

TOWN OF HASTINGS, FLORIDA

TOWN CODE

Chapter 18

Water and Sewer

**Article I.**

**Connections, Application for Service, Rates.**

**Sec. 18-1. Connection to Utility Services required.**

A. CONNECTIONS WITH WATER WORKS SYSTEM. Where the same shall be available, the owner of every lot or parcel of land within the boundaries of Hastings, Florida may connect, or cause the plumbing of any building or buildings thereon to be connected, with the municipal waterworks system of the Town of Hastings, Florida, and use the facilities of such system. All such connections shall be made in accordance with the rules and regulations which shall be adopted from time to time by the Town Council of the Town of Hastings, Florida, which rules and regulations shall provide for a charge for making any such connections in such reasonable amount as the council may fix and determine.

B. CONNECTIONS WITH SEWER REQUIRED. The owner of each lot or parcel of land within the corporate limits of the Town of Hastings, Florida, upon which lot or parcel of land any building or trailer used as a dwelling is now situated or hereafter shall be situated, for either residential, commercial or industrial use, shall connect or cause such building or buildings or trailer or trailers to be connected with the public sewer facilities of the municipal sewer system of the Town of Hastings, Florida, and use such facilities within three (3) months following notification to do so by the Clerk of the Town. All such connections shall be made in accordance with rules and regulations which shall be adopted from time to time by the Town Council of said Town, which rules and regulations shall provide for charge for making any such connections in such reasonable amount as the Council may fix and determine. No connection or connections shall be required where said sewer system or line is more than two hundred (200) feet from such lot or parcel of land.

*History: Ordinance 87-2.*

C. EXCEPTIONS TO CONNECTIONS. This Ordinance shall not be construed to require or entitle any person to cross the private property of another to make any such sewer or water connection

D. CONNECTION MAY BE MADE BY TOWN. If any owner of any lot or parcel of land within the corporate limits shall fail and refuse to connect with and use the facilities of the sewer system of the Town after notification by the Town Clerk, as provided herein, then the Town shall be authorized to make such connections, entering on or upon any such lot or parcel of land for the purpose of making such connection. The Town shall thereupon be entitled to recover the cost of making such connection, together with

reasonable penalties and interest and attorney's fees, by suit in any court of competent jurisdiction. In addition and as an alternative means of collecting such costs of making such connections, the Town shall have a lien upon such lot or parcel of land for such costs, which lien shall be of equal dignity with the lien for real property ad valorem taxes. Such lien may be foreclosed by the Town in the same manner provided by the laws of Florida for the foreclosure of mortgages upon real estate.

E. UNLAWFUL CONNECTION. No person shall be allowed to connect into any water line or sewer line owned by the Town of Hastings, Florida, without the written consent of the Town, and then the connection with such line shall be made only under the direction and supervision of the Town. Any property owner or plumber who shall make any connection without such consent of the Town, shall upon conviction, be subject to penalties hereinafter provided.

F. UNLAWFUL CONSTRUCTION. No person, group of persons, firm or corporation shall build or remodel or cause to be built or remodeled any structure used for human habitation or occupancy within the corporate limits of the Town of Hastings, Florida, which is within two hundred (200) feet of any public sanitary sewer line, unless it is provided with water-carried sewage facilities.

G. CONNECTING OLD PLUMBING. Whenever it is desirable to connect old plumbing with the Town sewer main and/or water line, the owner or plumber contemplating doing such work shall notify the Plumbing Inspector for St. Johns County, Florida, who will inspect said old plumbing and notify the owner or plumber what alterations will be necessary to place said plumbing in an acceptable condition for such connection. Any owner or plumber who shall make any connections without the approval of the Plumbing Inspector shall, upon conviction, be subject to the penalties hereinafter provided.

H. SANITARY REQUIREMENTS. Every residence and building in which human beings reside, are employed or congregated, shall be required to have a sanitary method of disposing of human excrement, namely, wither a sanitary water closet that is connected with the Town sewer, or an approved type of septic tank. A septic tank will be used only if the property is more than two hundred (200) feet from the sewer line.

I. DISPOSAL REQUIREMENTS. It shall be unlawful for any person, persons, firm or corporation owning or leasing any premises in the Town to permit the disposal of any human excrement on any property, leased or rented by any such person, firm or corporation or any agent of any such person, firm or corporation, except in a sanitary water closet where sewage lines are available as defined above.

