

RESOLUTION # 08-10

RESOLUTION OF THE BOARD OF COMMISSIONERS AMENDING THE RULES AND REGULATIONS MANUAL (RESOLUTION 05-01) TO ADOPT FAILURE TO COMPLY FEES FOR METER OBSTRUCTIONS AND CROSS CONNECTION CONTROL POLICIES.

WHEREAS, the Board of Commissioners of the IMMOKALEE WATER AND SEWER DISTRICT (hereinafter referred to as the "Board") is empowered to construct, operate and maintain a Water and Sewer System (the "System") within the boundaries of the lands described in Florida Statute Chapter 2005-298; and

WHEREAS, the Board is authorized and empowered to make rules and regulations for its own government and proceedings; and

WHEREAS, the Board is empowered to prescribe, fix, establish and collect fees, rentals or other charges for the use of the facilities and services furnished by said System, said fees to be fixed and revised from time to time; and

WHEREAS, the Board recognizes that certain customers fail to abide by the District policies, and wishes to create new penalties to encourage those customers to comply with the policies; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE IMMOKALEE WATER AND SEWER DISTRICT, in public meeting assembled that the following changes to the Rules and Regulations be implemented:

If a customer has a vehicle or other obstruction over the meter, making it difficult or impossible to read, they will be sent a letter asking them to clear the obstruction. If the obstruction is not removed within fourteen business days, they will be charged \$50 for a meter obstruction fee. They may be charged \$50 per month, until the obstruction is cleared.

As a part of the District's cross connection control program, the customer is required to provide copies of annual inspections on their backflow prevention devices. These devices are installed to protect the District's water system from contamination. If a customer or meter location fails to comply with the District's cross connection control program, including the request to install new devices, they can be charged \$100 per month until they comply with the program. Failure to pay the fees, or otherwise comply with the program will result in disconnection of water services at that location.

This resolution shall become effective on June 1, 2008.

If any phase or portion of this Resolution is held invalid or unconstitutional by any court of

competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

PASSED AND DULY ADOPTED by the Board of Commissioners of the IMMOKALEE WATER AND SEWER DISTRICT, this 21st day of May, 2008

**BOARD OF COMMISSIONERS
IMMOKALEE WATER AND SEWER DISTRICT**

BY: _____
Anne Goodnight
Chair

BY: _____
Pete Cade
Secretary