.16]

51.67 Applicability [MOVED FROM§ 55.17]

51.68 Time of payment [MOVED FROM§ 55.18]

~~51.99—Penalty~~ [REPEALED]

Cross-reference:

Wastewater and Water System Fees and Charges, see Chapter 53

GENERAL PROVISIONS

§ 51.01 CONNECTION WITH SYSTEM.

Where the City waterworks system is available, as defined by Section 51.02, the owner of every lot or parcel of land within the City ~~may~~ shall connect, or have the plumbing of any building or buildings thereon connected, with the municipal waterworks system of the City, and use the facilities of the water system. ~~All connections shall be made in accordance with rules and regulations which shall be adopted from time to time by the City Commission. These rules and regulations, including an extension policy, shall provide for a charge for making connections in any reasonable amount the City Commission may fix and determine. However,~~ This section shall not be construed to entitle any person to cross the private property of another to make any water connections.

§ 51.02 MANDATORY CONNECTION AND PAYMENT PLAN.

Because of the increasing population and the possibility of increasing contamination of the ground and surface waters, and other related matters, the City Commission deems that it is to the best interest of the health, safety, and general welfare of the public to encourage the extension of public water and to require connection to the City-owned extensions to water systems whenever either system is extended to within 100 feet of the property line of any property to be served. However, if a property owner currently has a private well furnishing water for consumption by human beings and an extension of the system is within 100 feet of the property, then they shall be required to tie on to the system for the supply of water for human consumption but may maintain the private water supply for outdoor watering or agricultural purposes. Where the property line of any property lies within 100 feet of a City-owned water system, then the property owner is prohibited from constructing any wells where the use of water from the wells is meant for human consumption. Where the property lies within 100 feet of a privately-owned or City-owned water system, no permits will be issued for the construction of water wells; however, wells for outdoor watering or agricultural purposes will be permitted.

(A) The following options for payment of all impact fees incident to connection to the City water system shall be offered to owners of existing developed property at such time as said properties are hereinafter required to connect to the City's water system. NOTE: These options are not available to new development where water is already available.

(1) Option one: Full payment within 90 days of receipt of notice to connect or actual connection to the system, whichever date is earlier.

(2) Option two: Payment in 12 or 24 equal monthly installments at 4% interest per annum with the first installment due 90 days after receipt of notice to connect or actual connection to the system, whichever date is earlier.

(3) Option three: Payment in three equal annual installments at 7% interest per annum on the unpaid balance with the first installment due 90 days after receipt of notice to connect or actual connection to the system, whichever date is earlier. The second installment

would be due 12 months after the date that the first installment became due and payable and would include the payment of interest accrued to the actual date of payment of the second installment. The third and final installment would be due 24 months after the first installment became due and payable and would include the payment of interest accrued to the actual date of the payment

(4) If any payment under options two or three is not made within 30 days after the date same is due and payable, the entire balance shall become due and payable without notice. In addition, the City reserves the right to exercise such other authority as it has to enforce payment, including but not limited, to the discontinuance of water service until the full balance then due and owing was paid.

(5) The interest rates set forth in options two and three may from time to time be modified by resolution of the City Commission.

(B) The City is hereby authorized to terminate all City utility service to any establishment which fails to pay the connection charges as herein provided until such time as said charges have been paid in full.

(C) Security for payment:

(1) In the event that an affected property owner shall elect to pay the required connection fee as provided for by division (A) hereof, the owner shall provide the City with evidence of actual title to the affected property and all persons having an ownership interest therein shall be required to join in the application for service for the purpose of imposing a lien on the affected property in favor of the City as security for payment of the said charges. To the extent that any property shall be determined to be the homestead of the owners, then and in that event the owners shall be required to comply with Art. X, § 4, Fla. Const. for the purposes of imposing a lien on the affected property in favor of the City as security for payment of the said charges.

(2) The Finance Director is hereby authorized and directed to prepare such forms and agreements as are necessary to carry out the intent of this section.

(D) Enforcement. In addition to any other enforcement methods, but not in lieu of, the City Manager is authorized to initiate such proceedings as are permitted by law to enforce any rights that the City may have by law, by ordinance or hereunder, to enforce connection to the City's water system and the payment of impact and connection fees therefore, including but not limited to the foreclosure of any lien herein provided for. The City may seek injunctive relief, or use the City's code enforcement process. In the event the City is required to resort to legal action, all costs incurred, including attorneys' fees and court costs, shall be assessed to the owner.

§ 51.023 UNLAWFUL CONNECTIONS.

No person shall be allowed to connect or reconnect into the waterworks system without the written consent of the head of the Utilities Public Works Department, and without first having paid all connection, turn-on, and deposit fees. Connection or reconnection with the system shall only be made under the direction and supervision of the head of the Utilities Public Works Department. Any property owner who allows an occupant, or any occupant of the property, or any plumber, who makes any connection, reconnection, or allows any of the foregoing who allows any other person to make any connection or reconnection, without the consent of the head of the Utilities Public Works Department and without first having paid all connection, reconnection, and deposit fees, shall have violated the provisions of this chapter and shall, upon conviction, be subject to the penalties provided in § ~~51.99~~10.99.

§ 51.034 CONNECTING OLD PLUMBING.

Whenever it is desirable to connect existing plumbing with the City waterworks system, the owner or plumber contemplating doing the work shall notify the City Plumbing Building Inspector who will inspect the plumbing and notify the owner or plumber what alterations will be necessary to place the plumbing in an acceptable condition for connection with the waterworks system. An owner or plumber shall make the connections in conformity with the Southern Standard Plumbing Code Florida Building Code – Plumbing, as amended from time to time, as adopted by reference under § 150.03.

§ 51.045 INSTALLATION AND MAINTENANCE.

The owner of the property shall be responsible for the installation and maintenance of the plumbing on their his own property which must be in conformity with the standards of the Southern Standard Plumbing Code Florida Building Code – Plumbing, as amended from time to time, in relation to approved potable water pipe and sizing. The City's responsibility for maintenance and installation terminates at the owner's property line of the owner of the property being serviced.

§ 51.056 FREE SERVICE PROHIBITED.

No water shall be furnished free of charge to any person, firm, or corporation whatsoever. The City and every agency, department, or instrumentality which uses the waterworks system shall pay the rates fixed by § ~~51.07~~53.20.

§ 51.067 SEPARATE METERS.

Each building site shall be considered a separate unit for the payment of the water fees established in § ~~51.07~~ 53.20 and separate connections will be required for each of the units. Every connection shall be separately metered.

§ 51.078 RATES AND CHARGES. [MOVED TO § 53.20]

§ 51.089 PAYMENT OF BILLS. [MOVED TO § 53.21]

~~§ 51.09 FLUORIDATION [REPEALED]~~

~~§ 51.10 DRAINAGE CULVERT INSTALLATION. [REPEALED]~~

WATER CONSERVATION FOR LANDSCAPE IRRIGATION

§ 51.20 INTENT; PURPOSE.

It is the intent and purpose of this subchapter to implement procedures that promote water conservation through the more efficient use of landscape irrigation.

§ 51.21 DEFINITIONS.

For the purpose of this subchapter, the following terms, phrases, words and their derivatives shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural.

ADDRESS. The house number of a physical location of a specific property. This includes “rural route” numbers but excludes post office box numbers. If a lot number in a mobile home park or similar community is used by the U.S. Postal Service to determine a delivery location, the lot number shall be the property’s address. An “even numbered address” means an address ending in the numbers 0, 2, 4, 6, 8 or the letters A through M. An “odd numbered address” means an address ending in the numbers 1, 3, 5, 7, 8 or the letters N through Z.

DISTRICT. The St. Johns River Water Management District.

EASTERN TIME. When the clocks are moved back in the fall of each year.

LANDSCAPE IRRIGATION.

(1) The outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential areas, public, commercial, and industrial establishments, and public medians and rights-of-way.

(2) “LANDSCAPE IRRIGATION” does not include agricultural crops, nursery plants, cemeteries, golf course greens, tees, fairways, primary roughs, and vegetation associated with intensive recreational areas such as, but not limited to, playgrounds, and football, baseball and soccer fields.

NON-RESIDENTIAL LANDSCAPE IRRIGATION. The irrigation of landscape not included within the definition of “RESIDENTIAL LANDSCAPE IRRIGATION”, such as that associated with public, commercial and industrial property, including commercial or transient housing units, hotels and motel units, and public medians and rights-of-way.

PERSON. Any person, firm, partnership, association, corporation, company, or organization of any kind.

RESIDENTIAL LANDSCAPE IRRIGATION. The irrigation of landscape associated with any housing unit having sanitary and kitchen facilities designed to accommodate one or more residents, including multiple housing units and mobile homes.

§ 51.22 LANDSCAPE IRRIGATION SCHEDULE.

(A) When Daylight Savings Time is in effect, landscape irrigation shall occur only in accordance with the following irrigation schedule:

(1) Residential landscape irrigation at odd numbered addresses must only occur on Wednesday and Saturday and must not occur between 10:00 a.m. and 4:00 p.m.

(2) Residential landscape irrigation at even numbered addresses must only occur on Thursday and Sunday and must not occur between 10:00 a.m. and 4:00 p.m.

(3) Non-residential landscape irrigation may occur only on Tuesday and Friday and shall not occur between 10:00 a.m. and 4:00 p.m.

(4) No more than 3/4-inch of water may be applied per irrigation zone on each day that irrigation occurs, and in no event shall irrigation occur for more than one hour per irrigation zone on each day that irrigation occurs.

(B) When Eastern Standard Time is in effect, landscape irrigation shall occur only in accordance with the following irrigation schedule:

(1) Residential landscape irrigation at odd numbered addresses may occur only on Saturday and shall not occur between 10:00 a.m. and 4:00 p.m.;

(2) Residential landscape irrigation at even numbered addresses may occur only on Sunday and shall not occur between 10:00 a.m. and 4:00 p.m.;

(3) Non-residential landscape irrigation may occur only on Tuesday and shall not occur between 10:00 a.m. and 4:00 p.m.; and

(4) No more than 3/4-inch of water may be applied per irrigation zone on each day that irrigation occurs, and in no event shall irrigation occur for more than one hour per irrigation zone on each day that irrigation occurs.

(C) All landscape irrigation shall be limited in amount to only that necessary to meet landscape needs.

§ 51.23 EXCEPTIONS TO LANDSCAPE IRRIGATION SCHEDULE.

Landscape irrigation shall be subject to the following irrigation schedule exceptions:

(A) Irrigation using a micro-spray, micro-jet, drip or bubbler irrigation system is allowed anytime.

(B) Irrigation of new landscape is allowed at any time of day on any day for the initial 30 days and every other day for the next 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.

(C) Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides, when required by law, the manufacturer, or best management practices is allowed any time of day on any day within 24 hours of application. Watering in of chemicals shall not exceed 1/4-inch of water per application except as otherwise required by law, the manufacturer, or best management practices.

(D) Irrigation systems may be operated any time of day on any day for maintenance and repair purposes not to exceed 20 minutes per hour per zone.

(E) Irrigation using a hand-held hose equipped with an automatic shut-off nozzle is allowed any time of day on any day.

(F) Discharge of water from a water- to-air air conditioning unit or other water-dependent cooling system is not limited.

(G) The use of water from a reclaimed water system is allowed anytime. For the purpose of this division (G), a "RECLAIMED WATER SYSTEM" includes systems in which the primary source is reclaimed water, which may or may not be supplemented from another source during peak demand periods.

(H) The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime provided the ponds are not augmented from any ground or off-site surface water, or public supply sources.

§ 51.24 ADDITIONAL REQUIREMENT.

Any person who irrigates landscape with an automatic lawn sprinkler system installed after May 1, 1991, shall install, maintain and operate a rain sensor device or switch that overrides the irrigation system when adequate rainfall has occurred.

§ 51.25 VARIANCE FROM SPECIFIC DAY OF THE WEEK LIMITATIONS.

A variance from the specific landscape irrigation days or day set forth in § 51.22 may be granted by the Public Works Director if strict application of the scheduled days or day would lead to unreasonable or unfair results in particular circumstances, provided that the applicant demonstrates with particularity that compliance with the scheduled days or day will result in a substantial economic, health or other hardship on the applicant requesting the variance or those

served by the applicant. Where a contiguous property is divided into different zones, a variance may be granted hereunder so that each zone may be irrigated on different days or day than other zones of the property. However, in no event shall a variance allow a single zone to be irrigated more than two days per week during Daylight Savings Time or more than one day per week during Eastern Standard Time.

§ 51.26 APPLICATION.

The provisions of this subchapter shall apply to each person located within the City of Lake Mary.

§ 51.27 ENFORCEMENT OFFICIALS.

Law enforcement officials and Code Enforcement Officers having jurisdiction in the City of Lake Mary are hereby authorized to enforce the provisions of this subchapter. In addition, the City Manager may also designate additional enforcement responsibility for this subchapter to other departments of the City of Lake Mary.

§ 51.28 ENFOCEMENT PENALTY.

(A) Violation of any provision of §§ 51.20 through 51.27 shall be subject to the following penalties:

- (1) First violation: written warning.
- (2) Second violation: \$50.
- (3) Subsequent violation(s): Fine not to exceed \$500.

(B) Each day a violator is in violation of §§ 51.20 through 51.27 shall constitute a separate offense. Enforcement officials shall provide violators with no more than one written warning. In addition to the civil sanctions contained herein, the City of Lake Mary may take any other appropriate legal action, including, but not limited to, injunctive action to enforce the provisions of §§ 51.20 through 51.27.

WATER SYSTEM IMPACT FEE [MOVED FROM § CHAPTER 55]

§ 51.51 SHORT TITLE. [MOVED FROM § 55.01]

This subchapter shall be known and may be cited as the Lake Mary Water System Impact Regulation Chapter, and ~~is one of several City rate resolutions and ordinances.~~

§ 51.52 ~~COMMISSION FINDINGS~~ FINDING OF FACT. [MOVED FROM § 55.02]

In adopting a water impact fee and adopting rules related thereto, the City Commission hereby makes and expresses the following findings, purposes, and intent:

(A) State and federal environmental protection agencies are continuing to apply stringent water quality standards to the City's water system.

(B) Continued growth within the City will significantly impact the water system requiring an expansion of the system in the near future.

~~(C) The city shall be required to accelerate development of its independent water system due to recent pollutants found in wells currently operated by the City of Sanford and reluctance of the City of Sanford to increase the wholesale gallonage for consumption outside its city limits because of its own rapid growth of water consumption.~~

(DC) Recent and proposed changes in applicable federal legislation and federal and state regulations related to the Municipal Water Treatment Construction Grants Program contained in the Clean Water Act, as amended, indicate that the City cannot rely on the future availability of federal funds for water treatment construction facilities.

~~(E) The city does not possess a well field nor treatment plant.~~

(FD) Equity suggests that new users who create the demand for expanded facilities should be required to bear the capital, financing, and other costs of the expansion, extensions, and additions of the water system to the extent that their presence necessitates new facilities.

(GE) The City finds it necessary to readopt that part of its rate system related to the recovery of costs in order to provide for funding for water systems for future customers.

§ 51.53 DEFINITIONS. [MOVED FROM § 55.03]

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CAPITAL IMPROVEMENTS. The cost of the labor, materials, and expenses directly related to the building of the project.

