

RESOLUTION# 2025-02

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE IMMOKALEE WATER AND SEWER DISTRICT ESTABLISHING A DEVELOPMENT PLAN REVIEW DEPOSIT; READOPTING ALL OTHER EXISTING FEES AND CHARGES WITHOUT CHANGE; REVISING CUSTOMER RULES 1.0 DEFINITIONS; ADOPTING NEW RULES 3.9 MODELING AND 3.10 DEVELOPMENT APPLICATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of the IMMOKALEE WATER AND SEWER DISTRICT (hereinafter referred to as the "Board") is empowered to construct, operate and maintain a Water and Sewer System (the "System") as described in Chapter 2022-258, Laws of Florida; and

WHEREAS, the Board is empowered to prescribe, fix, establish, and collect fees, rentals, or other charges (hereinafter sometimes referred to as "revenues") for the use of the facilities and services furnished by said System with the revenues to be fixed and revised from time to time so as to be sufficient at all times to provide for the expense of the operation, maintenance and repair of such System and to provide a margin of safety over and above the total amount of any such expenses; and

WHEREAS, the Board updated and revised the Immokalee Water and Sewer District's (hereinafter referred to as the "District") miscellaneous charges adopted by Resolution 2024-02, and has determined that a deposit of \$5000.00 or more depending on the need for an additional deposit amount ("Deposit") to be placed in a non-interest bearing account is required prior to development plan reviews to prevent recurring issues of non-payment by applicants; and

WHEREAS, the Board has determined that the Customer Rules related to the development plan review process needs to be updated to reflect the Deposit and other necessary revisions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE IMMOKALEE WATER AND SEWER DISTRICT IN AN ADVERTISED PUBLIC MEETING:

1. Approval and Adoption of Deposit. The Board approves and adopts the Development Plan Review Deposit of \$5000.00 or more as provided by the Customer Rules and updates the fee schedule, as attached hereto as Exhibit A.

Unless amended by this Resolution, the remaining fees on Exhibit A remain effective without change.

2. Reasonableness of Fee. The Deposit sets forth a fair and reasonable sum to be assessed for Customers that receive development plan review services provided by the District.
3. Customer Rules. The Board approves and adopts the below amendments to the Customer Rules. Unless amended by this Resolution, the remaining Customer Rules remain effective without change.

1.0 DEFINITIONS

“Consumer” shall mean an individual, firm, association, or corporation or government entity who has executed an application for water or sewer service, paid the applicable deposit, charges or fees, and to whom the District has agreed to supply water and/or sewer service.

3.9 MODELING

The District will provide its model for the Consumer, person, firm, association, corporation, or government entity to load and run scenarios for the proposed development. The Consumer, person, firm, association, corporation, or government entity will provide a summary of changes, results, and recommended capacity improvements, if necessary. A verification of the modeling will be performed by District staff or the District modeling contractor, as determined by the District.

3.10 DEVELOPMENT APPLICATIONS

Any new development must submit to the District a complete and sufficient District application. Applications are located on the District's website: www.immokaleewatersewer.com.

3.11 DEVELOPER PLAN REVIEW COSTS

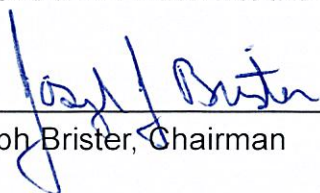
When the plans are submitted, the consumer shall submit a \$5000.00 deposit for development plan reviews. The funds will be placed in a non-interest-bearing account. The District will submit plans from Consumer, person, firm, association, corporation, or government entity for review by the appropriate District staff and the District contract engineer. Costs incurred by this review process will be deducted from the deposit. The Consumer, person, firm, association, corporation, or government entity will be provided with a monthly statement reflecting review process charges and the remaining deposit balance. If the review exceeds the initial deposit amount, the Consumer, person, firm, association, corporation, or

government entity will be notified of the need for an additional deposit and the additional amount. An additional deposit amount must be paid to the District before further reviews occur. Once the review is complete and an approval of the development plan(s) is issued, if the total review charges do not meet or exceed the deposit amount or additional deposit amount, any remaining balance will be refunded to the Consumer, firm, association, corporation, or government entity.

4. Technical Changes. District staff is authorized to make technical changes to the fee schedule in Exhibit A and the Customer Rules to effectuate the purpose of this Resolution.
5. Repeal. Upon the Effective Date, this Resolution supersedes, replaces, and repeals Resolution 2024-02.
6. Severability. If any phase or portion of this Resolution is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion.
7. Effective Date. This Resolution shall become effective on April 2, 2025.