J. SEPTIC TANK. No septic tank other than those approved by the State Department of Health and Rehabilitative Services, Division of Public Health, State of Florida, shall be constructed within the corporate limits of the Town of Hastings, Florida. No septic tank shall be constructed within two hundred (200) feet of the sewer line.

K. MAINTENANCE OF PLUMBING SYSTEM. The owner of the property shall be responsible for maintaining and keeping clean the water and sewer pipe leading from and connecting to the plumbing system of the Town's distribution line and main sewers.

L. PAYMENT OF FEES AND BILL REQUIRED. Bills for the monthly charges and fees, hereinbefore mentioned, shall be submitted on the first day of each month and shall be payable on the 15th day of each month and if such monthly bill shall be and remain unpaid on and after the 20th day of such month for such service, a penalty of ten (10%) percent shall be imposed and shall be added to said bill, and, the water service to the

consumer shall be subject to discontinuance when the said bill shall remain unpaid forty five (45) days past the date the bill is rendered, and services shall not be reconnected after discontinuance until all past due water bills and sewage disposal fees are full paid, together with a reconnect charge in the amount of \$25.00.

**M. COLLECTION OF SEWER FEES WHERE OWNER HAS PRIVATE WATER SUPPLY.** Where sewage disposal fees are not paid in accordance with provisions outlined above, in those instances where the owner has his own private water supply, the Town shall have the right to cut off such water supply to the plumbing system and the owner shall have no right to reconnect his own private water supply until the sewage disposal fee shall have been paid in full. Any violation of this provision by reconnecting his private water supply, until such sewage disposal fees are paid in full, shall be considered a violation of this Ordinance, subjecting the violator to the penalties hereinafter proved.

**N. FAILURE TO MAINTAIN PLUMBING SYSTEM.** Failure to keep the sewer pipe, i.e. the pipe leading from the plumbing system to the sewer main, clean and maintained in a proper manner will give the Town the right to cut off the water connection which shall not be reconnected until the sewer pipe is cleaned and maintained properly. In those instances where the owner has his own private water supply, the Town shall have the right to cut off such water supply to the plumbing system, and the owner shall have no right to reconnect his own private water supply until the sewer pipe leading from the plumbing system to the sewer main has been maintained and cleaned and is in proper condition. Any violation of this provision by reconnecting his private water supply or the connection from the Town's water line, until such sewer pipes are cleaned and maintained properly, shall be considered a violation of this Ordinance, subjecting the violator to the penalties hereinafter provided.

**O. NO SERVICE FREE.** No water or sewer disposal service shall be furnished or rendered free of charge to any person, firm or corporation whatsoever, and the State of Florida, or the government of the United States, and each and every agency, department or instrumentality which uses either or both such service shall pay therefore at the rates fixed by this Ordinance.

**P. SEPARATE CONNECTIONS FOR EACH SEPARATE UNIT.** Each residential unit whether occupying one or more lots and whether it shall occupy any lot or parcel jointly with any other residential unit shall be considered a separate unit for the payment of water fees and the sewage disposal fees, and separate connection and meters will be required for each such units.

**Q. PENALTIES.** Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, for each such offense, be subject to a fine of not to exceed five hundred (\$500.00) dollars or imprisonment not to exceed sixty (60) days, or by both such fine and imprisonment in the discretion of the judge of the court having jurisdiction thereof. Any failure or refusal by an owner to connect to the Town's sewer system after notification to do so, as hereinabove provided, or any failure or refusal to pay the charges or rates hereinabove provided, shall be construed to be a violation of this Ordinance. For purposes of determining penalties hereunder, each day upon which any violation of any of the provisions of this Ordinance shall exist shall be considered a separate violation of this Ordinance, subjecting the violator to imposition of the penalties for each such violation herein provided.

*History: Ordinance 87-2*

**Sec. 18-2. Application for Utility Service.** Applicant or Applicant's agent must come in to the Town Office for the following:

1. Fill out and sign a deposit contract with complete name, service and address and billing address.
2. Provide valid picture identification / or state identification card (i.e. driver license) to verify identity of applicant.
3. Remit deposit amount based on the current utility deposit ordinance. This does not apply if the applicant is transferring their account from another service address within the Town's service area and is current with their bill.
4. Remit any past due amounts from other service address previously occupied by the applicant.

