MEMORANDUM

Agenda Item No. 7(A)

(Second Reading 09-08-05)

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

DATE: April 19, 2005

FROM: Murray A. Greenberg
County Attorney

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

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

Murray A. Greenberg
County Attorney

Memorandum

MIAMI-DADE COUNTY

Date: September 8, 2005

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

From: George M. Burgess
County Manager

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

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This ordinance amending Ordinance 89-95 regarding rendition of water and sewer service by volume customers will have a positive fiscal impact to Miami-Dade County

The ordinance requires all contracts for water and sewer services between the County and any volume customers to include notice that they shall be held liable for damages to the County in the amount of connection charges owed by the retail customer; giving the Miami-Dade County Water and Sewer Department the ability to expediently enforce payment for services rendered.

Assistant County Manager

Fiscal04505

MEMORANDUM
(Revised)

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

DATE: September 8, 2005

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 7(A)

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. 7(A)
09-08-05

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:[1]

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 and sewer service between the County and any volume customer.<<

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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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[1] 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