

OCT 15 1991 amc/glc

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RESOLUTION NO. 91-SW-09

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS AMENDING RESOLUTIONS 87-SW-3 AND 87-SW-04 ESTABLISHING A NEW PROVISION IN THE WATER CHARGE SCHEDULE ALLOWING A REDUCTION IN CHARGES FOR UNEXPLAINABLE EXCESS INDICATED WATER CONSUMPTION; ESTABLISHING CRITERIA FOR SUCH REDUCTIONS; PROVIDING AN ECONOMIC IMPACT DETERMINATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

PREMISES

1. The Board of County Commissioners of Orange County establishes and collects rates, fees and charges for its water system pursuant to Chapter 125 and 153, Florida Statutes; and

2. There have been instances involving individually metered residential unit(s) where customers have complained of having received bills for County Water Service which were greatly in excess of the billing amounts such customers had been experiencing, even during the months of normal peak usage, yet without experiencing subsequent readings which would indicate that the high consumption is continuing; and

3. It is possible that in some cases there may be no explanation why the consumption increased to such an unusual amount, e.g., leak, malfunctioning water closet, filling of a pool; and

4. When such incidents occur, the administrative difficulties they create for the County, and the aggravation experienced by the customers are considerable and

1 disproportional, particularly in view of the net consumption
2 involved.

3 5. The Public Utilities Division recommends, and the
4 Board believes that henceforth the risk of such unexplainable
5 variations in water meter readings should not be borne solely
6 by the affected customers;

7 6. The Board has determined that it must review and add
8 additional language to the Exhibit B attached to Resolutions
9 87-SW-03 and 87-SW-04, allowing an adjustment to customer
10 consumption readings of individually metered residential
11 unit(s) under circumstances where, after reasonable efforts
12 have been made to investigate the cause of the unusual
13 increase in recorded consumption, no reasonably acceptable
14 explanation can be found which would indicate why such an
15 increase occurred.

16 ACCORDINGLY, BE IT RESOLVED BY THE BOARD OF COUNTY
17 COMMISSIONERS OF ORANGE COUNTY:

18 Section 1. Provisions to be added to Resolutions No.
19 87-SW-03 and 87-SW-04. Exhibit "B" to Resolutions Nos.
20 87-SW-03 and 87-SW-04, as amended by Resolution 90-SW-08 is
21 hereby amended by adding a subsection following the
22 Paragraph in Exhibit "B" entitled "automatic annual increase"
23 to read as follows:

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EXHIBIT "B"
ORANGE COUNTY, FLORIDA
WATER SYSTEM CHARGE SCHEDULE

SCHEDULE

* * *

Adjustment for unexplainably high volume usage.

An adjustment may be allowed to the consumption of a customer of an individually metered residential unit, where an unusually high consumption reading has been taken.

Only one (1) adjustment of this type shall be allowed during any twelve (12) month period for an individually metered residential unit and only under the following circumstances:

1. The consumption must be at least 4 times the average consumption and,
2. The consumption must be more than twice the previous highest consumption and,
3. Total consumption must be more than 20,000 gallons
4. A minimum of 12 months worth of previous consumption data will be used to calculate the average and determine the prior highest consumption.
5. All adjustments of this type must be approved by the Manager of the Fiscal and Customer Service Department or his designee.

1 6. If after a reasonably thorough investigation by
2 county personnel, with the reasonable cooperation of the
3 complaining customer, no explanation can be found, such as,
4 but not limited to a leak, broken tap or toilet, new swimming
5 pool cleaning and/or filling of a swimming pool, or unusual
6 demands from, for example, new construction and/or irrigation,

7 7. Orange County will credit the volume rate against
8 the usage above the highest uncontested water usage recorded
9 for that customer in any previous month, while a customer of
10 Orange County Public Utilities.

11 8. For this provision to be applicable, the property
12 must have been connected to the Orange County water system
13 for at least one year and the customer must have been
14 continuously in residence for that time, so that the County
15 staff is able to obtain reliable monthly water usage figures
16 upon which to base the overage amount.

17 All other parts of said resolutions will remain as
18 adopted, effective February 25, 1987, as amended.

19 Section 2. Economic Impact Determination. The Board of
20 County Commissioners does hereby determine and find, pursuant
21 to Section 1-27(2)(b), Orange County Code, that sufficient
22 information has been provided for the Board to assess the
23 economic impact of this Resolution on the development of real
24 property in Orange County. The Board does hereby determine
25 and find no further economic impact statement or economic
26 impact information is required in this matter.

1 Section 3. Severability of Provisions. If any
2 provisions of this Resolution or the application thereof to
3 any person or circumstances is held invalid, the invalidity
4 shall not affect other provisions or applications of this
5 resolution which can be given effect without the invalid
6 provision or application, and to this end the provisions of
7 this Resolution are declared severable.

8 Section 4. Effective Date. This Resolution shall take
9 effect on OCTOBER 15, 1991.

10 ADOPTED THIS 15TH DAY OF OCTOBER, 1991.

11
12 ORANGE COUNTY, FLORIDA

13 BY: Vera M. Carter
14 VICE County Chairman
15 FOR THE COUNTY CHAIRMANS
16 OCT 15 1991
DATE: _____

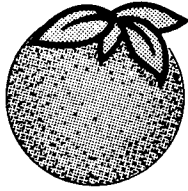
17 ATTEST: Martha O. Haynie, Comptroller
18 as Clerk to the Board
19 of County Commissioners

20 BY: Maupia Garrison
Deputy Clerk
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~~OCT 15 1991~~

ame/ldc

Orange



County

Orlando, Florida

Interoffice Memo

October 4, 1991

TO: Mary Jo Garrison, Deputy Clerk
To the Board of County Commissioners

FROM: Sue Spencer Dinkins, Exec. Asst., Public Utilities Division *SSD*

SUBJECT: BCC Meeting October 15, 1991
Discussion Agenda Documents
Distribution and Deadlines

PUD Discussion Agenda Item #1

Attached is the original Resolution for Public Utilities' Discussion Item #1. Once approved, I would appreciate receiving a signed copy.

If you have any questions, please give me a call.

/ssd

Attachment