After the applicant has completed the above requirements, the utility service will be turned on. If the requirements were met before 3:00 PM, the service will be turned on that day. If it is after 3:00 PM, then the service will not be guaranteed "on" until the next work day; however, every effort will be made to turn on service that day.

Applicant [1] will begin receiving a bill for service on the first day of the next month and each month thereafter. If for any reason Applicant[1] does not receive bill during the first week of any month, please contact Town [2] office at (904) 692-1420 as soon as possible.

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**Codifer's notes:**[1] "Applicant" has been substituted for "you" in original regulation. Regulations were adopted by ordinance as "Policies and Procedures." [2]"Town" substituted for "our."

### **Section 18-3. Utility Deposit Policies and Procedures.**

A. The purpose of the Town's deposit requirements for all water, sewer customers is to indemnify the Town against any loss or damage resulting from such services. The amount of such deposit by type of customer is delineated in the utility deposit ordinance. The utility deposit stays on the account until the account is closed, at which time whatever is owing on the account is taken from the deposit.

B. A turn-on request for the purposes of inspection or testing will require the same considerations such as a turn-on/turn-off fee and a deposit, as any other normal turn on request.

C. Any customer whose utility services have been disconnected for nonpayment shall be required to increase the utility deposit by 10% each time the service is disconnected up to 150% of the original deposit, and pay a \$40.00 reconnect fee.

### **Section 18-4. Billing Procedures.**

A. Bills will be mailed out on the first day of the month. Applicant [1] will be given 15 days after billing date in which to pay Applicants [1] bill. Any account that has not been paid by the 15th day will be subject to a "Late Fee Charge".

B. Any account balance carried over (45) forty-five days is subject to disconnection and will receive a disconnect notice. Disconnect notices will be sent out between the 16th and 18th of each month and cut-offs are usually on the 5th or 6th of the following month.

**NOTE: NO EXTENSIONS SHALL BE GIVEN ONCE A CUT-OFF NOTICE HAS BEEN ISSUED.**

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**Codifier's notes:** [1] "Applicant" has been substituted for "you" in the original.

**Sec. 18-5. Utility Account turn-off policies and procedures.**

A. Regularly scheduled turn-offs due to account delinquency (non-payment) shall be routed to the Utilities Director by the Town Office as early as possible on the appropriate day. Account delinquency for turn-off purposes is defined as the close of the work day (45) forty-five days after billing date. Once a customer is turned off for account delinquency the past due bills shall be paid, along with any service charges and additional deposits due, before service is restored.

B. Any commercial account that appears on the turn-off list shall be notified by telephone, if possible, before the actual turn-off is made. The payment requirements, once the account appears on the turn-of list, will be that the past due bills be paid.

C. Notification will not be made in the case of a turn-off required for a returned check that was originally presented as payment on a customer account that was on the turn-on list.

D. No delinquent accounts will normally be scheduled for turn-off on Fridays or the last work day prior to a holiday; also, no actual turn-offs will be performed after 4:00 PM of the day payment is received.

E. Any account that remains turned off due to non-payment for more that sixty (60) days, shall automatically be closed. Money owing on the account shall immediately be taken from the deposit, and the customer will be sent a final bill. If services are requested by the same customer after sixty (60) days, the prior balance will have to be paid in addition to another meter deposit.

F. Customer requested turn-offs for emergency situations will be handled as a priority matter usually via two-way radio to the Utilities Director.

G. When a customer requests to have service disconnected close an account, there is a \$15.00 turn-off charge added to the final bill.

**Note:** If the final bill covers a billing cycle of 7 days and the usage for that period is less that (500) gallons, the customer will not be charged for usage.

**Sec. 18-6. Returned check policy.**

A. Any check or other negotiable instrument returned unpaid by the bank or other institution will be subject to a penalty fee of 5% of the face amount of the check as prescribed by the 2001 Florida Statutes, Section 166.251 and Section 832.08(05), or whichever is greater.

B. The amount of fee for each check shall not exceed:

1. Twenty-five, \$25.00, if the face value does not exceed \$50.00.
2. Thirty dollars, \$30.00, if the face value is more than \$50.00 but does not exceed \$300.00.
3. Forty dollars, \$40.00, if the face value is more than \$300.00.

