

## MEMORANDUM

Agenda Item No. 7(B)

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**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** (Second Reading 10-5-16)  
July 6, 2016

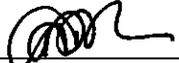
**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Ordinance relating to water and sewer connections; creating section 32-87 of the Code of Miami-Dade County, Florida; requiring installation of separate water meters for the commercial and residential portions of newly-constructed mixed use buildings in Miami-Dade Water and Sewer Department service area

Ordinance No. 16-107

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The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Bruno A. Barreiro and Co-Sponsor Commissioner Jose "Pepe" Diaz.

  
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Abigail Price-Williams *for*  
County Attorney

APW/lmp

# Memorandum



**Date:** October 5, 2016  
**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners  
**From:** Carlos A. Gimenez  
Mayor   
**Subject:** Fiscal Impact Statement for Ordinance Relating to Water and Sewer Connections

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The proposed ordinance related to water and sewer connections creates Section 32-87 of the Code of Miami-Dade County requiring installation of separate water meters for the commercial and residential portions of newly constructed mixed use buildings.

Effective October 1, 2016, the proposed Ordinance requires all permit applications for new mixed use buildings in WASD's service areas to include separate plumbing, with a separate water meter and a separate point of connection to the County's water distribution system. The costs associated with the installation of separate plumbing will be absorbed by developers. Therefore, there is no fiscal impact to Miami-Dade County.

  
\_\_\_\_\_  
Jack Osterholt  
Deputy Mayor

Fis07716 161507

# Memorandum



**Date:** October 5, 2016

**To:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style and is positioned to the right of the "From:" field.

**Subject:** Social Equity Statement for Ordinance Relating to Water and Sewer Connections;  
Creating Section 32-87 of the Code of Miami-Dade County, Florida; Requiring  
Installation of Separate Water Meters for the Commercial and Residential Portions of  
Newly-Constructed Mixed Use Buildings in Miami-Dade Water and Sewer Department  
Service Area;

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The proposed Ordinance creates Section 32-87 of the Code of Miami-Dade County which requires all permit applications for new buildings that contain both residential and commercial uses in WASD's service areas to include separate plumbing, with a separate water meter and a separate point of connection to the County's water distribution system. This requirement benefits WASD customers regardless of geographic location, demographics or income levels, as occupants of the residential portions of the new mixed use buildings will not be charged non-residential rates for water consumption. The monetary burden will be borne by the developers who will be required to install separate plumbing for the residential and commercial portions of newly constructed buildings.

A handwritten signature in black ink, appearing to read "Jack Osterholt". The signature is written in a cursive style and is positioned above the name "Jack Osterholt".

Jack Osterholt  
Deputy Mayor



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** October 5, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 7(B)

Please note any items checked.

- "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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_\_, 3/5's \_\_\_\_\_, unanimous \_\_\_\_\_) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

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

Agenda Item No. 7(B)  
10-5-16

ORDINANCE NO. 16-107

ORDINANCE RELATING TO WATER AND SEWER CONNECTIONS; CREATING SECTION 32-87 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING INSTALLATION OF SEPARATE WATER METERS FOR THE COMMERCIAL AND RESIDENTIAL PORTIONS OF NEWLY-CONSTRUCTED MIXED USE BUILDINGS IN MIAMI-DADE WATER AND SEWER DEPARTMENT SERVICE AREA; PROVIDING SEVERABILITY; INCLUSION IN THE CODE; AND AN EFFECTIVE DATE

**WHEREAS**, there are a number of buildings located in the Miami-Dade Water and Sewer Department's (the "Department") service area that receive water and/or sewer service directly from the Department and that are used, in part, for residential purposes and, in part, for commercial purposes, such as, for example, a condominium with retail or restaurant space on the ground level of the building (hereinafter, "Mixed Use Buildings"); and

**WHEREAS**, many of these Mixed Use Buildings have only one water meter at the point of connection to the Department's water distribution system for the entire building, and, therefore, no way to determine what amount of water is being utilized by the commercial portions of the building and what amount of water is being utilized by the residential portions of the building; and

**WHEREAS**, because these Mixed Use Buildings include commercial uses, the entire building is billed for its water and sewer service at the rate charged for non-residential use; and

**WHEREAS**, this non-residential billing structure for Mixed Use Buildings has created a financial burden on many of the individuals residing within the residential portions of these buildings; and

**WHEREAS**, it would benefit the individuals residing within these Mixed Use Buildings if the water service for the residential portions of the building was separated from the water service for the commercial portions of the buildings; and

**WHEREAS**, if, when developing a new Mixed Use Building, developers installed separate plumbing for the commercial and residential portions of the building that can be connected to separate water meters at separate points of connection to the Department's water distribution system, the occupants of the residential portions of the Mixed Use Buildings could be billed at residential rates, which would relieve the financial burden on those residents,

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

**Section 1.** Section 32-87 of the Code of Miami-Dade County, Florida, is hereby created to read as follows:

Sec. 32-87. Separate Commercial and Residential Meters Required For All New Mixed Use Development in Miami-Dade Water and Sewer Department Service Area.

Effective October 1, 2016, all permit applications for new buildings in Miami-Dade Water and Sewer Department's service area that contain both residential and commercial uses shall be required to include separate plumbing with a separate water meter and a separate point of connection to the Department's water distribution system for the commercial portions of the building and the residential portions of the building.

**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.

**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: October 5, 2016

Approved by County Attorney as  
to form and legal sufficiency:

Prepared by:

Sarah E. Davis

GBK  
SED/HNG

Prime Sponsor: Commissioner Bruno A. Barreiro

Co-Sponsors: Commissioner Jose "Pepe" Diaz