CITY COMMISSION. The Lake Mary City Commission, a Florida Municipal Corporation.

CITY RATE RESOLUTIONS AND ORDINANCES. All resolutions and ordinances, either currently in effect or to be adopted in the future, by the City Commission or its successor which establish and fix rates, fees, and charges for the City water system.

CITY OF LAKE MARY WATER SYSTEM. All facilities and interests in real and personal property owned, operated, managed, or conditioned by the City now and in the future and used to provide water service to existing and future customers within the service area of the City.

DISTRIBUTION SYSTEM. The lines, meters, valves, and appurtenant devices to transmit potable water from transmission lines to the customer.

ERU. An equivalent residential unit.

GPD. Gallons per day.

~~PRODUCTION FACILITIES.~~ ~~Wells, pumps, raw water lines to treatment facilities.~~

TRANSMISSION FACILITIES. Those lines, pipes, mains, water tanks, pumps, water towers, meters, and appurtenant equipment used to transmit or store water from the treatment facilities to the distribution system as defined and determined by the City.

TREATMENT FACILITIES. Those facilities, such as wells, pumps, and raw water lines, used to treat water prior to distribution and the housing for those facilities.

WATER FACILITIES. All water distribution, transmission, and treatment facilities, including all wells, lines, pipes, meters, couplings, pumps, storage tanks, water towers, and appurtenant equipment necessary to provide water service capacity.

WATER PERMIT. An additional permit containing anticipated ERU's prior to project approval.

WATER SERVICE CAPACITY. The amount of water, measured in GPD, which can be transmitted, treated, and provided to the customer.

WATER SYSTEM. Production, treatment, and delivery of potable water to residences, businesses, buildings, institutions, industrial establishments, and other customers of the City water system.

§ 51.54 WATER PERMIT; APPLICATION. [MOVED FROM § 55.04]

Water customers desiring to make connection to the City's water system shall make application to the City for a water permit prior to the time of project approval by the City. Such application shall contain the name of the owner, name of the registered professional engineer working for the customer, property location, project description and anticipated ERU's. This permit is in addition to any other permits and approvals required by the City, the State Department of Environmental Regulations, or any other jurisdictional body.

§ 51.55 CAPITAL IMPROVEMENTS FUNDS; APPLICATION AND PLEDGE TO REVENUE BONDS OR NOTES. [MOVED FROM § 55.05]

(A) The water system impact fees collected pursuant to this chapter shall be deposited into a fund called the City water system improvement fund. The fees deposited in the above-mentioned fund shall be used only for financing the construction and acquisition of additions and extensions of the City water system and all components thereof, including wells, distribution facilities, treatment facilities, and other appurtenant facilities, in order to provide additional water service capacity to those new customers who connect to the City's water system. Financing of the system is to include, but not be limited to, principal on the bonds or notes

proceeds which have been or will be expended for the expansion, extensions, and additions of the City's water system to accommodate growth.

(B) The City Commission may by resolution provide for the application of some or all of the water impact fee to the payment or security for the payment of existing or future revenue bonds or notes issued in whole or in part for the purposes set out in division (A) above, provided that the amount of water impact fee applied to the payment of such bonds or notes shall not exceed the amount of bond or notes proceeds actually expended for such purpose at the average rate borne by the bonds or notes. Such application or pledge may be made directly in the proceedings authorizing such bonds or notes or in an agreement with an insurer of bonds or notes to assure such insurer of additional security ~~therefore~~.

§ 51.56 DISTRIBUTION SYSTEM. [MOVED FROM § 55.06]

In addition to the water impact fee, distribution system impact fees will be addressed by ordinance, except where developers build their own lines in accordance with City's specifications.

~~§ 51.57 EFFECTIVE DATE. [MOVED FROM § 55.07] [REPEALED]~~

§ 51.65 ADOPTION. [MOVED FROM § 55.15]

The City Commission does hereby adopt and establish, pursuant to general law, a water system impact fee of \$1,010 per ERU within the City. All fees and charges paid pursuant to this section shall be nonrefundable.

§ 51.66 DETERMINATION OF EQUIVALENT RESIDENTIAL UNIT FACTORS. [MOVED FROM § 55.16]

(A) For purposes of calculating and imposing the water system impact fee provided for in § 55.15, the ERU value [and corresponding volume of water measured in gallons per day (GPD)] for any particular connection shall be calculated and imposed in the manner provided as follows:

	<i>Establishment</i>	<i>Unit</i>	<i>Volume Factor (GPD)</i>
<u>(1)</u>	Residential:		
	Single family Residential home (detached or attached)	dwelling unit	350
	Multi-family (building containing three or more D.U.'s) (1 or 2 bedrooms)	dwelling unit	300
	Multi-family (building containing three or more D.U.'s) (3 + bedrooms)	dwelling unit	350
	Mobile Homes (1 or 2 bedrooms)	dwelling unit	300

	Mobile Homes (3+ <u>or more</u> bedrooms)	dwelling unit	350
(2)	Non-Residential Commercial:		
	Barber/ <u>beauty</u> Shop	per chair	120
	Bowling alley	per chair	120
(3)	<u>Food Service w/seating:</u>		
	Restaurant/ <u>cafeteria</u>	per seat	35
	Restaurant (24 hour)	per seat	60
	Restaurant ("fast food")	per seat	30
	Bar/cocktail lounge	per seat	35
(4)	Hotel/Motel (<u>without food service not including food service, banquet and meeting rooms, and laundries</u>)	per bed	120
	<u>Hotel/Motel banquet facilities and meeting rooms (calculated at restaurant rate)</u>		
(5)	Laundry/self service	per machine	470
(6)	<u>Motel (see Hotel)</u>		
(7)	<u>Office Buildings/shopping center/convenience stores without food service w/seating)</u>	<u>per 1,000 sq. ft.</u>	<u>120</u>
	(without food service)	per 1,000 sq. ft.	120
	Shopping Centers	-	
	(without food service)	per 1,000 sq. ft.	120
	Stores (without food service)		
	Private Toilet	per employee	25
	Public Toilet	per toilet room	470
(8)	Service Station <u>Auto Repair</u>	per bay	350
		per wash bay	1120
		per toilet room	350
(9)	Theater	per seat	5
(10)	Dentist's <u>office</u>	per dentist	300
		per wet chair	115

(11)	Doctor's Office	per doctor	300
(12)	Hospital	per bed	60
(13)	Schools, <u>day type</u>	<u>per student</u>	<u>20</u>
(14)	Day Type <u>Schools, boarding</u>	per student	20 <u>90</u>
	Boarding	per student	90
(15)	<u>Warehouse</u>	<u>1,000 sq. ft. gross</u>	<u>50</u>
(16)	<u>Self Service Storage</u>	<u>1000 sq. ft. gross</u>	<u>25</u>
(17)	<u>(17) Place of Worship (excludes schools)</u>	<u>Per seat</u>	<u>3.5</u>
(18)	<u>Nursing Home, Adult Assisted Living</u>	<u>Per bed</u>	<u>100</u>

(B) One equivalent residential unit (ERU) is established and determined to be equal to a flow of approximately 350 gallons per day (GPD), average annual basis. The "Total Equivalent Residential Unit ERU Value" for an establishment shall be calculated by multiplying the volume factor listed in division (A) above by the number of units.

(C) For all establishments not listed above, the total ERU value shall be determined by multiplying the number of fixture units, as published in the Florida Standard Plumbing Building Code, Plumbing, by 25, and then dividing that numerator by ~~300~~ 350. ~~(By using 300 as the denominator, the calculated water ERU value shall equal the calculated sewer ERU value)~~ For example:

$$\text{Total ERU value} = \frac{\text{Number of fixture units} \times 25}{300}$$

$$\text{ERU value} = \frac{\text{Number of fixture units} \times 25}{350}$$

$$\text{Total ERU value} \times (\text{water impact fee per ERU}) = \text{water system impact fee}$$

~~(D)~~—In no event shall the total ERU value used to calculate a water system impact fee charge for any separate establishment, when using this method be less than 1 ERU.

~~(D)~~— If an applicant for water connection within any of the categories set forth in division (A) above can demonstrate to the satisfaction of the Director of Public Works that actual water usage will be less than 80% of the ERU usage assigned to such establishment as set forth above, then the Director of Public Works may determine, based on actual usage, anticipated usage, peak load requirements, or any combination of the foregoing using accepted engineering standards, a different or lesser total ERU value, notwithstanding division ~~(D)~~ above. If the Public Works Director determines that the actual water usage will be greater than the ERU usage assigned to such category as set forth above, then the Director may determine, based on actual usage, anticipated usage, peak load requirements, or any combination of the foregoing using accepted

engineering standards, a different or greater total ERU value. Notice of any such determination shall be sent to the City Commission.

§ 51.67 APPLICABILITY. [MOVED FROM § 55.17]

The water system impact fee set forth in §§ 51.65 hereof shall be paid by those new customers who connect to the City system, except as follows: The City may exempt any customer from the payment of any portion of the water system impact fee to the extent that the City accepts a Contribution in Aid of Construction (CIAC) having a value of not less than the portion of the water system impact fee being exempted.

§ 51.68 TIME OF PAYMENT. [MOVED FROM § 55.18]

(A) Beginning on the effective date of this chapter, 100% of the total water impact fee shall be paid to the City prior to the issuance of a water permit site construction permit, building permit, or business tax receipt, whichever comes first. No City permits shall issue prior to the receipt of the water system impact fee. If a building permit is not issued within 12 months from issuance of a water permit, the City may return the customer's water impact fee and require the customer to reapply for a water permit.

(B) The issuance of a water permit shall create no vested rights ~~in~~ to the permittee and shall not be construed as a guarantee of water service capacity to the permittee. The City may permit connections to its water systems only if it may lawfully do so and would not thereby violate any ~~person~~, license, restriction, injunction, moratorium, or denial of permission to connect imposed or issued by any court of competent jurisdiction or by any applicable agency of the United States, the state, or the City.

§ 51.99 PENALTY. [REPEALED]

EXHIBIT D

CHAPTER 53: CITY WASTEWATER AND WATER SYSTEM FEES AND CHARGES

General Provisions

53.01 Short title

53.02 Billing procedures

53.03 Customer deposits

53.04 User rates and charges

53.05 Priority of payment

53.06 Payment of Bills and Disconnection for nonpayment [MOVED FROM § 50.086 & 51.08]

53.07 No free service [MOVED FROM § 50.087]

53.08 Returned Check Fee [MOVED FROM § 50.08 & §51.07]

53.09 Municipal liens for unpaid fees and charges

Wastewater System Fees and Charges

53.20 Objective [MOVED FROM § 50.080]

53.21 User rates and charges [MOVED FROM § 50.083]

53.22 Sewer charges applicable if sewer available [MOVED FROM § 50.089]

Water System Fees and Charges

53.30 Objective

53.31 Rates and Charges [MOVED FROM § 51.07]

Cross-reference:

Chapter 50: City Wastewater System

Chapter 51: City Water System

GENERAL PROVISIONS

§ 53.01 SHORT TITLE.

This part shall be known and may be cited as the “City Wastewater and Water System Fees and Charges”.

§ 53.02 BILLING PROCEDURES.

(A) Fees and charges shall bear a reasonable relationship to the services provided or costs incurred in the administration and the provision of wastewater and water services and are billed monthly on a combined utility bill by the Finance Department on a consolidated statement that may include, but is not limited to, wastewater, water, garbage and stormwater services. Utility services shall be separately listed. No user so charged for water and sewer services may pay either of the charges without simultaneously paying the charge for the other.

(B) Fees and charges may from time to time be modified by resolution of the City Commission in compliance with the notice requirements of F.S 180.136.

(C) The City shall collect revenues pursuant to the adopted fees and charges in accordance with law and generally acceptable accounting techniques.

(D) Revenues derived from fees and charges shall be appropriately earmarked and deposited in the “Water and Sewer Enterprise Fund” and used for the operation and maintenance, construction, acquisition, addition, extension, renewal and replacement of the wastewater and water system.

(E) The uniform rates and charges established by this chapter shall be reviewed annually, or as directed by the City Commission, and may be adjusted by resolution.

§ 53.03 CUSTOMER DEPOSITS.

(A) A deposit will be required upon application for service. A satisfactory letter of good payment history may be submitted in lieu of a deposit. On or about October 1 of each year, the City shall calculate the interest accrued on the deposit for each account and deduct that amount of interest from the amount due during the October billing cycle. The interest deductible under this section shall be equal to the interest paid on a savings account at local financial institutions as of September 30 of the same year. Deposits for residential service will be refunded, with the appropriate interest, at the end of two years of satisfactory payment history, or upon discontinuance of service, after any outstanding charges due to the City have been deducted. Commercial service deposits are refunded only at the discontinuance of service, after any outstanding charges due to the City have been deducted.

(B) At the discretion of the City Manager, a deposit may be increased by up to three times the average monthly bill if the customer is late in paying three monthly bills in any calendar year or if any such customer is disconnected or service is discontinued by the City water system for

reasons of delinquency. Wastewater and water customer service deposits are established by § 53.22 and § 53.30.

§ 53.04 USER RATES AND CHARGES.

User rates and charges for the wastewater and water systems are established by § 53.21 and § 53.31 and consist of a base charge and a flow charge.

§ 53.05 PRIORITY OF PAYMENT.

Charges for all utility services are consolidated on one monthly statement which is generally paid by a single payment. In the event that partial payment is received, the payment shall first be applied to garbage, next to stormwater management, next applied to wastewater, and finally to water services.

§ 53.06 PAYMENT OF BILLS AND DISCONNECTION FOR NONPAYMENT.

(A) Bills for monthly charges and fees set out in § 51.0751.09 shall be submitted by the City and shall be paid by the users monthly. All accounts shall be due and payable on the date statements are submitted to the users. If any monthly bill remains unpaid for a period of 25 calendar days after the billing date for charges for any period prior to that date, the bill is considered delinquent and a penalty of 10% of the bill shall be imposed and added to the bill. Said penalty shall be in addition to any amounts due, and shall apply to any previous unpaid penalty amounts remaining from previous penalty assessments. A grace period may be granted by the City Manager or his designee before the 10% penalty is assessed as long as it is applied consistently to all customers.

(B) Once a bill is delinquent, the City shall notify the user of delinquency, by one of the following methods: mail, electronic media, telephone, in person or door mail at that time, a disconnect notice stating that the City shall shut off the water connection of the use if payment is not made by the specified date in the notice, which shall be at least 30 days from the billing date. To avoid disconnection, payment should be made to the City Finance Department before the end of the 30 day period. (not earlier than 45 days after the original billing date).

(C) Upon failure of any user to pay for services rendered by 5:00 p.m. on the 30th day after the billing date, within the aforesaid period, the City shall shut off the user's water connection, of the user and shall not furnish the user, or permit the user to receive, further service until all past due amounts obligations owed by the user, along with all other pertinent charges, to the city on account of the services shall have been paid in full, together with a delinquent service fee of \$25. turn off and turn on charges of \$25, and the lien of the city satisfied. An additional \$45 service fee will be charged if reconnection is requested, for after 3:00 p.m. on weekdays, or anytime on weekends or holidays. Anything herein to the contrary notwithstanding, where applicable, F.S. 166.045 shall supersede the provisions of this section.

