

# MEMORANDUM

Agenda Item No. 4(D)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

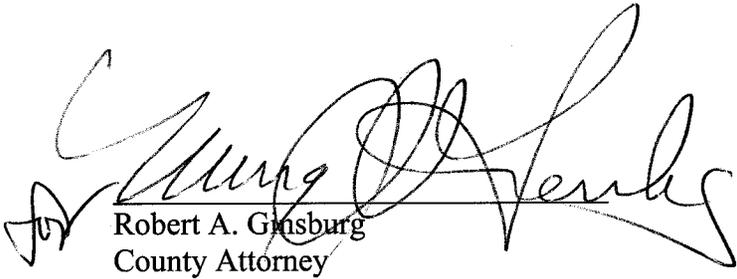
**DATE:** April 19, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Ordinance amending Ordinance  
89-95 regarding rendition of  
water and sewer service by  
volume customers

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The accompanying ordinance was placed on the agenda at the request of the Infrastructure and Land Use Committee.



Robert A. Ginsburg  
County Attorney

RAG/bw



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** April 19, 2005

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 4(D)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 4(D)  
4-19-05

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDING ORDINANCE 89-95 REGARDING RENDITION OF WATER AND SEWER SERVICE BY VOLUME CUSTOMERS OF THE COUNTY TO NEW RETAIL USERS WITHOUT PRIOR PAYMENT OF CONNECTION CHARGES; PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 8 of Ordinance 89-95 is hereby amended to read as follows:<sup>1</sup>

Section 8. A volume customer shall not render water service, sewer service, or both to any new retail user until either the collection charges authorized herein are paid to the volume customer or a written receipt from the Department is provided to the volume customer. >>In the event that a volume customer provides water or sewer service, or both, to any new retail user without first ensuring that collection charges are paid, such volume customer shall be liable for damages to the County in the amount of the connection charge owed by the retail customer. This requirement shall be incorporated in all contracts for water service between the County and any volume customer.<<

\* \* \*

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

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<sup>1</sup> Words Stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any Sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention and the word "ordinance" may be changed to "section", "article" or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency.



Prepared by:



David Murray