

RESOLUTION NO. 96- 91
RESOLUTION AUTHORIZING THE PAYMENT OVER TIME
OF WATER AND SEWER TAPPING FEES
AND RIGHT-OF-WAY PERMIT FEES
ASSOCIATED WITH THE WINDOWS OF OPPORTUNITY

WHEREAS, a window of opportunity was previously given to owners of existing development which had private water and sewer facilities prior to availability of County owned water and sewer facilities; and,

WHEREAS, the County desires to avoid the hardship which may occur in some cases in paying at one time the full amount of the tapping fees and right-of-way permit fees; and

WHEREAS, the County has adopted an amendment to the St. Johns County Utility Ordinance No. 96-13 to allow payment over time of said fees;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY as follows:

Payment by installments of water and sewer tapping fees and right-of-way permit fees associated with connecting to the County water and/or sewer system is allowed under the following conditions:

1. In respect to water service, the Improvement, as defined in St. Johns County Ordinance No. 96-13, was in existence prior to January 1, 1991, and was using a non-County water utility facility and not using the County water utility prior to January 1, 1991;
2. In respect to sewer service, the Improvement, as defined in St. Johns County Ordinance No. 96-13, was in existence prior to January 1, 1991, and was using a non-County sewer utility facility and not using the County sewer utility prior to January 1, 1991;
3. A County utility account for water and/or sewer service is created and committed to in writing during the period of March 1, 1996 through June 30, 1996, and the actual connection occurs within six (6) months of the creation of the account;
4. The deposit must be paid in full prior to actual physical connection;
5. The balance owed shall be paid with interest at five percent (5%) per annum in equal monthly installments within one (1) year from the date the meter is set. The balance owed shall be secured by a promissory note with a mortgage or letter of credit; provided however, an Improvement previously using less than 700 GPD of water and/or sewer shall not be required to provide a mortgage or letter of credit.

6. The monthly installments shall be billed by the County with the monthly usage bill commencing with the first customer billing. Each promissory note shall provide that should any installment not be paid in full when due, the County may, at its option, pursue either or both of the following remedies:

- (i) Sue on the promissory note; and/or
- (ii) Refuse or discontinue service until all sums due under the promissory note have been paid in full and all appropriate disconnect and reconnect fees have been paid, provided that notice and a reasonable time to pay the delinquent sums is allowed in accordance with Paragraph 24.E of Ordinance No. 96-13.

In the case of Improvements previously using 700 or greater GPD of water and/or sewer, the County, at its option, may, in addition to the above stated remedies, foreclose on the mortgage or recover on the letter of credit.

7. All other terms and conditions for payment over time shall be as provided by Section 16 and other applicable provisions of St. Johns County Ordinance No. 96-13, as amended.

RESOLVED, PASSED AND ADOPTED at St. Johns County, Florida, this 28th day of May, 1996.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY**

By: Donald Jordan
Its Chairman - Donald Jordan

ATTEST:

CARL "BUD" MARKEL, CLERK

By: Patricia D. Grande
Deputy Clerk

