



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 4952, **Version:** 1

Subject:

Approval of Ordinance amending Brevard County Code of Ordinances Chapter 110, Division 3, Subdivision I, Amending Section 11-141. Refund of fees; providing for conflicting provisions and severability.

Fiscal Impact:

Annual increase to Department's sewer fund per year is estimated \$126,000.

Dept/Office:

Utility Services Department

Requested Action:

It is requested that the Board of County Commissioners approves an amendment to the Brevard County Code of Ordinances, modifying Section 110-141 to no longer provide refunds for sewer capacity reservation fees.

Summary Explanation and Background:

The Utility Services Department requires that any development seeking to reserve capacity at any of its six wastewater treatment plants must pay a sewer capacity reservation fee. This fee is paid at the time when development engineering plans are submitted to the Florida Department of Environmental Protection (FDEP) or at the time of approval of a building permit, if no FDEP review was required. The capacity reservation fee is typically paid by the developer (\$160 per single family unit and indexed each year per Rate Resolution 22-01, 22-008 and 22-009). When the contractor applies for the Certificate of Occupancy, it is then the connection fees are paid. However, per County Ordinance 110-141(b) the developer is entitled to a credit in the amount of the capacity reservation fee pro-rated for the year. This credit is applied to the wastewater connection fee. The Countywide connection fee is \$2,257 and Barefoot Bay connection fee is \$1,400.

As stated above, the sewer capacity reservation fee is indexed annually. However, connection fees were not indexed in the Utility Services rate resolution updates. As a result, the margin of connection fee to capacity reservation fee has gotten smaller each year. This causes the connection fund reserve, used for increasing the capacity of treatment plants and pipes, to decrease over time.

It is the request from this Department to amend County Ordinance 110-141 to no longer provide refunds for sewer capacity reservation charges (see attachment for proposed changes to this Ordinance).

As approved by the Board on August 2, 2022 it was granted permission to advertise.

Clerk to the Board Instructions:

E-mail Clerk Memo to karina.perez@brevardfl.gov <<mailto:karina.perez@brevardfl.gov>> and mail original documents to Utility Services Department.