C. In the case of utility payment check returned, the customer will be notified by mail and will have forty-eight (48) hours from the date of the letter to redeem the check or their utility services will be disconnected. However, when a returned check is received that was originally presented as a utility deposit or payment on a customer account that was subject to being disconnected for non-payment, the utility services are to be disconnected immediately and all normal requirements for reconnection shall be in effect. This shall apply to both commercial as well as residential customers.

**Sec. 18-7. Miscellaneous policies and procedures.**

A. The use of the U.S. Postal Service by a customer to pay a bill will not be an acceptable reason for a late payment. It is the customer's responsibility to see that the payment is received by the Town of Hastings by 4:00 PM on the day before turn-off day.

B. Meter readers shall under no circumstances accept money from the customers for payment of bills. All payments are due and payable at the Town of Hastings Office.

C. Any customer who requires after hours service for any reason should contact the numbers as posted at the entrance of the Town Office. Any turn-off problem will have to wait until a representative of the Town of Hastings can be contacted.

D. In order for a customer to transfer a utility deposit from one location to another, a new utility contract must be signed and all amounts currently owed plus a \$15.00 turn-off service charge must be paid prior to the transfer. In addition, there will be a \$15.00 turn-on service charge billed to the new account.

**Sec. 18-8. Water tapping Fees -- Residential water service.** Tapping fees for providing new residential water service are at the following rates:

1. Residents of the TOWN: \$300.00 per tap.
2. Non-Residents of the TOWN: \$325.00 per tap.

**Sec. 18-9. Water Meter Deposit Fees.** Water Deposit Fees are: \$150.00

**Sec. 18-10 Water Service Commencement Fees.** Water Service Commencement Fees are: \$ 15.00

**Sec. 18-11. Residential Water Rates.** All residential users of the services of the TOWN'S water system shall pay the following rates. The Base Rate described shall be charged to all customers and does not include the charge for gallonage used.

1. Base Rate: \$22.50 per month.
  2. Gallonage Rate: \$4.00 per month for the first 1,000 gallons or part thereof used and \$4.00 per month for each additional 1,000 gallons used or part thereof.
- (Ordinance 00-08)

**Sec. 18-12. Residential Wastewater and Sewer Rates.** All residential users of the services of the TOWN'S wastewater and sewage system shall pay the following rates. The Base Rate described shall be charged to all customers and does not include the charge for gallonage used.

1. . Base Rate: \$22.50 per month.
  2. Gallonage Rate: \$4.00 per month for the first 1,000 gallons or part thereof used and \$4.00 per month for each additional 1,000 gallons used or part thereof.
- (Ordinance 00-08)

**Sec. 18-13. Commercial Water Rates.** All commercial users of the TOWN'S water system shall pay the following rates. The Base Rate described shall be charged to all customers and does not include a charge for gallonage used.

1. Base Rate:
    - a). 1 Inch or Less Water Meter Inlet Pipe Size: \$32.00
    - b). 1.5 Inch Water Meter Inlet Pipe Size: \$40.00
    - c). 2 Inch Water Meter Inlet Pipe Size: \$50.00
    - d). 3 Inch Water Meter Inlet Pipe Size: \$75.00
    - e). 4 Inch Water Meter Inlet Pipe Size: \$100.00
    - f). 6 Inch Water Meter Inlet Pipe Size: \$150.00
  2. Gallonage Rates.: \$5.55 per month for the first 1,000 gallons used or part thereof and \$5.50 per month per additional 1,000 gallons used or part thereof.
- (Ordinance 00-08)

**Sec. 18-14. Commercial Wastewater and Sewer Rates.** Commercial users of the TOWN'S wastewater and sewer system shall pay the following rates. The Base Rate described shall be charged to all customers and does not include the charge for gallonage used.

1. Base Rate: \$32.00 per month.
  2. Gallonage Rate: \$5.55 per month for the first 1,000 gallons or part thereof processed. \$5.50 per month for each additional 1,000 gallons or part thereof processed. By definition, the number of gallons processed shall be equal to the number of gallons of water used as determined by the monthly reading of the water meter serving the user's property.
- (Ordinance 00-08)

**Sec. 18-15. Surcharge for Users Located Out of Town.** The TOWN shall exact and collect a surcharge of twenty-five (25%) percent of the total water and wastewater and sewer usage bill for all customers located outside the municipal boundaries of the

TOWN.  
(Ordinance 00-08)

**Codifer's note:** Sections 18-16 through 18-19 reserved.

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