

RESOLUTION NO. 10-83

A RESOLUTION OF THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, AMENDING AND CODIFYING A CHARGE FOR POLLUTION CONTROL SERVICE AVAILABILITY TO NON-USERS.

WHEREAS, it is the policy of the State of Florida expressed in Rule 10D-6.23(3)(e) and the City of New Smyrna Beach expressed in Ordinance No. 8-83 to require that all individual sewage disposal systems connect to a public-owned system within 365 days after notification that the system is available, and,

WHEREAS, the Utilities Commission, City of New Smyrna Beach, Florida, is required under the terms of its Federal Grant Agreements to comply with the provisions of the State of Florida Pollution Control Laws and the Federal Water Pollution Control Act, and to meet all applicable regulations and guidelines of the United States Environmental Protection Agency; and,

WHEREAS, the Utilities Commission, City of New Smyrna Beach, Florida, is obligated to set pollution control rates and other charges in amounts sufficient to pay the expenses of operating and maintaining pollution control facilities, to provide debt service funds necessary for improvements and to honor all requirements of the Utilities System Revenue Refunding and Improvement Certificates;

NOW, THEREFORE, BE IT RESOLVED BY THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FLORIDA, THAT:

SECTION I: This Resolution shall be known as "The Pollution Control Service Availability Charge Resolution," and may be cited as such.

SECTION II: It is the intent of this Resolution to amend and codify a pollution control availability charge.

SECTION III: Beginning one (1) year after notification that pollution control service is available each non-user within the City Limits who has not connected to the available system shall be deemed a user as defined by Resolution 20-80 and charged the minimum charge according to Resolution 20-80, or the subsequently effective rate resolution.

SECTION IV: The foregoing charge shall be effective for all bills rendered by the Utilities Commission commencing with the August 1983 billing cycle and thereafter until further changed or modified.

SECTION V: All Resolutions in conflict herewith are hereby superceded and rescinded.

AFTER A PUBLIC HEARING the above and foregoing Resolution was introduced at a Regular meeting of the Utilities Commission, City of New Smyrna Beach, Florida, held July 6, 1983, by Commissioner Roche, who moved its adoption, which motion was seconded by Commissioner Hill, and upon roll call vote of the Commission was as follows:

CHAIRMAN

VICE CHAIRMAN

SECY-TREAS.

ASST. SECY-TREAS.

COMMISSIONER

<u>Richard M. Confull</u>	<u>Yes</u>
<u>Sam H. Roche</u>	<u>Yes</u>
<u>Carbide Duwell</u>	<u>Yes</u>
<u>Wince</u>	<u>Yes</u>
<u>John J. Hill</u>	<u>Yes</u>

APPROVED:

ATTEST:

Richard M. Confull
CHAIRMAN

Carbide Duwell
SECY-TREAS.

Approved as to Form and Correctness:

John P. Balo
Utilities Commission Attorney

SEAL

