

SECTION 3
EFFLUENT REUSE/FISCAL

3.1 REQUESTS FOR SERVICE

A. Effluent Reuse Service Within The Service Limits Of County

To obtain effluent reuse service from an existing main, application should be made at the Lee County Utilities Office. The applicant should make sure that the name of the customer, the street address, and legal description of the property to which service is to be rendered, are correctly entered upon the contract or agreement for service. When feasible the applicant should, before making application for service, determine whether the property to be served is adjacent to Lee County Utilities' effluent reuse distribution system.

In cases where a customer tampers with, works on, uncovers, makes connection with, or in any way alters or damages any Lee County Utilities' effluent reuse main or appurtenance thereto causing Lee County Utilities to remove its service between the meter and the main, an amount equal to the tap-in fee or the actual cost of repair and reconnection shall be paid, whichever is less, in order to obtain new effluent reuse service.

Customers wishing to use effluent reuse water shall enter into an Agreement with Lee County Utilities, (see Agreement Form 11.10 in Section 11 of this Manual).

B. Meter Requirements

Lee County Utilities shall determine the type(s) of meters installed in the system. Further, Lee County Utilities shall have the right at all times to determine meter sizes when, in Lee County Utilities' opinion, the meter size stipulated by the customer is not in the best interest of the system or its customers.

C. Right To Refuse Service

Lee County Utilities shall have the right to refuse effluent reuse service for any outstanding water and/or sewer statements, fees or other charges until such time as these statements, fees or other charges are paid in full.

3.2 UNAUTHORIZED WORK ON EFFLUENT REUSE

No person shall tamper with, work on, uncover, make connection with, or in any way alter or damage any Lee County Utilities' effluent reuse line or appurtenance thereto without written permission of Lee County Utilities. The offending person shall pay the total cost of all charges attributable to such tampering and be subject to all penalties as may be provided by law.

3.3 UNAUTHORIZED METER TURN-ON OR EFFLUENT REUSE

No person shall tamper with, work on, or in any way alter a meter or meter device in order to gain unauthorized effluent reuse line service. The offending person shall pay the total cost of all charges attributable to such tampering and be subject to all penalties mentioned in 1.10 H.

3.4 LIMITATION OF USE

Effluent reuse purchased from Lee County Utilities shall be used by the customer, only for the purposes specified in the agreement for service, and the customer shall not sell or otherwise dispose of such service to other parties without the written authorization from Lee County Utilities' Department Director or his designee.

3.5 CONNECTIONS FOR SERVICE AND METERS; SERVICE CONNECTION AND TAP-IN FEES

A. Customer's Obligations

1. Customer's Installation

Each customer's installation shall include all main service line valves and meter to be extended, at the customer's expense, from Lee County Utilities' existing lines to the customer's point of delivery.

2. Type and Maintenance

The customer's effluent reuse pipes, apparatus and equipment shall be selected, installed, used and maintained in accordance with standard practice, conformable to rules and regulations of the County, Florida Department of Environmental Regulations (FDER), Florida Department of Health and Rehabilitative Services (HRS), Lee County operating permits, local plumbing codes and in full compliance with all laws and governmental regulations applicable thereto.

3. Change Of Customer's Installation

No changes or increases in the customer's installation, which will materially affect the proper operation of the pipes, mains, or stations of the County, shall be made without the written consent of Lee County Utilities. The customer will be liable for any damage resulting from a violation of this rule.

4. Duplication Of Service

Because of duplications of service lines at unnecessary expense, the placing of effluent

reuse service and meter locations are to be placed where Lee County Utilities deems necessary. Exceptions may be permitted at the expense of the customer.

5. Backflow Prevention Devices

All effluent reuse users shall have appropriate and approved backflow prevention device on their potable WATER service line. The necessity for this is to provide all potable water customers with additional safety factors involving their potable water. Customers shall be responsible for the installation and maintenance of backflow prevention devices.