(D) Collection of delinquent account fees. The City shall be entitled to recover all costs, including but not limited to reasonable attorney's fees and collection service charges, incurred in collecting delinquent water and wastewater fees and charges. Any fee or charge due under this section which shall not be paid when due may be recovered by referring the account to a third party collection agency and/or by bringing an action at law.

§ 53.07 NO FREE SERVICE.

The City will not render or cause to be rendered any free services of any nature by its water and wastewater systems, or any part thereof, nor will any preferential rates be established for users of the same class. In the event the City or any department, agency, instrumentality, officer, or employee thereof shall avail itself of the facilities or services provided by the water and sewer systems, or any part thereof, the same rates, fees, or charges applicable to other users receiving like services under similar circumstances shall be charged to the City, to any department, agency, instrumentality, officer, or employee. These charges shall be paid as they accrue, and the City shall transfer from its general funds sufficient sums to pay these charges. The revenues so received shall be deemed to be revenues derived from the operation of the water and sewer systems, and shall be deposited and accounted for in the same manner as other revenues derived from the operation of the water and sewer systems.

§ 53.08 RETURNED CHECK FEE.

The City may charge a fee for checks returned to the City by the bank or other institution, and this returned check fee shall be in accordance with the maximum permitted by F.S. § 166.251, as amended from time to time.

§ 53.09 MUNICIPAL LIENS FOR UNPAID FEES AND CHARGES.

(A) The City shall have a lien on all lands or premises served by its water and wastewater system for all fees and service charges for such water facilities until paid, which lien shall be prior to all other liens on such lands or premises, except the lien of state, county and municipal taxes, and shall be on a parity with the lien of such state, county and municipal taxes. Such lien shall arise at the time of connection of water and wastewater service to such lands or premises and shall be due and payable at the time of delinquency of any unpaid water impact fees or service charges. Interest shall accrue on unpaid liens at the rate of 12 percent per annum.

(B) The City shall be entitled to institute foreclosure proceedings at any time after a lien is attached when the fees are delinquent for a period of more than thirty (30) days, such proceedings to be in accordance with law, and the City shall be entitled to collect reasonable attorneys' fees from the owner for services rendered by the City's attorneys in the institution and prosecution of such foreclosure proceedings. [Reference F.S. 159.17]

WASTEWATER SYSTEM FEES AND CHARGES

§ 53.20 OBJECTIVE. [MOVED FROM 50.080]

The objective of this system of fees and charges is to generate revenues from user charges adequate to pay operational, maintenance, and replacement costs for the sewerage system and treatment works owned and operated by the City. Wastewater Impact Fees have been adopted and established under § 50.40 through § 50.149.

§ 53.21 USER RATES AND CHARGES. [MOVED FROM 50.083]

The rates and charges adopted hereby shall apply to each customer of the City's overall wastewater system. These rates and charges may be amended by resolution of the City Commission.

(A) Wastewater service deposit. For new wastewater user water accounts, the customer shall pay a wastewater service deposit to be determined as follows:

- (1) Residential account deposit charges: \$45 per customer
- (2) Commercial account deposit charges:

Water Meter Size (Inches)	Minimum Wastewater Deposit (Dollars)
5/8 x 3/4"	45
1	115
1-1/2	225
2	360
3	720
4	1,125
6	2,250
8	3,600
10	4,000

(3) A master-metered multi-unit customer deposit is 50% per ERU of a single family deposit.

(4) Actual deposit for commercial customers shall be the greater of two times the projected monthly billing or the minimum shown above as determined by the City Manager or his designee.

(B) Base Fees. The minimum monthly charge to uses shall be the Seminole County Wholesale Sewage Rate, as adjusted from time to time by the County.

(C) Residential Maximum Water Use. There shall be a maximum user monthly charge based upon a maximum water use of 10,000 gallons of metered water use per month for residential customers.

(D) Base Fees based on readiness to serve shall be as follows:

(1) Residential base fee: \$6.50 per month;

(2) Commercial base fees;

Water Meter Size (Inches)	Charge (Dollars)
5/8 x 3/4"	6.50
1	14.90
1-1/2	28.90
2	45.70
3	90.50
4	140.90
6	280.90
8	280.90
10	280.90

Note: Base Fees for 8" and 10" meter sizes shall be equal to 6" meter size as additional capacity is related to water flow rather than wastewater flow.

~~(C) Sewer meters. Any Class D, E, F, or G sewer user may petition the city for permission to install a separate wastewater flow meter. Subject to such conditions as the city deems appropriate, including but not limited to payment by the customer of all costs of the meter and installation thereof, the city may in its sole discretion permit the use of a separate appropriate sewage flow meter.~~

~~(D) Seminole County wholesale wastewater sewage treatment and disposal charge pass through provision. To the extent Seminole County's wholesale sewage treatment and disposal charges to the City are increased or decreased (expressed on a dollar per one thousand gallon~~

basis for such wastewater service), the City shall immediately pass through the adjusted charges to the City's wastewater customers. The adjustment for the change in wholesale sewage treatment and disposal charges shall be added to the wastewater retail user charges as provided hereinabove in effect at the time of the adjustment and shall apply to each customer beginning with the next full billing cycle after the effective date of the wholesale sewage treatment and disposal charge rate adjustment.

(F) Sewer Impact Fees. Sewer impact fees shall be paid, collected, and administered as set forth in Chapter 50.

§ 53.22 SEWER CHARGES APPLICABLE IF SEWER AVAILABLE. [MOVED FROM 50.0809

The rates and charges established by this chapter shall apply to all users, whether owner, tenant, or occupier of the City sanitary sewer system where a City sewer is available for use, whether or not connection has been made to the sewer. These charges shall not apply to any nonconnected user, however, until after notice of sewer availability, as required by F.S. 381.00655, as may be amended from time to time.

WATER SYSTEM FEES AND CHARGES

§ 53.30 OBJECTIVE.

The objective of this system of fees and charges is to generate revenues from user charges adequate to pay operational, maintenance, and replacement costs for the water system owned and operated by the City. Water System Impact Fees have been adopted and established under § 51.51 through 51.68.

§ 53.31 RATES AND CHARGES. [MOVED FROM § 51.08]

The rates and charges adopted hereby shall apply to each customer of the City's overall water system. These rates may be amended by resolution of the City Commission. ~~beginning with the charges payable by the customer in connection with the second reading of the customer's water meter after the effective date of this section, except those charges contained in divisions (B) through (H) of this section. With the foregoing sentence, the city intends to apply these new rates and charges (except as noted otherwise) to each customer beginning with the next full billing cycle. This section shall be read and applied in conjunction with Chapter 55~~

(A) CITY POTABLE WATER SYSTEM ~~CHARGE SCHEDULE~~ MONTHLY RETAIL SERVICE RATES¹:

(A) Monthly retail service rates:

	ERU Factor	Rates
INDIVIDUALLY METERED RESIDENTIAL		

<u>Readiness to Serve Charge/Base Fee</u>	1.0	\$4.20
Usage Charge per 1,000 gallons:		
0-3,000 gallons per ERU		\$0.75
3,001-10,000 gallons per ERU		\$1.15
10,001-20,000 gallons per ERU		\$1.55
20,001 - 30,000 gallons per ERU		\$ 2.15
30,001 - 40,000 gallons per ERU		\$ 3.05
40,001 - 50,000 gallons per ERU		\$ 4.25
Above 50,000 gallons per ERU		\$ 5.45
Minimum Bill (per ERU) [1]²		\$ 6.45
RESIDENTIAL IRRIGATION		
<u>Readiness to Serve Charge/Base Fee</u>	1.0	\$4.20
Usage Charge per 1,000 gallons:		
0-3,000 gallons per ERU		\$1.15
3,001-20,000 gallons per ERU		\$1.55
20,001 - 30,000 gallons per ERU		\$ 2.15
30,001 - 40,000 gallons per ERU		\$ 3.05
40,001 - 50,000 gallons per ERU		\$ 4.25
Above 50,000 gallons per ERU		\$ 5.45
Minimum Bill (per ERU) [1]²		\$ 7.65
MULTI-UNIT		
<u>Readiness to Serve Charge/Base Fee (per unit) [21]</u>	0.5	\$1.75
Usage Charge per 1,000 gallons:		
0-1,500 gallons per unit		\$0.75
1,501-5,000 gallons per unit		\$1.15
5,001-10,000 gallons per unit		\$1.55
Above 10,000 gallons per unit		\$2.15
Minimum Bill (per unit) [1]²		\$2.88
<u>COMMERCIAL SERVICE</u> ²		
<u>Readiness to Serve Charge/Base Fee</u>		

5/8 x 3/4"	1.0	\$4.20
1"	2.5	\$9.45
1½"	5.0	\$18.20
2"	8.0	\$28.70
3"	16.0	\$56.70
4"	25.0	\$88.20
6"	50.0	\$175.70
8"	80.0	\$281.70
10"	115.0	\$404.80
Usage Charge per 1,000 gallons:		
0-3,000 gallons per ERU		\$0.75
3,001 - 10,000 gallons per ERU		\$1.15
10,001-20,000 gallons per ERU		\$1.55
Above 20,000 gallons per ERU		\$2.15
Minimum Bill		
5/8 x 3/4"		\$6.45
1"		\$15.08
1½"		\$29.45
2"		\$46.70
3"		\$92.70
4"		\$144.45
6"		\$288.20
<u>GENERAL SERVICE COMMERCIAL IRRIGATION</u> ² {3}		
<u>Readiness to Serve Charge/Base Fee</u>		
5/8 x 3/4"	1.0	\$4.20
1"	2.5	\$9.45
1½"	5.0	\$18.20
2"	8.0	\$28.70
3"	16.0	\$56.70
4"	25.0	\$88.20

6"	50.0	\$175.70
8"	80.0	\$281.70
Usage Charge per 1,000 gallons:		
0-3,000 gallons per ERU		\$1.15
3,001-20,000 gallons per ERU		\$1.55
Above 20,000 gallons per ERU		\$2.15
Minimum Bill		
5/8 x 3/4"		\$7.65
1"		\$18.08
1½"		\$35.45
2"		\$56.30
3"		\$111.90
4"		\$174.45
6"		\$348.20

¹ All consumers outside of the City limits shall pay a surcharge of 25% in addition to the above-listed rates.

² The minimum bill includes a usage charge for 3,000 gallons.

² This table applies to all customers not considered as individually metered residential, residential irrigation, or multi unit.

~~— [1] — Minimum bill includes a usage charge for 3,000 gallons.~~

[1] One unit is considered to be 0.5 ERU.

~~— [3] — Reflects all customers not considered as individually metered residential, residential irrigation, or multi-unit.~~

(B) CITY RECLAIMED WATER SYSTEM MONTHLY RETAIL SERVICE RATES:

RECLAIMED WATER	
<u>Readiness to Serve Charge/Base Fee</u>	
5/8 x ¾"	\$4.20

1"	\$9.45
1½"	\$18.20
2"	\$28.70
3"	\$56.70
4"	\$88.20
6"	\$175.70
8"	\$291.70

Reclaimed Water Pass Through Provision: Usage charge per 1,000 gallons shall be the rate as charged by the City of Sanford plus a 25% City surcharge. ~~Reclaimed water pass through provision~~ To the extent that the cost of reclaimed water is increased or decreased by the City of Sanford, the City shall immediately pass through the adjusted charges to the City's reclaimed water customers. The adjustment for the change ~~change~~ in reclaimed water rates shall apply to each customer beginning with the next full billing cycle after the effective date of the rate adjustment.

~~(C2)~~ Charges rounded. These rates shall be charged for all water consumed, rounded to the nearest 100 gallons. For example, if 3,150 gallons are used, the monthly charge will be the same as if 3,200 gallons were consumed. The billing period shall be monthly.

~~(DB)~~ Water impact fees. Water impact fees shall be paid, collected, and administered as set forth in Chapter 51.

~~(EC)~~ Monthly wholesale service rates. The monthly wholesale service rate shall be a volume charge of \$.90 per 1,000 gallons, together with payment of costs for required improvements to be set forth by written agreement on a case-by-case basis. Billing period and payment shall be as set forth by written agreement on a case-by-case basis.

~~(FD)~~ Meters (up to and including 2-inches in size), meter boxes, and distribution lines. Following satisfactory completion of the water supply and distribution system, and upon receipt of the applicable meter ~~connection~~ installation fee, the City shall furnish ~~and~~, install and own the necessary fittings, meter, and meter box at the property line ~~the actual cost of which will be charged to the customer or other appropriate location.~~ The owner or developer of the property desiring service shall bear the expense of the service lateral pipe of the required size, from and including its connection with a corporation stop at the water distribution main in the right-of-way, to and including a curb stop at the property line. Service piping from the ~~meter~~ property line to the building is to be installed by ~~and/or the expense of the property owner or builder~~ developer.

Meters larger than 2-inches shall be furnished and installed by the owner or developer of the property desiring service. Subsequent to installation of the meter, the meter shall be conveyed to the City.

(GE) ~~Tap fee and Meter installation fee. Tap fees and Meter installation fees shall be charged for each connection into the water supply of the City and shall be paid in advance upon making an application. The following fees cover the original turn-on order, the connection of the meter to distribution lines, and the meter:~~

~~(1) Tap fee (work done by city):~~

Size (Inches)	Fee
5/8 and 3/4	\$140
1	140
1-1/2	335
2	475

~~(a) If jacking or jetting is required, the fee for such work will be actual cost plus 10%.~~

~~(b) Labor for three inch or larger installation will be actual cost plus 10%.~~

~~(c) Taps three inches and over will be established upon application.~~

(2) Meter installation fee.

Size (Inches)	Fee
5/8" and 3/4"	\$245
1"	290
1-1/2"	380
2"	490
2"+	cost paid by owner (Sec. F)

~~(a) Three inches and over to be established upon application.~~

~~(b) Meter box extensions, if required, will be furnished at actual cost plus 10%.~~

(HF) Water customer deposits. Water ~~C~~ustomer service deposits are as follows:

(1) Residential account deposit charges: \$40 per customer.

(2) Commercial account deposit charges:

Water Meter Size (inches)	Minimum Water Deposits
---------------------------	------------------------

5/8" & 3/4"	\$40
1"	100
1-1/2"	200
2"	320
3"	640
4"	1,000
6"	2,000
8"	3,200
10"	4,000

(3) A master-metered multi-unit customer deposit is 50% per ERU of a single family deposit.

(4) The Actual deposit for commercial customers shall be the greater of two times the projected monthly billing or the minimum shown above, as determined by the City Manager or his designee.

(IG) Turn-On and Turn-Off Fees. After service is connected, any request to have water turned off will be subject to a turn-off fee of \$10. Additionally, there will be a charge of \$10 for any turn-on requested or required after the original installation. In the case where only a reading of the meter is necessary, a \$10 fee will be charged which shall be equally distributed between the old and the new customer. In addition to the foregoing, the city shall pay to the city, from the general funds of the city, the sum of \$7,500 per year as rent for all fire hydrants within the city. Same day service connections must be requested by 3:00 p.m. on a weekday, or an after hours charge of \$45 will apply for same day turn-on service.

