

**ORDINANCE NO. 1053**

**AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS AMENDING SECTION 20-9 OF THE TOWN CODE INCREASING THE MONTHLY BASE AND FLOW CHARGES FOR SEWER SERVICE; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Bay Harbor Islands is charged with protecting and preserving the public health, safety and welfare of the residents and those coming into the Town of Bay Harbor Islands; and

**WHEREAS**, the Town of Bay Harbor Islands purchases its sewer services from the City of Miami Beach, which in turn pays Miami-Dade County; and

**WHEREAS**, Miami-Dade County has indicated an increase of 3.18% for sewer services in its preliminary budget and the City of Miami Beach has indicated an unspecified increase in their surcharge; and

**WHEREAS**, the Town of Bay Harbor Islands does not currently have an alternative source to purchase sewer services and in order to maintain proper fiscal discipline must pass-through the County's increase; and

**WHEREAS**, the Town of Bay Harbor Islands wishes to increase the rates for sewer service charges in order to fund increased costs for sewage disposal;

**NOW THEREFORE**, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS as follows:

**Section 1.** Section 20-9 is hereby amended to read as follows:

**Sec. 20-9. Sewer service- Rates.**

The schedule of rates for service supplied by the sewer system, which schedule shall be subject to such increase, decrease or revision from time to time as may be necessary to carry out the provisions of this section, shall be as follows:

**Residential Users:**

Sewage charges shall be based upon water usage (excluding water usage through meters used exclusively for irrigation) at a rate of ~~\$7.71~~ \$7.96 per thousand gallons. In addition, there shall be a monthly base charge of ~~\$20.28~~ \$20.92 per living unit regardless of usage.

**Non-residential users:**

Sewage charges shall be based upon water usage (excluding water usage through meters used exclusively for irrigation) at a rate of ~~\$7.71~~ \$7.96 per thousand gallons. In addition, there shall be a monthly base charge regardless of usage depending upon the size of the water meter as follows:

Water Meter Size	Monthly Base Charge	Monthly Base Charge
1"	<del>\$84.39</del>	\$87.07
1.5"	<del>\$168.78</del>	\$174.15
2"	<del>\$270.05</del>	\$278.64
3"	<del>\$506.28</del>	\$522.38
4"	<del>\$766.41</del>	\$790.78

An initial deposit of \$50.00 per water closet to ensure payment of the sewer charge, tapping charge of \$250.00 for each service connection made to any single-family dwelling unit and \$650.00 for each service connection made to any multiple-family dwelling or commercial establishment. To the charges set forth above shall be added that percent of such charges as determined from time to time by Miami-Dade County to compensate for the Miami-Dade County Water and Sewer utility services charge to finance the environmental resources management department's water protection and utility regulation program.

**Section 2. Penalties**

Violation of this Ordinance shall be subject to the imposition of penalties as provided by Miami-Dade County, Florida, and under Section 1-8 and any other penalty section(s) of the Code of the Town of Bay Harbor Islands.

**Section 3. Severability**

The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Inclusion in the Code**

It is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the Town of Bay Harbor Islands; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" may be changed to "Section" or any other appropriate word.

**Section 5. Effective Date**

This Ordinance shall be effective for all billings rendered after October 1, 2020.

**PASSED ON FIRST READING** this 13<sup>th</sup> day of October 2020.

**PASSED AND ADOPTED ON SECOND READING** this 28<sup>th</sup> day of October 2020.

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STEPHANIE BRUDER  
MAYOR

ATTEST:

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MARLENE M. SIEGEL  
TOWN CLERK