PASSED AND DULY ADOPTED by the Board of Commissioners of the IMMOKALEE WATER AND SEWER DISTRICT this 2nd day of April 2025.

**BOARD OF COMMISSIONERS
IMMOKALEE WATER AND SEWER DISTRICT**

BY:  _____
Joseph Brister, Chairman

BY:  _____
Bonnie Keen, Secretary

EXHIBIT "A"

Description	Fee
<u>Monthly Cross Connection Control Fees</u>	
5/8-inch to 2 1/2-inch Meters	\$7.00
3-inch to 4-inch Meters	\$10.00
6-inch to 8-inch Meters	\$13.75
10-inch to 12-inch Meters	\$20.75
<u>Miscellaneous Charges</u>	
Connection Fee	\$45.00
Connection Fee – After-hours (At Customer's Request)	\$90.00
Transfer Fee	\$55.00
Disconnection / Reconnection Fee (For Non-payment)	\$65.00
Additional Reconnection Fee – After-hours (Due to Non-payment)	\$55.00
Lock Fee (For Non-payment)	\$80.00
Turn Off/On for Leaks (Except Holidays)	\$15.00
Turn Off/On for Leaks (Holidays)	\$80.00
After-hours Service Call-out / Site Visit	\$80.00
After-hours Service Call-out / Site Visit (Holiday)	\$165.00
Consumer Valve Adjustment	\$35.00
Barrel Lock Replacement Fee	\$90.00
Special Meter Reading	\$40.00
Vacation Charge (Disconnect/Reconnect)	\$45.00
Additional Reconnection Fee – After-hours (Due to Vacation Status)	\$55.00
Meter Re-Installation (During Working Hours)	\$65.00
Meter Re-Installation (After-hours)	\$110.00
Meter Re-Installation (Holidays)	\$220.00
Meter Test (Within Tolerance)	\$65.00
Hydrant Inspection (Per Hydrant)	\$45.00
Sewer Permit (New Service Including One Re-inspection)	\$125.00
Sewer Inspection Fee	\$65.00
Sewer Re-inspection Fee	\$65.00
Development Plan Review Deposit	\$5,000.00; or as required by customer rules
Sewer Line-Unclog on Customer Side (Per Hour with One Hour Minimum)	\$255.00
Failure to Comply – Meter Obstruction (Per Inspection)	\$55.00
Failure to Comply – Private Cross Connection Control (Per Inspection)	\$120.00
Water Meter Tampering (First Offense)	\$200.00
Water Meter Tampering (Second Offense)	\$350.00
Water Meter Tampering (After Second Offense)	Fee Doubles Each Subsequent Offense
Unauthorized Discharge Penalty	\$300.00
Late Fee	1.5% Outstanding Balance (Minimum \$10)
Credit Card Convenience Fee (Greater of)	\$2.00 or 2.7%

Meter Installation and Tap Fees (Including Cross Connection Control Device)

Water Service – Same Side of the Road

5/8" Meter	\$1,750.00
3/4" Meter	\$1,750.00
1" Meter	\$1,825.00
1 1/2" Meter	\$3,275.00
2" Meter	\$3,700.00
3" Meter and Greater	Actual Cost

Water Service – Opposite Side of the Road

5/8" Meter	\$3,600.00
3/4" Meter	\$3,600.00
1" Meter	\$3,650.00
1 1/2" Meter	\$5,200.00
2" Meter	\$5,625.00
3" Meter and Greater	Actual Cost

Meter Only Installation Fees

5/8" Meter	\$300.00
3/4" Meter	\$300.00
1" Meter	\$350.00
1 1/2" Meter	\$700.00
2" Meter	\$875.00
3" Meter and Greater	Actual Cost

Backflow Preventer Only Installation Fees

5/8" Meter	\$325.00
3/4" Meter	\$325.00
1" Meter	\$350.00
1 1/2" Meter	\$600.00
2" Meter	\$725.00
3" Meter and Greater	Actual Cost

Backflow Preventer Only – Repair Fee [*]

5/8" Meter (Second)	\$165.00
3/4" Meter (Second)	\$165.00
1" Meter (Second)	\$175.00
1 1/2" Meter (Second)	\$300.00
2" Meter (Second)	\$365.00
3" Meter and Greater (Second)	Actual Cost

[] Each customer is provided one repair without charge.
The repair fee doubles for each subsequent repair after the second repair.
In all cases, a Turn Off/On for Leaks Fee is also due.*

NSF or Dishonored Check Fee

Non-Sufficient Funds (NSF) Check / Returned Payment Florida Statute 166.251
\$25 Minimum
\$30 if $\$50 < FV \leq \300
Greater of \$40 or 5% if
 $FV > \$300$