(J) Temporary (Hydrant) Meter. The City may offer the rental of a temporary (hydrant) meter when needed for construction. A customer deposit of \$800 is required and monthly charges will be billed based on commercial base fees and usage charges.



MEMORANDUM

DATE: October 16, 2014

TO: Mayor and City Commission

FROM: Tom Tomerlin, Economic Development Manager

VIA: Jackie Sova, City Manager

SUBJECT: Economic Development Marketing

BACKGROUND:

The City of Lake Mary is widely recognized for its economic development track record. However, the City does not currently have a customized marketing piece geared toward business attraction. Moreover, a common misperception is that the City is running out of room for development geared toward business and job growth.

DESCRIPTION OF THE PROJECT:

A draft (review) copy of a marketing piece is attached for City Commission review. The purpose of the proposed booklet is to inform prospective businesses of 'opportunity zones' within the City. The attached draft is a work in progress and will certainly undergo further refinement and revision.

DISCUSSION:

This marketing piece attempts to communicate the potential for economic development in the City of Lake Mary. In particular, it provides an inventory of potential development sites suitable for business growth. A basic goal of the booklet is to convey to the reader that the City of Lake Mary has ample room for high quality business growth. Another important consideration is the fact that the internet has become a primary gateway into a community. Recognizing this, the booklet will be adapted into an internet-based platform for our website.

RECOMMENDATION:

That the City Commission review the attached booklet and provide feedback and proposed revisions.

ATTACHMENTS:

Opportunity - Lake Mary, Marketing Piece (DRAFT)

LAKE MARY



The City of Lakes

BUSINESS OPPORTUNITY



**BUSINESS DEVELOPMENT | SMALL BUSINESS
INCENTIVES | CORPORATE HEADQUARTERS**

**FIND
YOUR
WORK-LIFE
BALANCE**

DRAFT

CREDITS

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DRAFT



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- 17..... Downtown Lake Mary
- 21..... Lake Mary Midtown
- 25..... International Parkway Target Industry Zone
- 29..... High Tech Corridor
- 33..... List of all parcels
- 34..... Contacts

**FOR ADDITIONAL COPIES
AND INFORMATION CONTACT:**
Tom Tomerlin,
Economic Development
PO Box 958445
Lake Mary, FL 32746

OPPORTUNITY ZONES

DRAFT

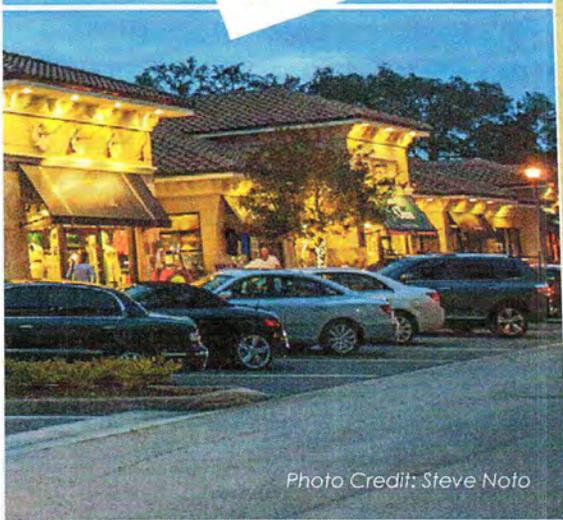


Photo Credit: Steve Noto



RINEHART BUSINESS CENTER

Primera Boulevard,
Rinehart Road



DOWNTOWN LAKE MARY

Lake Mary Boulevard
SunRail Development



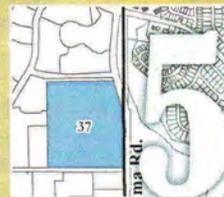
LAKE MARY MIDTOWN

Lake Mary Boulevard,
Longwood Lake Mary Road



INTERNATIONAL PARKWAY INDUSTRY ZONE

International Parkway,
Business Center Dr

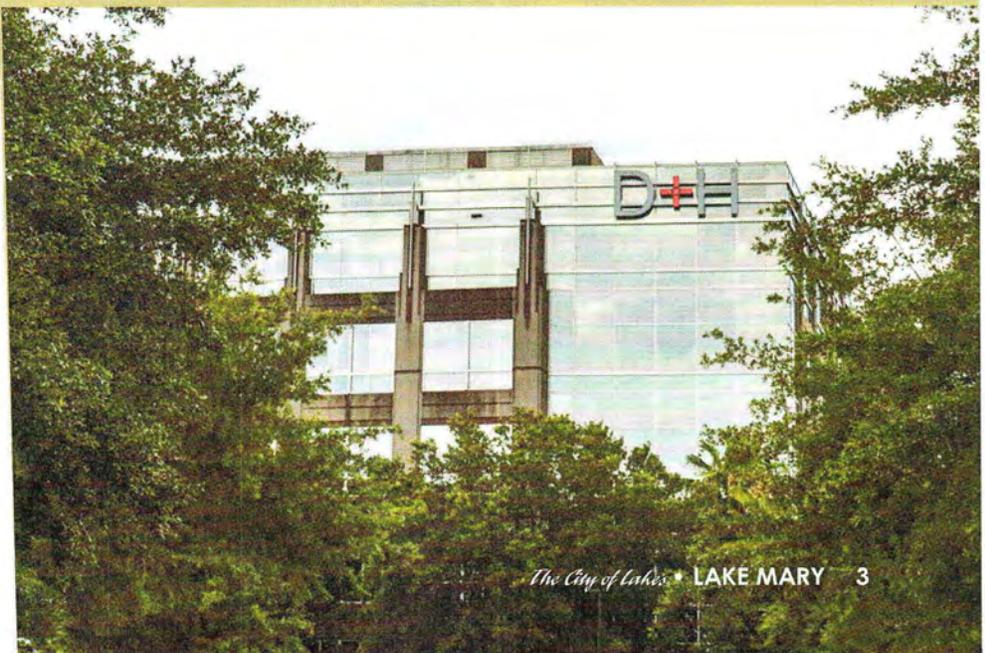


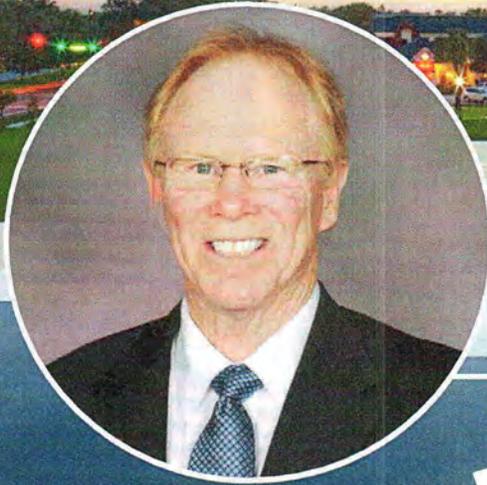
HIGH TECH CORRIDOR

Lake Emma Road

We're all familiar with the expression ... **work-life balance**. We've seen countless books and articles give advice on how to achieve it. Truth is, achieving that balance has a lot to do with where you live and work. We think you'll agree that a work-life balance comes naturally in the City of Lake Mary. Locating your business to the City of Lake Mary will appeal to your business half. Even better, a decision to move to Lake Mary will captivate your personal half.

This booklet outlines several attributes and opportunity sites within the City of Lake Mary. The good news is there is room for your business in Lake Mary – where everyone is waiting for you!





A Message FROM THE MAYOR

DRAFT

Hello and welcome to the City of Lake Mary! On behalf of the City Commission, I thank you for your interest in Lake Mary, the City of Lakes. Lake Mary has it all – perfect location in Central Florida, excellent quality of life, a pro-business attitude, and a commitment to education that drives a productive workforce. The development of our key opportunity zones allows us to cooperate with large businesses and provide the best climate for your business in Lake Mary.

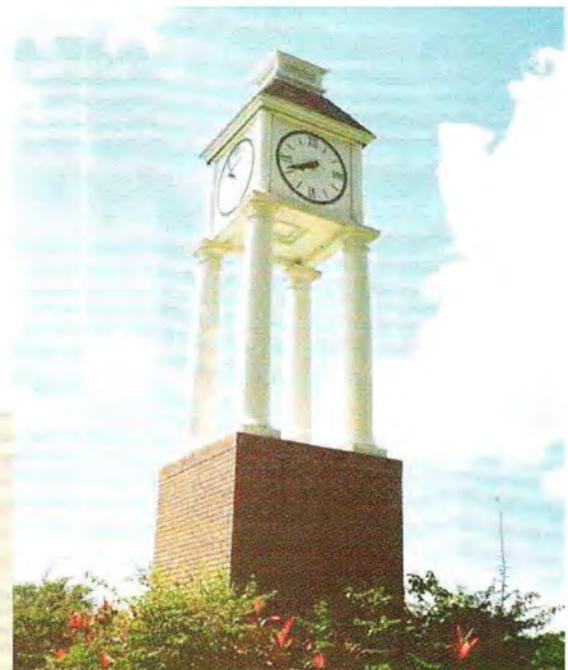
This is a City that strives for excellence and professionalism. We have received awards for our parks, recreational facilities, financial reporting, and our commitment to the environment. We want you to come see why many national firms have chosen to build or relocate to Lake Mary. We are proud that Lake Mary is becoming a location of choice for firms that want to consolidate their high-value operations in one place.

This guide will take you through the history of the City of Lake Mary, explain the best reasons to live and work here, and highlight how the City can meet all of your business needs. Have a look at what Lake Mary can offer and you'll see why we were recently named one of the "Best Places to Live" by *Money Magazine* and one of the top ten "Best Towns for Families" by *Family Circle Magazine*.

If you are interested in an excellent quality of life, a great community that is open for business, and a place to raise a family – I know you agree Lake Mary has it all.

David J. Meador

– David J. Meador



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History OF LAKE MARY

FRANK EVANS

There were many people involved in the creation of today's modern, upscale community, but Frank Evans probably had the most influence on Lake Mary and achieved a permanent place in the history of Seminole County. Frank came to Lake Mary in 1882 with his parents and his two brothers. As a small boy, he was fascinated by the circus and, in particular, the tight rope act. He perfected his own version of the act and was part of the Bailey Circus before it merged with P.T. Barnum. He entertained up and down the eastern seaboard before his father insisted he return to his studies.

Frank Evans became a brilliant chemist whose company manufactured dyed goods and textiles. He used his talent and financial resources to build and promote Lake Mary as a community. He led the original Lake Mary Elementary School, along with many commercial buildings and new homes for the Lake Mary community and the Seminole County area. In 1923 he founded the Chamber of Commerce and he became a Seminole County Commissioner in 1926. Many of his descendants still reside in Lake Mary.



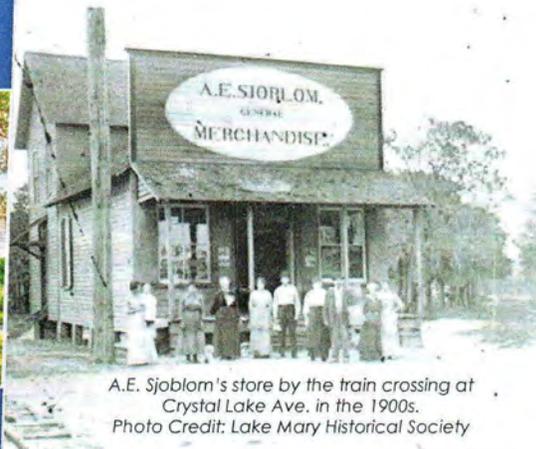
Frank Evans built this building in 1926. Once the home of the Chamber of Commerce and City Hall, it now houses the Lake Mary History Museum.
Photo Credit: Melissa Hudson

Although Lake Mary's beginning dates back to the 1800s, the City did not incorporate until August 7, 1973. The City was named after Mary Sundell, the wife of Reverend J.F. Sundell, who settled on the northern shores of the lake. Reverend Sundell organized the Presbyterian congregation in 1894. Lake Mary started as a village of two tiny settlements called Bent's Station and Belle Fontaine.

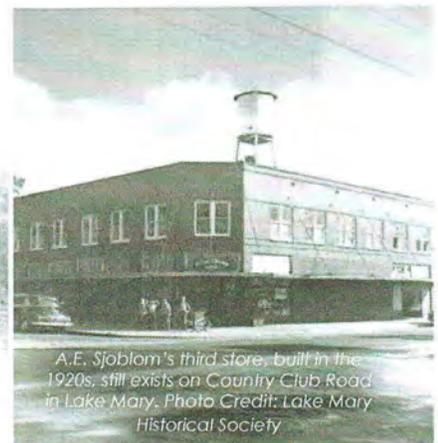
In its early years, Lake Mary was a citrus-based agricultural community. The village began to come into its own around 1880 when the South Florida Railroad came through and connected Sanford with Orlando. The railroad established a stop in Lake Mary, putting it on the map. The first Lake Mary Post Office was established in February of 1887.

Early settlers included lumbermen, turpentine workers, families from Fort Reed (Sanford) who had received land grants, and Swedish families who were mainly orange growers. Later, the railroad workers and winter visitors arrived from the north. In its early years, Lake Mary housed, in addition to the normal establishments, a dance casino, a bath-house, a hotel, and a factory which produced starches, farina and tapioca from the cassava plant. Following the devastating citrus freezes of 1894 and 1895, the factory saved what was then the citrus community of Bents, near Crystal Lake. It's clear that the city of Lake Mary has deep roots with area business, and this is still very evident today.

Source: Lake Mary Museum, www.lakemaryhistory.org



A.E. Sjoblom's store by the train crossing at Crystal Lake Ave. in the 1900s.
Photo Credit: Lake Mary Historical Society



A.E. Sjoblom's third store, built in the 1920s, still exists on Country Club Road in Lake Mary. Photo Credit: Lake Mary Historical Society

10

Top 10 Reasons FOR LOCATING YOUR BUSINESS IN THE CITY OF LAKE MARY

DRAFT

“AFTER SEARCHING THE COUNTRY FOR PERFECT PLACES TO CALL HOME, WE CHOSE THESE COMMUNITIES FOR THEIR STELLAR SCHOOLS, AFFORDABLE HOUSING AND GIVING SPIRIT.”

— FAMILY CIRCLE

UNMATCHED QUALITY OF LIFE

The City of Lake Mary has an unparalleled quality of life that is ideal for you, your family, and your business. The City hosts community events throughout the year and has a growing, pedestrian downtown area with all of the urban amenities you need. Lake Mary has the honor being one of Money Magazine's "Top 100 Best Places to Live" in 2007 and one of Family Circle's "10 Best Towns for Families" in 2014.

AWARD-WINNING PARKS AND RECREATION

Lake Mary, the City of Lakes, provides the perfect amount of Florida nature. The small town charm partners with award-winning parks and recreation, extensive biking and nature trails, and innumerable lakes creating a beautiful community lifestyle. Well-maintained facilities such as the Community Center and the Events Center offer great space for hosting business meetings and award-winning space for weddings and receptions, as indicated by The Knot and Orlando Magazine

LAKE MARY EVENTS

Lake Mary is host to tremendous events throughout the year that engage the community. Each Saturday, the Downtown area hosts the Farmer's Market, where local vendors sell fresh produce, flowers, honey, jewelry, food for your pets, and more. WineART Wednesdays create an enjoyable atmosphere of food trucks, a wine and beer garden, shopping, art, and live music. For more than 25 years, the Lake Mary-Heathrow Festival of the Arts has showcased hundreds of artists from around the world.