6. Inspection Of Customer's Installation

All installation for effluent reuse service or changes therein should be inspected upon completion by competent authority to ensure the piping, equipment and devices have been installed in accordance with accepted standard practice and in compliance with such local rules and building codes as may be in effect. Where inspection is required by governmental rules or ordinances, Lee County Utilities reserves the right to discontinue service if the inspecting authority notifies Lee County Utilities that the installation has not been approved.

Lee County Utilities reserves the right to inspect the customer's installation prior to rendering service and from time to time thereafter, but assumes no responsibility whatsoever for any portion thereof.

7. Protection Of County's Property

The customer shall properly protect Lee County Utilities' property on the customer's premises and shall permit no one to have access thereto except Lee County Utilities' agents or persons authorized by law.

When service lines, meters, mains or other equipment are damaged by contractors, construction companies, governmental agencies or others, such damage will be repaired by Lee County Utilities and the cost thereof charged to the party or parties causing the damage.

In the event of any loss or damage to property of Lee County Utilities caused by or arising out of carelessness, neglect or misuse of the customer, or by unauthorized persons, the cost of making good such loss or repairing such damage shall be paid by the customer.

8. Access To Premises

The duly authorized agents of Lee County Utilities shall have access at all reasonable hours to the premises of the customer for the purpose of installing, maintaining and inspecting or removing Lee County Utilities' property, reading meters and other purposes incident to

performance under or termination of Lee County Utilities' contract with the customer, and in such performance shall not be liable for trespass.

9. Rights-Of-Way and Easements

The customer shall grant or cause to be granted to Lee County Utilities and without cost to Lee County Utilities all rights, easements, permits and privileges which in its opinion are necessary for the rendering and maintaining of service.

B. Location Of Effluent Reuse Meters

The customer shall provide meter space for use of Lee County Utilities at a suitable and readily accessible location designated by Lee County Utilities, preferably on the property line and near the sidewalk adjacent to his property. In no case shall meters be installed in driveways. When Lee County Utilities considers it advisable, adequate and proper space for the installation of meters and other similar devices shall be provided by the customer within the premises to be served and at no cost to Lee County Utilities. Customers and their agents (such as employees, contractors, etc.) are prohibited from placing any obstacles on or about meters, valves and other equipment which in any way obstructs free access to such equipment.

Meters shall be installed and kept outside fenced areas. The owner or occupant of any premises is prohibited from permitting any shrubbery or other obstruction to be or remain situated in such place that it interferes with access by duly authorized employees or agents of Lee County Utilities to said meters for the purpose of reading or repairing the meters or turning the supply of effluent reuse to said premises on or off and shall be further prohibited from permitting any dog or other animal to interfere with such access.

C. Installation Of Meters

The customer shall install, at their own expense, all meters and metering equipment as may be necessary to measure effluent reuse per Lee County Utilities' Specifications, delivered to the customer. Titles to meters and metering equipment, at the point of delivery, shall be dedicated to Lee County Utilities.

D. Connections For Service

Connections to the County's system for any purpose whatsoever are to be made only by Lee County Utilities' employees or contractors with the full approval of the County. No connection of any description, temporary or otherwise, is permitted between that installation for domestic water service or fire protection and installation for effluent reuse.

That portion of the customer's installation for effluent reuse service shall be so arranged that all effluent reuse service shall pass through the meter. No temporary pipes, nipples or spacers are permitted except for temporary testing purposes by a plumber authorized by Lee County Utilities,

and under no circumstances are connections allowed which may permit effluent reuse to by-pass the meter or metering equipment.

Effluent reuse piping shall not be connected to another source except a private well supply, which shall be dedicated as make-up irrigation water only.

Any unauthorized connections may render potable water and effluent reuse service subject to immediate discontinuance without notice and potable water and effluent reuse service will not be restored until such unauthorized connections have been corrected.