ORLANDO'S ATTRACTIONS

Only thirty minutes north of Orlando, Lake Mary is close to the metropolitan downtown and all its amenities. Orlando has an ideal, Central Florida location, that is a hotspot for tourists due to the great attractions – Disney World, Universal Studios Orlando, and SeaWorld all call Orlando their home. This international presence allows for Orlando International Airport, with 35 airlines and almost 800 flights a day. Also nearby is Orlando-Sanford International Airport, Florida's busiest international airport after Miami International and Orlando.



BUSINESS FRIENDLY ATTITUDE

Lake Mary is open for business and is already the home of many large companies. Some of the City's most prominent employers are AT&T, Verizon Wireless, Symantec, Sungard, FARO Technologies, ABB, Blue Cross Blue Shield, and Axiom Healthcare, each maintaining a footprint of 100 employees or more.

PUBLIC TRANSPORTATION

Seminole County and Orlando's tremendous public transportation system allows you to get from point A to point B with ease. Lynx provides local bus service with more than sixty daily routes.

An exciting new addition to Seminole County is the commuter rail, SunRail. With a convenient station in Lake Mary, SunRail provides a comfortable riding experience that lets you skip rush-hour traffic and get to downtown Orlando in just over half an hour with stops at many other Seminole County cities. The passenger trains are equipped with Wi-Fi and power outlets for rider convenience and were built with increased fuel efficiency and lower emissions in mind.

An additional program available to businesses is the VanPool program, allowing your business to lease a vehicle that will commute between your company location in Lake Mary and the SunRail station. This program is provided by Lynx in partnership with the City of Lake Mary.

A+ PUBLIC SCHOOL SYSTEM

Seminole County Public Schools is one of the highest-rated school systems in the nation. With a standout high school, two middle schools, and three elementary schools, Lake Mary offers public K-12 education, as well several private and parochial education options. The close proximity to Seminole State College, the University of Central Florida, and several private colleges also provides many local opportunities for continuing education. The students of Seminole County Public Schools are annually recognized for their performance in academics and their participation in academic competitions, athletics, performing and visual arts, as well as student government.



EDUCATED WORKFORCE

Lake Mary has a robust commitment to education and has an even stronger workforce. The concentration of high school diplomas and bachelor's degrees is higher than that of Seminole County and the State of Florida. 43.2 percent of the resident population hold bachelor's degrees or higher. The region also has the nation's second largest university and research hub - the University of Central Florida. Seminole State College of Florida has one of its four campuses in Lake Mary. Both of these local, higher-education institutions provide more than 200 degree programs and continue to feed an industry-ready workforce. Private colleges, including Rollins and Stetson, only a short drive away, provide another alternative. These private options both provide about 70 degree programs that also feed into the accelerated workforce of Central Florida.

STRATEGIC PARTNERSHIPS

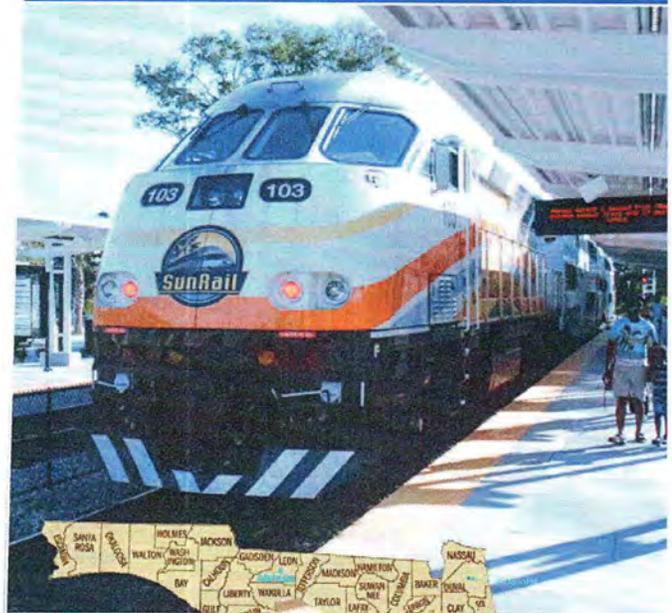
The City offers strategic partnerships with Seminole County, Metro Orlando Economic Development Commission, and Enterprise Florida providing incentive programs that will make bringing your business to Lake Mary much simpler. The tax base is well split between residential and commercial uses, there are low property taxes, and there is no state income tax. Lake Mary also has the lowest ad valorem tax rate in Seminole County.

SUNSHINE STATE

Central Florida is a distinctive place with year-round sunshine and fantastic weather. The proximity to nature's amenities - from the beach and parks to entertainment and shopping - create a unique lifestyle to live, work, and play. Lake Mary is the natural choice.

“ FOR THIS YEAR'S LIST WE FOCUSED ON SMALLER PLACES THAT OFFERED THE BEST COMBINATION OF ECONOMIC OPPORTUNITY, GOOD SCHOOLS, SAFE STREETS, THINGS TO DO AND A REAL SENSE OF COMMUNITY.”

— MONEY MAGAZINE





CITY OF LAKE MARY *Demographics*

A CITY FOR YOUNG ADULTS

Lake Mary is becoming a perfect city for today's young adults. Access to higher education, connected public transportation with SunRail to Orlando, as well as many new homes and apartments provide one of the best places to live.

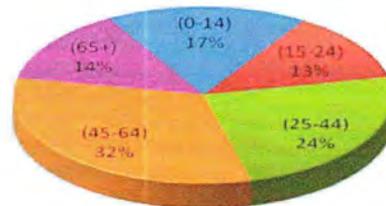
A walkable downtown with unparalleled shopping, dining, and events create an authentic urban feel within a relaxed hometown environment.

POPULATION BY AGE

The median age in Lake Mary is 42 years, slightly higher than Seminole County and the State of Florida. There is a vibrant young community as almost a quarter of residents are between 25 and 44 years of age. About a third of the population is between 45 and 64.

POPULATION BY AGE

Source: Metro Orlando EDC, 2013 Estimates.



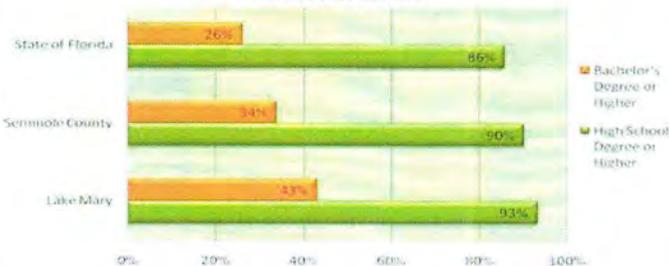
EDUCATIONAL ATTAINMENT

Lake Mary has a very high proportion of high school graduates and an exceptional number of residents with a Bachelor's degree or higher. 93% of Lake Mary residents hold high school diplomas and over 43% have a bachelors degree or higher! 14% have graduate-level and professional degrees. The City's robust commitment to education from kindergarten to graduate school provides a powerful workforce for today's leading industries.

The region also has the nation's 2nd largest university and a research hub, the University of Central Florida, and Seminole State College of Florida has one of its four campuses in Lake Mary. Both of these local, higher-education institutions provide about 200 degree programs and continue to feed an industry-ready workforce. Private colleges such as Rollins and Stetson provide a smaller alternative, only a short drive away; these private options both provide about 70 degree programs that also feed into the excellent workforce of Central Florida.

EDUCATIONAL ATTAINMENT

Sources: Metro Orlando EDC, 2013 Estimates; US Census, 2012 Estimates



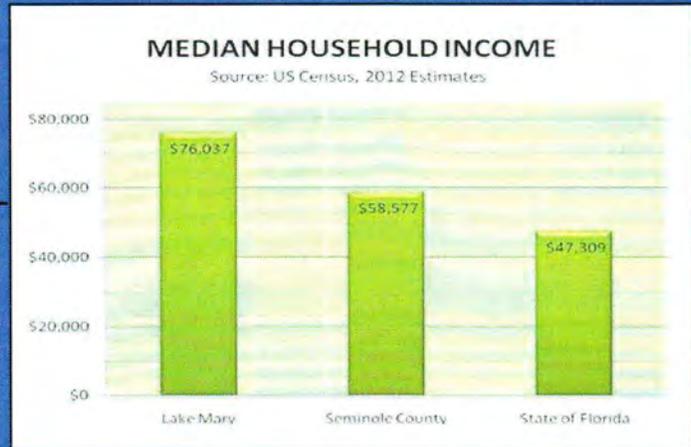
INDUSTRY DISTRIBUTION

Lake Mary boasts a high concentration of professional, educational, and business services that reflect the City's commitment to education. The four largest industries are (1) Educational, Health, Social Service; (2) Professional, Scientific, Management; (3) Retail; and (4) Finance, Insurance, Real Estate. (Lake Mary already has a diverse, business-driven community that is ready to complete your business half.)



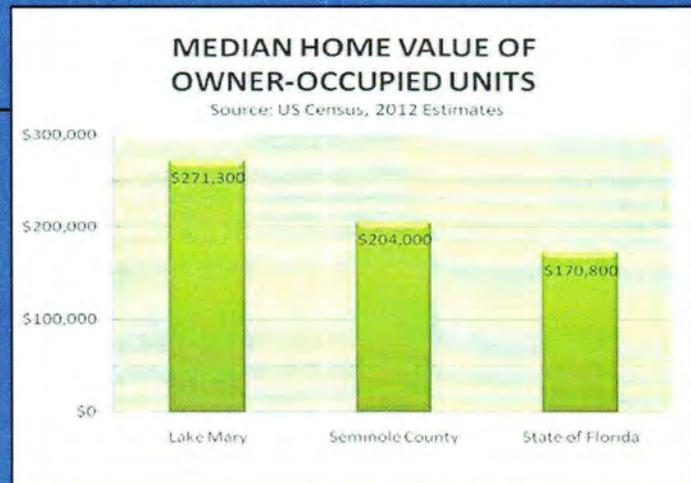
MEDIAN HOUSEHOLD INCOME

Lake Mary's residents are some of Seminole County's and Florida's most affluent. The median household income in Lake Mary is \$76,037, a figure much higher than the State of Florida level of \$47,309 and higher than Seminole County's level of \$58,577.



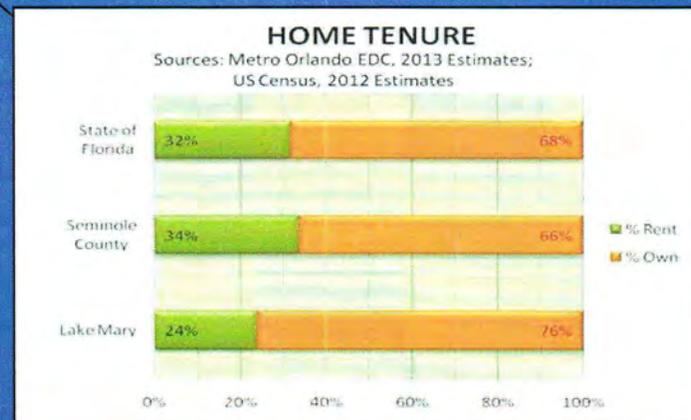
HOME VALUE

The median home value of owner-occupied units in Lake Mary is \$271,300. This is greater than both Seminole County and the State of Florida, with median values of \$204,000 and \$170,800, respectively.



HOME TENURE

The majority of Lake Mary residents own rather than rent homes. 76 percent of residents own their home, slightly more than the Florida average of 68 percent, and more than the 66 percent average in Seminole County.



All these factors have contributed to the county maintaining a consistently lower unemployment rate than the nation, state, and region. In December 2013, Seminole County's unemployment rate was 5.1 percent, compared to the State of Florida's rate of 5.9 percent, and the national rate of 6.5 percent (not seasonally adjusted rates). Currently, the community's unemployment rate is at a level consistent with 'full employment' conditions according to many economists.

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LAKE MARY - THE CITY WITH *Incentives*

Incentives are essential to attracting great businesses. Through Lake Mary's partnerships with Seminole County Government Metro-Orlando Economic Development Commission, and Enterprise Florida, we are able to provide incentives and funding that will save your business money, improve your transition into the community and promote the contribution you make to our economy. Below are some of the programs for which your business may qualify:

Orlando Targeted Industries



BUSINESS SERVICES

- Professional Services
- Financial Services
- Shared Services
- Management Consulting
- Contact Centers
- IT Services

ADVANCED TECHNOLOGIES

- Modeling, Simulation & Training (MST)
- Optics & Photonics
- Cleantech
- Software Development
- Energy Solutions
- Computer Science
- Advanced Materials
- Emerging Technologies

FILM & DIGITAL MEDIA

- Traditional Content Production
- Post Production & Visual FX
- Game Development
- Mobile App Development
- Software Development
- Interactive Website Development

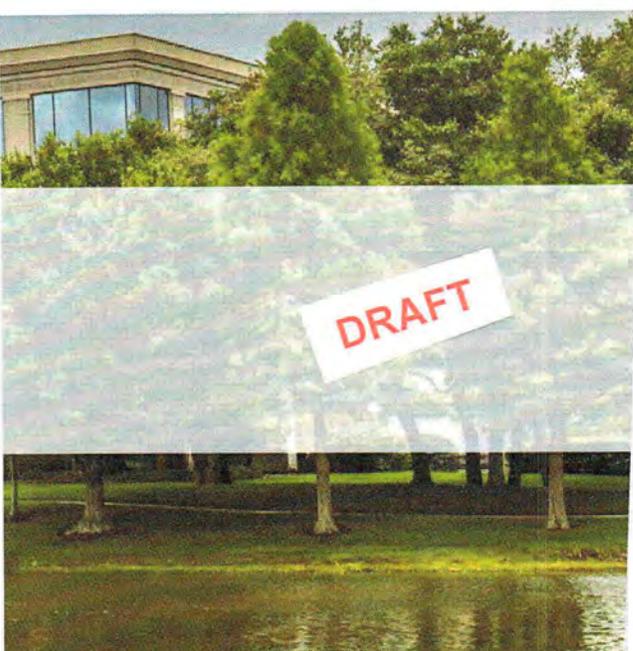
LIFE SCIENCES & HEALTHCARE

- Specialty Pharma & Pharmaceuticals
- Medical Devices
- Biotechnology
- Diagnostic Testing
- Clinical Trials
- Bio Informatics
- Medical Simulation

AVIATION/AEROSPACE & DEFENSE

- Defense Industry
- Modeling, Simulation & Training (MST)
- Maintenance, Repair & Overhaul (MRO)
- Optics & Photonics
- Serious Games
- Air Service Development

CORPORATE HEADQUARTERS // ADVANCED MANUFACTURING / RESEARCH & DEVELOPMENT



STATE OF FLORIDA INCENTIVES

QUALIFIED TARGET INDUSTRY TAX REFUND (QTI)

The Qualified Target Industry Tax Refund incentive is available for companies that create high wage jobs in targeted high value-added industries. This incentive includes refunds on corporate income, sales, ad valorem, intangible personal property, insurance premium, and certain other taxes. Pre-approved applicants who create jobs in Florida receive tax refunds of \$3,000 per net new Florida full-time equivalent job created; \$6,000 in an Enterprise Zone or Rural Community (county). For businesses paying 150 percent of the average annual wage, add \$1,000 per job; for businesses paying 200 percent of the average annual salary, add \$2,000 per job; businesses falling within a designated high impact sector or increasing exports of its goods through a seaport or airport in the state by at least 10 percent in value or tonnage in each year of receiving a QTI refund, add \$2,000 per job; projects locating in a designated Brownfield area (Brownfield Bonus) can add \$2,500 per job. The local community where the company locates contributes 20 percent of the total tax refund. No more than 25 percent of the total refund approved may be taken in any single fiscal year. New or expanding businesses in selected targeted industries or corporate headquarters are eligible.

CITY OF LAKE MARY INCENTIVES

LAKE MARY JOBS GROWTH INCENTIVE PROGRAM

The City provides up-front, performance-based, cash incentives to qualifying targeted industries that create high-value job opportunities and create significant capital investment in the City.

LAKE MARY INCENTIVE PARTNERING

The City of Lake Mary has established partnerships with Seminole County and the State of Florida and will participate with County and State incentive programs (local matches, etc.) on a case-by-case basis.

LAKE MARY PERMIT ASSISTANCE AND EXPEDITED PERMITTING

Permit-streamlining is achieved through a commitment among the State's regulatory agencies and local governments to provide quicker, less costly and more predictable permitting processes for significant economic development projects without reducing environmental standards.

CAPITAL INVESTMENT TAX CREDIT (CITC)

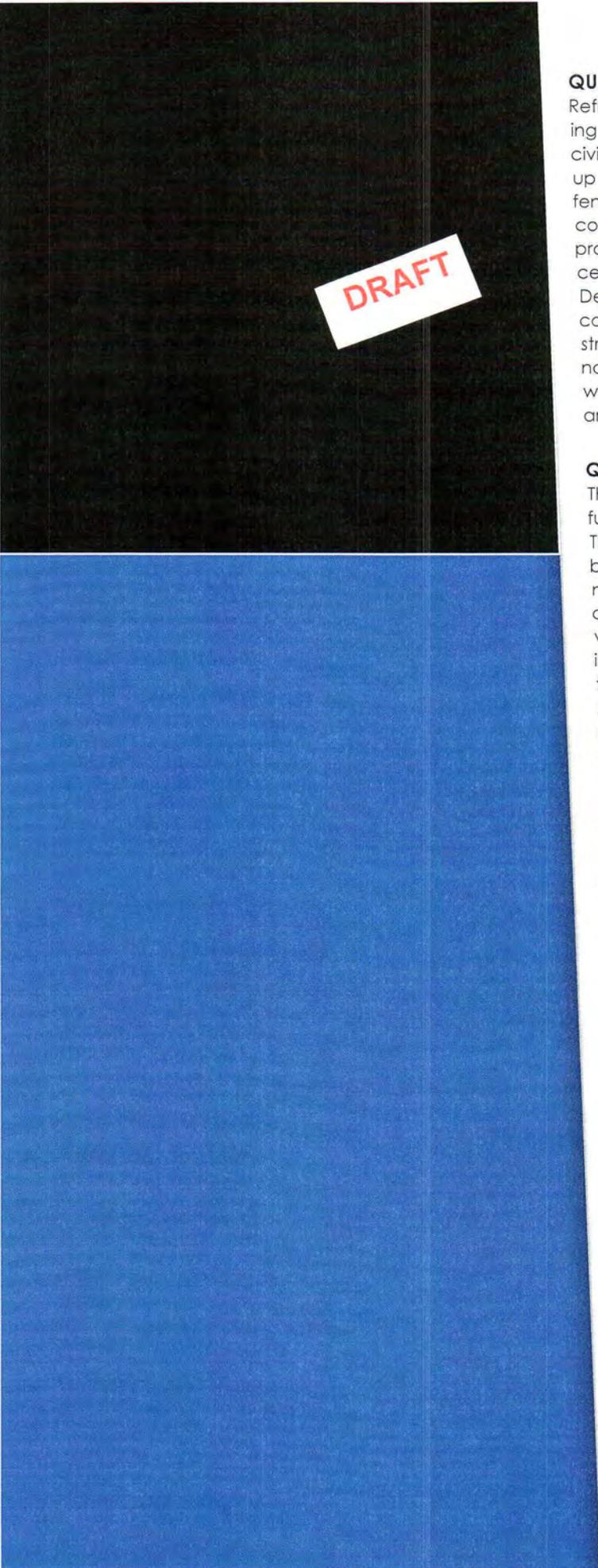
Annual credit against high-impact sector project's Florida corporate income tax for up to 20 years. In order to be eligible for the program, the project must operate within the designated high impact sectors, create at least 100 new Florida jobs, and make a cumulative investment of at least \$25 million in connection with the project during the period from the beginning of construction to the commencement of operations.

ECONOMIC DEVELOPMENT TRANSPORTATION FUND (ROAD FUND)

This is an incentive tool designed to alleviate transportation problems that adversely impact a specific company's location or expansion decision. This grant provides up to \$2 million to local governments for the construction or improvement of transportation infrastructure needed to accommodate new or expanding industry. Permanent full-time positions must be created based on a formula that no more than \$5,000 will be used to create each position. A waiver can be granted if the project is located in an area experiencing severe economic distress.

HIGH IMPACT PERFORMANCE INCENTIVE GRANT (HIPI)

The HIPI Grant is used to attract and grow major high impact facilities. In order to be eligible for this grant, the project must operate within a designated high impact portions sectors, create at least 100 new full-time equivalent jobs in Florida in a 3-year period, and make a cumulative investment in the state of at least \$100 million in a 3-year period. Once recommended by Enterprise Florida, Inc. (EFI) and approved by OTTED, the high impact business is awarded 50 percent of the eligible grant upon commencement of operations and the balance of the awarded grant once full employment and capital investment goals are met.



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QUALIFIED DEFENSE CONTRACTOR TAX REFUND (QDC)

Refund for defense contractors for activities including consolidating defense contracts, acquiring new contracts, or converting to civilian production. Pre-approved projects receive tax refunds of up to \$5,000 per job created or saved in Florida. Conversion of defense jobs to civilian production, the acquisition of a new defense contract, and the consolidation of a defense contract are eligible projects. In order to be eligible, projects must derive at least 60 Percent of its Florida gross receipts from United States Department of Defense or the United States Department of Homeland Security contracts or subcontracts in the applicant's last fiscal year; demonstrate that the jobs created or retained make a significant economic contribution to the area economy; and pay an average wage of at least 115 percent of the state, metropolitan statistical area (MSA), or the local average wages.

QUICK RESPONSE TRAINING INCENTIVE (QRT)

The Quick Response Training Incentive program provides grant funding for customized training to new or expanding businesses. The program is flexible and structured to respond quickly to meet business training objectives. A local training provider – community college, area technical center or university – is selected and available to assist in the application process and program development and delivery. If the business has a training program in place, a state training provider will supervise and manage the training program and serve as the fiscal agent for the grant funds. Reimbursable training expenses include: instructors'/trainers' salaries, curriculum development, textbooks/manuals, and materials/supplies.

INCUMBENT WORKER TRAINING (IWT) INCENTIVE

This program provides employers with funds to train currently employed workers in an effort to keep their firm and workers competitive. The program addresses retraining to meet changing skill requirements caused by new technology, retooling, new product lines and new organizational structuring.

ELECTRICITY SALES TAX EXEMPTION

Exemptions are available on electricity used directly and exclusively at a fixed location to operate machinery and equipment that is used to manufacture items of tangible personal property for sale, or to operate pollution control equipment, recycling equipment, maintenance equipment, or monitoring or control equipment used in such operations.

ENTREPRENEURIAL SERVICES START-UP BUSINESS

FLORIDA HIGH TECHNOLOGY CORRIDOR

Since its creation in 1996 by the Florida State Legislature, the Florida High Tech Corridor Council has focused on one mission: to attract, retain, and grow the high tech industry in the 21-county region of the Corridor. This is accomplished through university research initiatives, the creation of workforce development projects, and joint marketing of the region with economic development, community colleges and industry partners. In any given year, the Council funds dozens of research projects, and an even greater number of workforce, marketing, and industry initiatives.

The Florida High Tech Corridor Council is a strategic partner with the City of Lake Mary and assists the City with marketing and development of Seminole Way.

The Council serves a geographic region encompassing the service area of the University of Central Florida and the University of South Florida. This high tech area boasts six distinct sectors: aviation and aerospace, information technology, medical technology, microelectronics, modeling and simulation, and optics and photonics.

FLORIDA VIRTUAL ENTREPRENEUR CENTER

The Virtual Entrepreneur Center is a web portal designed to provide a robust and easy-to-use resource for local entrepreneurs to find information and services to support their new or growing business. Developed in partnership with the Florida High Tech Corridor Consortium, the Virtual Entrepreneur Center provides useful links to service providers, local government, and other agencies to support starting up your business, expanding your business, or relocating business to Central Florida.

GROWFL

The Florida Economic Gardening Institute's mission is to cultivate growth companies across the state. The program, funded by the Florida Legislature at the University of Central Florida and operated by UCF, involves a host of partners committed to local delivery of statewide services to help second-stage companies achieve their potential. Available to Lake Mary companies and companies throughout the State of Florida, GrowFL provides, at no charge, a suite of high-end, high-speed technical assistance and business resources to companies that have grown beyond the startup phase and need access to information and decision-making tools typically only available to larger companies. A team of highly trained and experienced analysts will be deployed to function not as consultants, but as an extension of your business. Consider them elite staff at your disposal to take your company to the next level. GrowFL draws on the strength of its unique partnerships, which include the Florida Economic Development Council, Enterprise Florida, Workforce Florida, the Florida High Tech Corridor Consortium and others, to help second-stage companies grow.

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ECONOMIC OPPORTUNITIES

Featured Sites

**OPPORTUNITY ZONE 1:
RINEHART BUSINESS CENTER**

**OPPORTUNITY ZONE 2:
DOWNTOWN LAKE MARY**

**OPPORTUNITY ZONE 3:
LAKE MARY MIDTOWN**

**OPPORTUNITY ZONE 4:
INTERNATIONAL PARKWAY INDUSTRY ZONE**

**OPPORTUNITY ZONE 5:
HIGH TECH CORRIDOR**

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The opportunity zones presented in the following pages identify significant land parcels that are entitled and ready to build-to-suit. These only represent a sample of the many places available for your business to grow.



H.E. Thomas Jr. Pkwy (CR 46A)

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Lake Emma Rd.

Longwood - Lake Mary Rd.

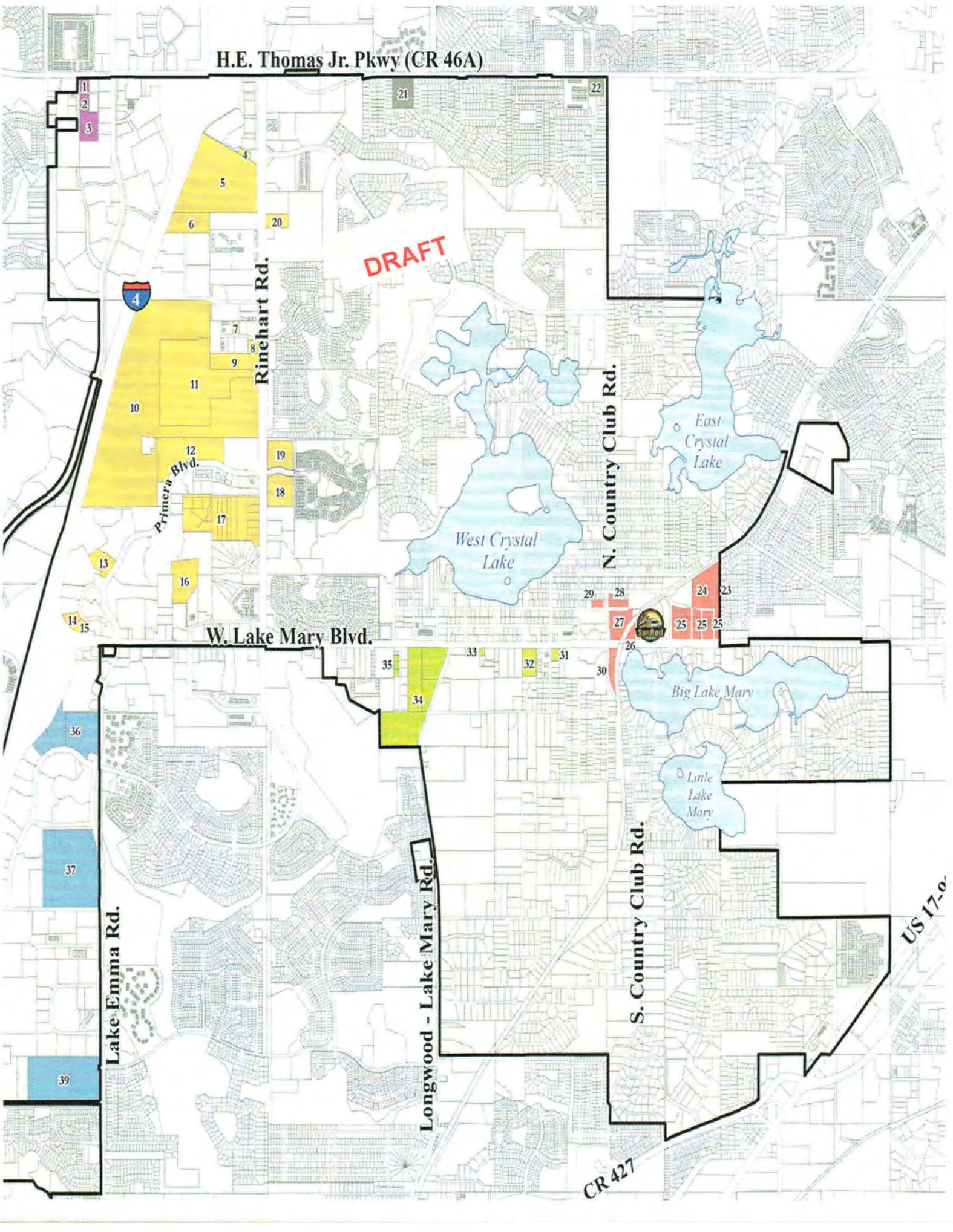
S. Country Club Rd.

N. Country Club Rd.

Rinehart Rd.

Primeria Blvd.

W. Lake Mary Blvd.



CR 427

US 17-0

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The Rinehart Business Center is home to many office buildings, most located in master planned office parks.

For more information please visit LakeMaryFL.com



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OPPORTUNITY ZONE 1: *Rinehart Business Center*

PRIMERA BOULEVARD, RINEHART ROAD

The Rinehart Business Center is oriented along the following roadways – Rinehart Rd., Lake Mary Blvd., CR-46 A, and Primera Blvd. The location provides easy access to I-4 at both ends of Rinehart Rd. and SR-417 access from the CR-46 A. This opportunity zone is home to many professional and medical offices, and could be the perfect location for your firm's offices. The Rinehart Business Center features 17 parcels with approximately 337 acres of commercial and industrial land. Parcels in the north are better suited for light industrial development, while the parcels available closer to Primera Blvd. are in a location perfect for office space and commercial development. The largest parcel has 155 acres with significant I-4 frontage, and the remaining lots have an average of 12 acres available, ranging from less than 1 acre to nearly 55.