3.6 BILLING PROCEDURES

A. Billing Periods; Due Date

Bills for service will be rendered either monthly or for other periods, if notice of a different billing period is given to the customer. Bills are due when rendered and shall be considered as having been received by the customer when delivered or mailed to the service address or to some other place mutually agreed upon.

Non-receipt of bill by the customer shall not release or diminish the obligation of the customer with respect to the payment thereof.

B. Delinquent Bills

Effluent reuse bills are due and payable 30 days from the billing date. Those not paid within thirty (30) days after the billing date are considered delinquent. When Lee County Utilities has not received payment of an effluent reuse bill within the ten (10) day period, a reminder notice is issued, indicating the delinquent balance, and providing a final due date of ten (10) additional days. If the full amount is not received in Lee County Utilities' Billing Office by the final due date, water service may be discontinued. Payments "in the mail" do not constitute payment thereof.

Potable water service shall not be reinstated until the final statement is paid in full.

When there remains an outstanding final statement, connection fee or other charges for effluent reuse, water, and/or sewer due the County at any previous or current location, a customer's potable water service may be discontinued and no new application shall be accepted until such fee, charges or amounts are paid in full.

C. Collection Agency Accounts

Delinquent accounts with balances greater than \$10.00 may be forwarded to a collection agency 40 days after a final bill is issued if the amount remains unpaid.

Customers shall bear the cost of expenses attributable to collecting delinquent amounts due by having such expenses charged to the customer's individual account.

D. Evidence of Consumption

The service rendered by Lee County Utilities shall be measured by meters. The meter readings shall serve as prima facie evidence of the quantity of effluent reuse delivered to the customer.

E. Billing Name Change

Name changes are acceptable when such name change does not transfer payment responsibility to another customer, but only after appropriate legal documentation is received in Lee County Utilities Billing Office.

Lee County Utilities reserves the right to refuse any oral request for name change on an account, if in the opinion of the County such change may be detrimental to a customer of Lee County Utilities until such appropriate legal documentation is received.

3.7 RATES AND CHARGES

A. Rates For Effluent Reuse

The rates specified in the agreement shall apply to the customers supplied with effluent reuse.

B. Service Charges

The customer shall reimburse Lee County Utilities for all extra expenses (such as for special trips, inspections, disconnecting and reconnecting service, additional clerical expenses, etc.) incurred by Lee County Utilities. The charge to cover such extra expenses shall be the actual costs to Lee County Utilities but in no event shall said charges be less than \$20.00.

3.8 PENALTIES

A. Insufficient Funds Or Dishonored Instruments

Upon receipt of such document which includes payment of a delinquent balance, the County must notify the customer that they have three (3) days to honor such payment by presenting cash or money order at Lee County Utilities Billing Office or service will be disconnected.

All checks or instruments returned are subject to a return charge as specified by Ordinance or Resolution.

B. Prosecution For Insufficient Fund Checks

Customers who are repeated offenders in issuing insufficient fund checks may be prosecuted for a dishonored check as follows:

1. Utilities must notify the customer through certified letter that they have seven (7) days from the date of the letter to make the check good.
2. If after seven (7) days the customer has not paid, the Sheriff's Department is notified by Lee County Utilities to proceed with legal action.

All dishonored checks under \$50.00 are prosecuted as a misdemeanor charge and all checks for \$50.00 or more are prosecuted as a felony charge.

C. Other

Lee County Utilities may discontinue potable water and/or effluent reuse service after reasonable notice, unless otherwise stated hereinbefore, to any customer for an infraction of these herein stated procedures and regulations, for nonpayment of bills, or for any reason that may be detrimental to the effluent reuse system; further, Lee County Utilities has the right to withhold service(s) until the reason for the discontinuance is corrected and all costs due Lee County Utilities are paid. These costs may include delinquent billings, other fees, and payment for any damage caused to the effluent reuse, sewer, and/or water system. Should a discontinued potable water or effluent reuse service be turned on without authorization, Lee County Utilities shall have the right to have the potable water or effluent reuse meter removed and to make an appropriate charge.