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PARCEL 4

This 0.83 acre parcel is targeted for commercial use and is a great location for a drive-through bank site with direct Rinehart Rd. frontage and quick access for I-4.

PARCEL 5

Parcel 6 has nearly 50 acres of space for reuse or redevelopment toward industrial manufacturing or warehousing. This large lot on Rinehart Rd. currently serves as a distribution center.

PARCEL 6

The 8.60 acres of land in this parcel are zoned toward office and light industrial use. Their best use would be geared for office space or a hotel, with significant I-4 frontage.

PARCEL 7

Parcel 7 has about 1 acre of land for development with a targeted commercial use.

PARCEL 8

This 1.41 acre parcel is designated for light industrial use but targeted for office space.

PARCEL 9

Parcel 9 has nearly 8 acres of land targeted for industrial use. The lot is right off Rinehart Rd., midway between the CR-46 A and Lake Mary Blvd.

PARCEL 10

This parcel is the largest in the zone with over 155 acres of undeveloped land. Plans call for a 150 acre office park with up to 1.7M SF of office space and a town center. This site offers the rare opportunity to build a world-class mixed use office park.

PARCEL 11

This 54.64 acre lot is geared for industrial use and can house a building complex with 57,200 SF over an approximate 9.2 acres.

PARCEL 12

This 20 acre parcel is part of the greater, 240 acre, Crescent at Primera Development. The Crescent at Primera features Class A office space, and this parcel is expected to occupy two new 200,000 SF office buildings.

PARCEL 13

Parcel 13 has 4.51 acres of vacant commercial land for up to 75,000 SF office space or a 350-room hotel.

PARCEL 14

This 3.63 acre parcel is meant for general or medical office space. 3 free standing buildings 4117 to 6540 SF are currently planned.

PARCEL 15

This lot has about 2 acres of land for development into 27,616 SF of rentable office space by unit, floor, or building with access from Primera Blvd. and great I-4 ramp frontage.

PARCEL 16

Parcel 16 has 10.55 acres of land targeted for commercial use or office space. This lot is between Primera Blvd. and Lake Mary Blvd.

PARCEL 17

This 2 acre parcel right off Rinehart Rd. has a restricted commercial target use geared for office and some commercial space.

PARCEL 18/19

These parcels are right of the Fountain Park area and have about 7 and 8 acres, respectively, designated for planned commercial development.

PARCEL 20

Parcel 20 is a 3 acre lot perfect for commercial use, office space, or professional and medical offices like its surrounding buildings.

MAP ID	PARCEL NUMBER	SIZE (ACRES)	TARGET USE	ZONING	OWNER
4	06203052000000060	0.83	Commercial	PUD	AMERICAN MOMENTUM BANK
5	06203030000100000	47.77	Industrial	M-1A	UNITED STATES POSTAL SERVICE
6	06203030000300000	8.60	Industrial	A-1	HEPNER TONYA TRUSTEE
7	06203050700000020	0.99	Commercial	PUD	NOS INC LLC
8	06203050700000080	1.41	Industrial	M-1A	RINEHART PROPERTIES LLC
9	06203030002000000	7.90	Industrial	M-1A	CHAMONIX INVESTMENTS LLC
10	0720305MK00000020	155.35	Industrial	M-1A	CRESCENT/FLORIDA LLC
11	0720305MK00000010	54.64	Industrial	M-1A	RINEHART DEV & INV GROUP LLC
12	072030300023A0000	19.23	Commercial	PUD	CRESCENT RESOURCES INC
13	072030300006J0000	4.43	Commercial	PUD	MARTINEZ ISAAC
14	0720305120B000000	3.63	Commercial	PUD	BEAVER DAM DEV LLC
15	0720305120A060000	1.91	Commercial	PUD	ALLAN PROPERTY GROUP INC THE
16	07203051300000020	10.55	Commercial	C-1	LAKE MARY PROPERTY LLC
17	07203030001400000	2.01	Retail/Commercial	C-1	FBA LAND HOLDINGS LLC
18	0820305130F030000	7.93	Commercial	PUD	D R HORTON INC
19	0820305130F040000	7.04	Commercial	PUD	D R HORTON INC
20	05203050800000020	3.05	Commercial	PO	SECURITY NATL LIFE INS CO

ZONE 1

RINEHART BUSINESS CENTER

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Downtown Lake Mary is home to several celebrations, including Holiday in the Park, wineART Wednesdays, and a Farmers Market. For more information please visit LakeMaryFL.com

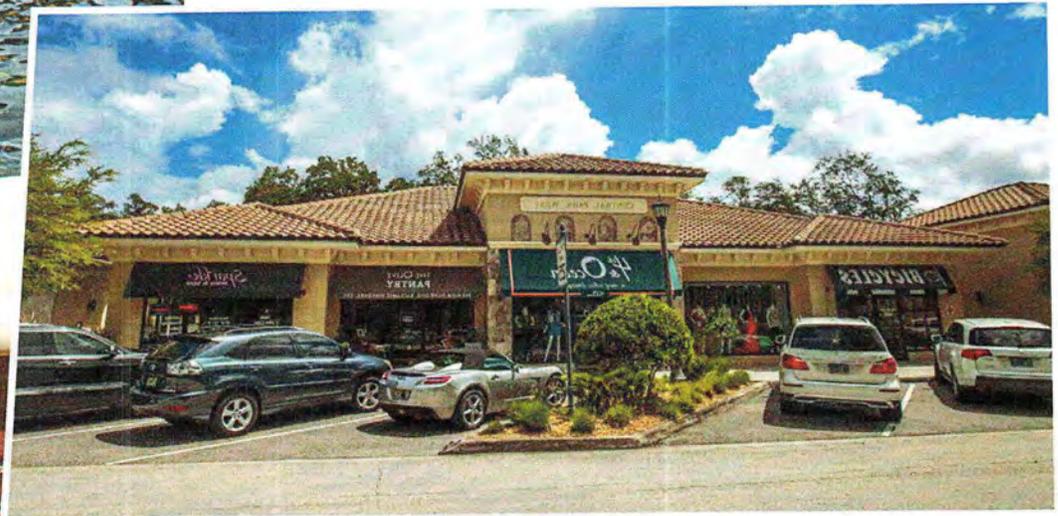
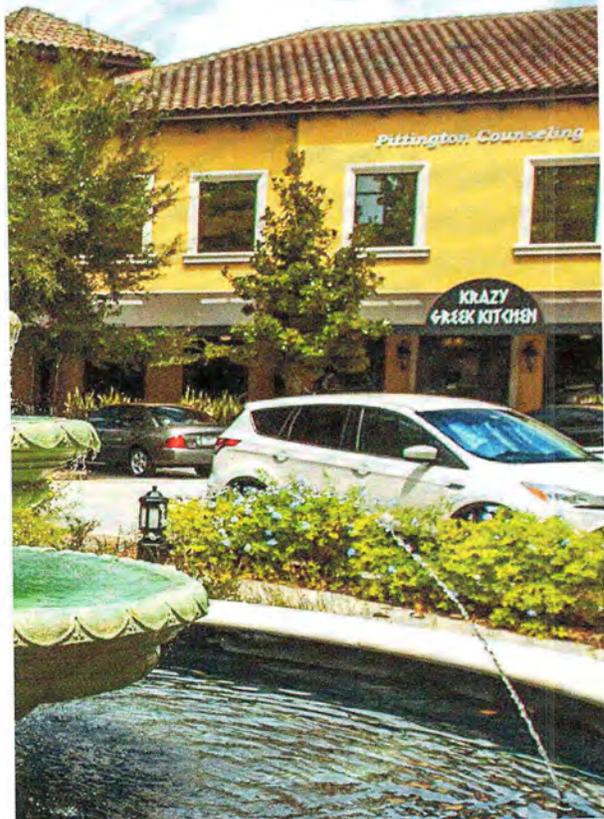
OPPORTUNITY ZONE 2: *Downtown Lake Mary*

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LAKE MARY BOULEVARD, SUNRAIL DEVELOPMENT

Opportunity Zone 2 is Downtown Lake Mary, spanning from Central Park and the City Hall to the greater SunRail development area. This is a very dynamic location in Lake Mary to locate a business as it is home to both a traditional downtown, that is home to the City's unparalleled quality of life and events, and SunRail, the recently added commuter rail that lets you skip rush-hour traffic and get to Downtown Orlando and other Seminole County cities in just over half an hour. Downtown Lake Mary has a walkable downtown with unparalleled shopping, dining, events, and art that create an authentic urban feel with a relaxed hometown environment. With all the amenities Downtown Lake Mary has to offer, it may be the perfect location for your business needs.

The Downtown Lake Mary Zone is part of a master planned area for development. West of the SunRail station is the heart of the downtown area with about 3.24 acres for general commercial use on Country Club Rd., and at the intersection with Lake Mary Blvd. East of the SunRail station are 11 acres, largely undeveloped, for mixed-use multi-family residential, commercial, and loft-style residential units.



PARCEL 23

This 2.41 acre vacant residential lot is targeted for multi-family housing in the City's downtown area.

PARCEL 24

This parcel is very well positioned in the downtown development district, with almost 9 acres of land.

PARCEL 25

This vacant residential lot has 2.46 acres for multi-family or mixed use, including commercial and retail.

PARCEL 26

This 0.37 acre property is also part of the downtown development district and is geared toward office space.

PARCEL 27 & PARCEL 28

These currently houses a large center with over 200,000 SF of mixed-use office and retail space. This lot is located between Lake Mary Downtown and the SunRail station.

PARCEL 28

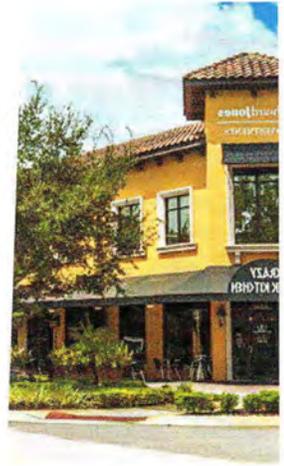
This 0.29 acre parcel in the downtown district currently houses one-story, general retail right on Country Club Rd. This lot is located very close to the Downtown area and the SunRail development and geared for redevelopment for mixed-uses.

PARCEL 29

Parcel 30 is opposite of Parcel 29 on Country Club Rd. and has 0.20 acres for mixed-use.

PARCEL 30

At the intersection of Country Club Rd. and Lake Mary Blvd., this 1.87 acre parcel is designated as restricted commercial, for limited commercial development.



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MAP ID	PARCEL NUMBER	SIZE (ACRES)	TARGET USE	ZONING	OWNER
24	09203030002500000	8.70	DDD	A-1	SWEATT SUZANNE M REV LIV TR
23	09203030002600000	2.41	DDD	R-1A	PANKRETIC MATO & DRAGICA
25	09203050600000500	0.30	DDD	R-1A	NEMESKERI-KISS CSABA & TAMMIE
26	092030300016A0000	0.37	DDD	R-1A	QUALITY REAL EST DEV CORP
27	09203050900000020	0.88	DDD	C-1	7-ELEVEN INC
28	0820305AL38000010	0.29	DDD	C-1	MARMORALE ELMO &
29	08203050337000330	0.20	DDD	C-1	REFERENCE ONLY
30	16203050201000010	1.87	Retail/Commerical	C-1	TRANSCORP CUSTODIAN FOR

ZONE 2

N. Country Club Rd.

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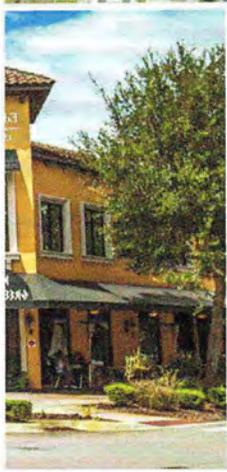


W. Lake Mary Blvd.

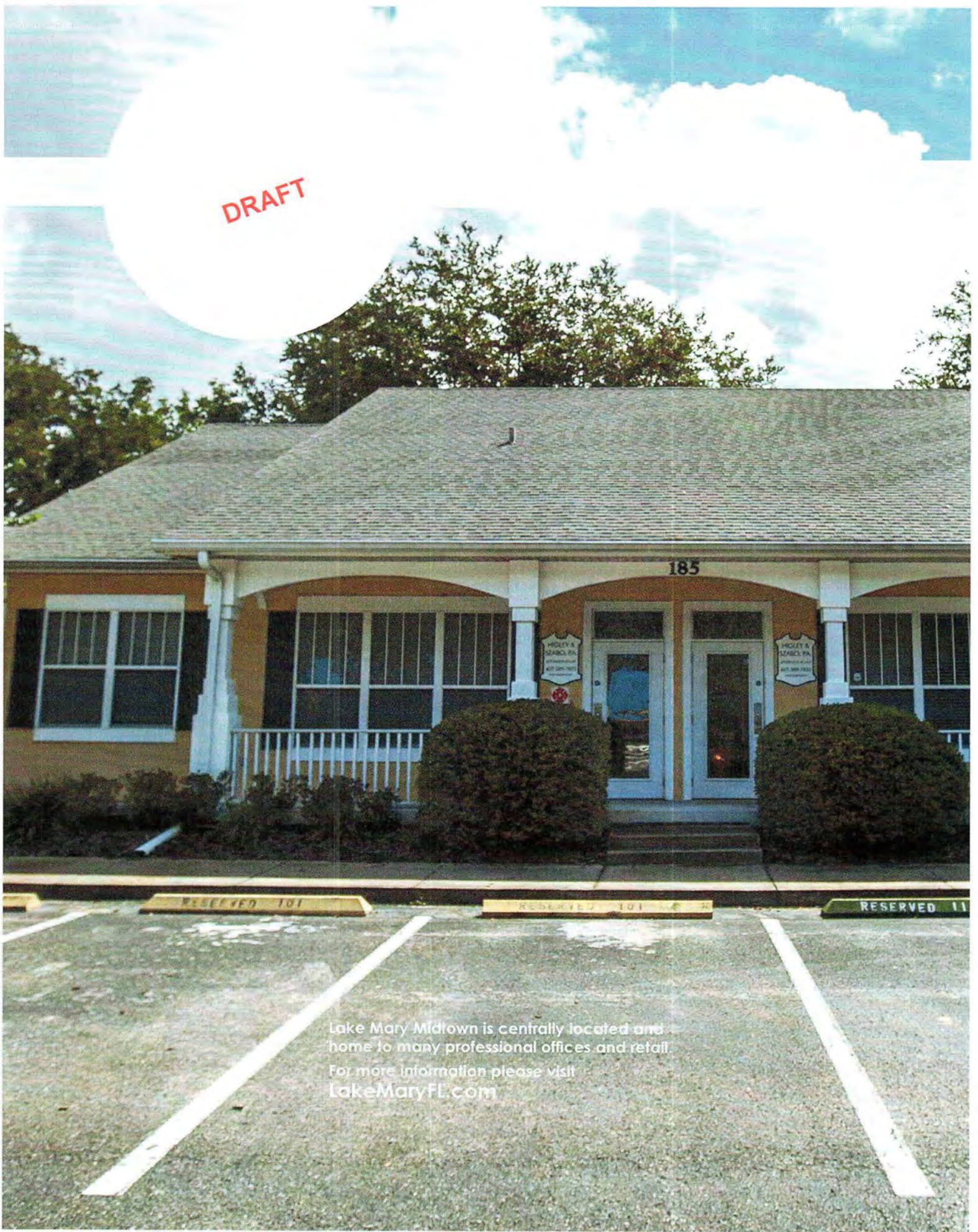
DOWNTOWN LAKE MARY

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Lake Mary Midtown is centrally located and home to many professional offices and retail. For more information please visit LakeMaryFL.com



OPPORTUNITY ZONE 3:

Lake Mary Midtown

LAKE MARY BLVD, LONGWOOD LAKE MARY RD

Opportunity Zone 3 is the Lake Mary Midtown, spanning Lake Mary Blvd from Longwood Lake Mary Rd. to the Lake Mary Downtown. This space is currently home to retail and undeveloped land for offices, commercial, and mixed uses. The five parcels identified in this area have a total of about 13 acres.

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PARCEL 31

The first parcel in this Opportunity Zone is 0.93 acres and has a targeted restricted commercial use for office space. This lot is located right on Lake Mary Blvd. and is within walking distance of the Downtown Area, and all the amenities of the Downtown District will be available for your business and employees.

PARCEL 32

is the second largest with 4.12 acres of land designated for professional offices. It is also close to the Downtown District.

PARCEL 33

This parcel is located next to a large retail center and has 0.37 acres of land for office space with a restricted commercial target use. This lot has convenient access to the retail center, which is full of specialty stores and restaurants.

PARCEL 34

Parcel 35 is the largest in the Lake Mary Midtown and has 7.1 acres suitable for mixed development. It has enormous frontage on both Lake Mary Blvd. and Longwood Lake Mary Rd., and access to I-4 and CR 427 (Ronald Reagan Blvd.).

PARCEL 35

This last parcel in the Midtown District has 0.41 acres for mixed development, likely commercial offices and retail. It is located west of the previous parcel and has access from Lake Mary Blvd.



MAP ID	PARCEL NUMBER	SIZE (ACRES)	TARGET USE	ZONING	OWNER
31	1620303000140000	0.93	Retail/Commercial	C-1	SOLANTIC CORP
32	162030300020B0000	4.12	Office	PO	WATSON REALTY CORP
33	17203030003100000	0.37	Retail/Commercial	C-1	SEMINOLE B C C
34	172030300010D0000	7.10	Mixed	A-1	GRIFFIN INTERESTS LLC
35	17203050100000390	0.41	Mixed	PUD	FESS RICHARD A

ZONE 3

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W. Lake Mary Blvd.

35

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32

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Longwood -
Lake Mary Rd.

LAKE MARY MIDTOWN

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The International Parkway neighborhood is home to several iconic names in business such as Verizon, Deloitte, and Symantec.

For more information please visit
LakeMaryFL.com

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OPPORTUNITY ZONE 4:

International Parkway Industry Zone

INTERNATIONAL PARKWAY

The International Parkway Industry Zone is located off International Parkway, parallel to I-4, on Business Center Dr. This fourth Opportunity Zone is the City's most walkable neighborhood after Downtown and has an excellent location surrounded by high-end office space, Uptown Lake Mary and Heathrow, and quick access to I-4 from both ends of International Parkway. Additionally, the Seminole Wekiva Trail runs adjacent to International Parkway, giving those who traverse the opportunity to travel to other parts of the Seminole County via Trail. The Trail will also allow for access to the upcoming Coast to Coast Connector Trail by way of the Cross Seminole Trail on Rinehart Road.

This zone consists of the Colonial Center at Heathrow DRI, which has available entitlements for Class-A Office Space and Support Retail uses. There are already hundreds of thousands of square feet of Class-A Office Space, 472 high-end residential apartment units, shops, restaurants/bars, and other support retail uses; these uses have helped support the concept of "internal capture." Almost 14 acres of land are available and undeveloped in this zone. They are targeted for high-density urban development centering on office and light retail space. Near this Opportunity Zone is the Heathrow campus of Seminole State College, on AAA Dr., which will be ready to provide a skilled workforce with the rest of the area's excellent institutions.

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PARCEL 1

Parcel 1 has 1.30 acres designated for office and light retail space in the International Parkway Zone.

PARCEL 2

This lot has 1.75 acres of land targeted toward office and light retail space.

PARCEL 3

This lot is the largest of the opportunity zone with 5.46 acres and is also meant for office and light retail space, adjacent to Parcels 1 and 2.



MAP ID	PARCEL NUMBER	SIZE (ACRES)	TARGET USE	ZONING	OWNER
1	0620305UD0000033B	1.30	HIPTI	PUD	FIFTH THIRD BANK
2	0620305UD00000360	1.75	HIPTI	PUD	FRONTLINE LAND HOLDINGS LLC
3	0620305UD00000210	5.46	HIPTI	PUD	HEATHROW CENTER LLC

ZONE 4

Thomas Jr. Pkwy. (CR 46A)

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Business Center Dr.

INTERNATIONAL PARKWAY INDUSTRY ZONE

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International Pkwy.

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OPPORTUNITY ZONE 5: *High Tech Corridor*

LAKE EMMA ROAD

Opportunity Zone 5 is the High Tech Corridor on Lake Emma Rd., South of Lake Mary Blvd. This location provides easy access to I-4 via Lake Mary Blvd. and Lake Mary's neighbor city, Longwood. Almost 105 acres are available within the zone, with an average of 26 acres per property. Some of the parcels have significant I-4 and I-4 ramp frontage which are perfect for commercial and light industrial development. This Opportunity Zone is geared toward office and light industrial use with M-1A zoning.

The High Tech Corridor is geared toward office and light industrial use. Almost 104 acres are available along this Lake Emma Rd. zone which provides easy access to I-4 and throughout Lake Mary and Longwood. Parcel 37 offers 14 acres of targeted-commercial that is currently undeveloped; this lot will have significant I-4 frontage from the ramp at Exit 98 (Lake Mary Blvd.). Lots 38, 39, and 40 are targeted toward industrial development and have a combined 82 acres, 77 of which are on Lake Emma Rd and available for redevelopment and the remaining 5 acre lot has I-4 frontage and is undeveloped.



PARCEL 36

The first parcel in this Opportunity Zone has 22.5 acres available over three adjacent lots for commercial use, such as a hotel or office space. Development in this parcel could provide 411,000 SF of office space and a 99-key hotel or 450,000 SF of office space. Parcel 37 is located right at Exit 98, on the I-4 ramp entering Lake Mary Blvd. from the West.

PARCEL 37

Parcel 38 has 44 acres of land available for industrial development and warehousing.

PARCEL 38

Parcel 38 has 4.56 acres of land for redevelopment. There is currently a 121,000 SF facility with 60,500 SF available. Of that, nearly 10,000 SF are designated for office space and the remainder for warehousing.

PARCEL 39

The last parcel has 33.28 acres of developed land with a targeted light industrial or office use. An existing 566,000 SF facility with 62,500 SF of Class A office space, in addition to industrial and warehousing allocations.

MAP ID	PARCEL NUMBER	SIZE (ACRES)	TARGET USE	ZONING	OWNER
36	18203030001200000	22.5	Commercial	M-1A	NORTH POINT LM LLC
37	182030300007A0000	44.00	Industrial	M-1A	TGT LAKE EMMA LLC
38	24202951200000020	4.56	Industrial	M-1A	SUN TECHNOLOGY PARK III
39	192030300006B0000	33.28	Industrial	M-1A	AREP LAKE MARY LLC

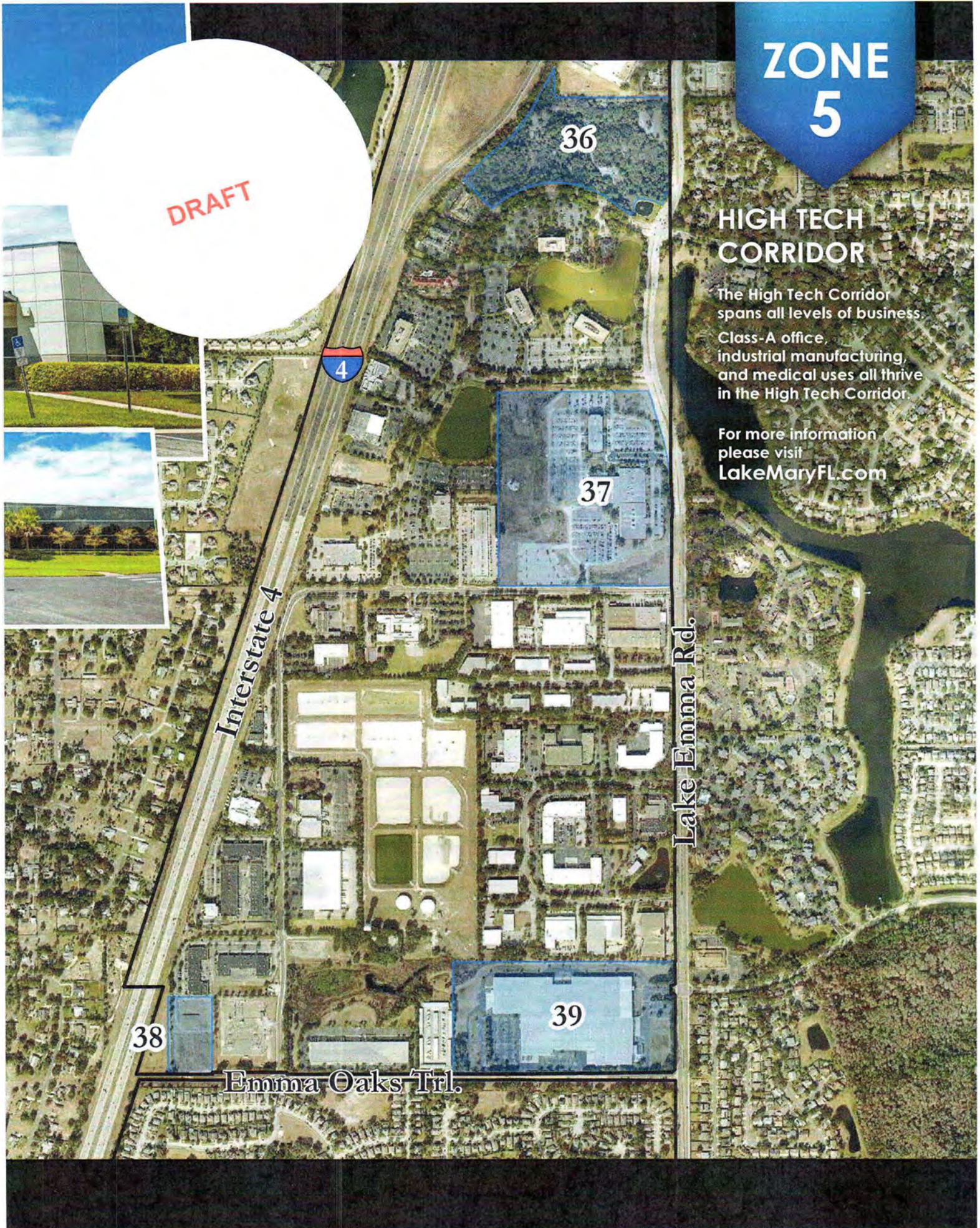
ZONE 5

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HIGH TECH CORRIDOR

The High Tech Corridor spans all levels of business. Class-A office, industrial manufacturing, and medical uses all thrive in the High Tech Corridor.

For more information please visit LakeMaryFL.com



Interstate 4

Lake Emma Rd.

Emma Oaks Trl.

36

37

38

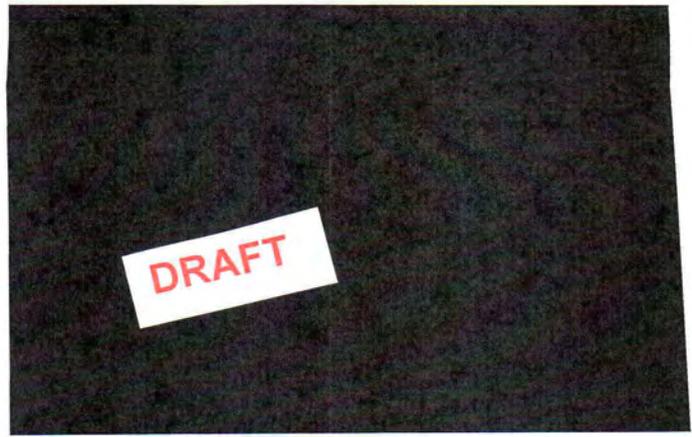
39

PARCEL 21

Parcel 21 is located on the CR-46A and has 6.81 acres for professional or medical office space.

PARCEL 22

This parcel is located further along CR-46A and has 3.12 acres designated for commercial space.



MAP ID	PARCEL NUMBER	SIZE (ACRES)	TARGET USE	ZONING	OWNER
21	05203030000200000	6.81	Office	PO	AMES B CHARLES TRUSTEE
22	04203030000400000	3.12	Commercial	C-1	WINTER GARDEN DANIELS ROAD LLC

NEED THESE 2 PARCELS ON MAP

CITY OF LAKE MARY **DRAFT** *Important Contacts*

CITY CONTACTS

CITY HALL 100 N. Country Club Rd. Lake Mary, FL 32746 P: 407-585-1400 F: 407-585-1498	ECONOMIC DEVELOPMENT 407-585-1426
MAYOR AND CITY COMMISSION 407-585-1426	ENGINEERING 407-585-1412
CITY MANAGER 407-585-1419	EVENTS CENTER 407-585-1490
BUILDING 407-585-1362	FINANCE 407-585-1405
BUSINESS TAX RECEIPTS 407-585-1415	FIRE DEPARTMENT 407-585-1480
CITY CLERK 407-585-1423	PARKS AND RECREATION 407-585-1494
CITY INFORMATION LINE 407-585-1458	POLICE DEPARTMENT 407-585-1300
CODE ENFORCEMENT 407-585-1365	PUBLIC WORKS 407-585-1452
COMMUNITY DEVELOPMENT 407-585-1493	SENIOR CENTER 407-585-1466
	WATER, SEWER, SOLID WASTE 407-585-1448

CUSTOMER SERVICE
407-585-1400
x3400

UTILITY SERVICES

DUKE ENERGY 407-629-1010 www.duke-energy.com	DUKE ENERGY BUSINESS DEVELOPMENT 407-942-9241
FP&L BUSINESS CUSTOMER CARE 800-375-2434	

AREA BUSINESS SERVICES

**CENTRAL FLORIDA
BETTER BUSINESS BUREAU**
407-621-3300
www.bbb.org

DISNEY ENTREPRENEUR CENTER
407-420-4848
www.disneyey.com

**ENTERPRISE
FLORIDA, INC.**
407-956-5600
www.eflorida.com

**FLORIDA HIGH TECH CORRIDOR
COUNCIL**
407-708-4630
www.floridahightech.com

GROW FLORIDA
407-823-6384
www.growfl.com

**METRO ORLANDO ECONOMIC
DEVELOPMENT COMMISSION**
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