



# LOXAHATCHEE RIVER DISTRICT

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D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

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## MEMORANDUM

**TO:** GOVERNING BOARD  
**FROM:** D. ALBREY ARRINGTON, Ph.D.  
**DATE:** MARCH 13, 2026  
**SUBJECT:** RULE 31-10 RATES, FEES, & CHARGES – RATE STUDY

We return this month to wrap up our discussion of our annual Rate Study and recommend rate increases for the upcoming 5-years based on projected capital and operating costs. Fundamental drivers of this effort are major planned infrastructure rehabilitation projects, projected cost increases (i.e., inflation), and projected customer growth. This process is guided by our objectives to achieve operational excellence (e.g., system reliability, satisfied customers, and engaged workforce) and maintain a reasonable rate structure.

In addition to the proposed changes we discussed last month, this month a few additional revisions have been incorporated based on consideration of input during last month's discussions. Changes incorporated since last month are **highlighted in yellow** in the draft rule and include:

- 5% rate increase on 4/1/2026 and annually thereafter for the subsequent 4 years;
- "Renovation" is defined;
- Residential equivalent connections are no longer capped at 4 toilets (effective 10/1/2026 for quarterly service charges only, all other revisions effective 4/1/2026);
- Non-residential equivalent connections are further revised;
- Application for Service is defined as required for new construction and for renovations;
- Added a clear reference to Chapter 31-11 Special Assessments; and
- Add statement that rates, fees, and charges will not be discounted for any organization.

On the following pages there is a summary of the assumptions included in this year's Rate Study. The final page includes a summary of the proposed FY2027 to FY2031 Capital Improvement Plan. Also, Chapter 31-10 is included showing proposed revisions with track-changes. The intent of providing this memorandum and the associated information to the Governing Board and the public is to facilitate an understanding of our current financial position, anticipated revenues and operating expenses, planned capital projects and costs, and anticipated impacts to our rates, fees, and charges.

I recommend your approval of the following motion:

**"THAT THE DISTRICT GOVERNING BOARD approve Rule Chapter 31-10 as revised, and with an effective date of April 1, 2026."**

Kevin L. Baker  
CHAIRMAN

Dr. Matt H. Rostock  
BOARD MEMBER

Stephen B. Rockoff  
BOARD MEMBER

Gordon M. Boggie  
BOARD MEMBER

Proposed revisions to Chapter 31-10 are shown in the draft rule using track changes, and are summarized here:

1. Throughout the rule, we have replaced unclear uses of “system” with “Regional Wastewater System”, which is defined within the rule.
2. 31-10.001(2) the definition of “Administrative Charge” is clarified so that the Administrative Charge is triggered by submission of an Application for Service and payment is due before we will review the plans. The fee is non-refundable, because once we invest the time to review the plans, we cannot recover that time even if the development is cancelled. Also, the definition of “Administrative Charge” is revised so the charge is based upon the total number of Equivalent Connections being reviewed. Currently, the District only charges an Administrative Charge for new Equivalent Connections. This revision will result in Administrative Charges being applied to all Equivalent Connections (even pre-existing Equivalent Connections) because the review process requires a comprehensive review of the entire set of plans, which is approximately equal to reviewing a set of plans for a new development that will result in new equivalent connections being made.
3. 31-10.001(4) and 31-10.007(2) we are proposing to implement a new “Cut and Cap Inspection Fee” of \$95.00. Currently, when a home is being torn down and rebuilt, a customer can call for a “Cut and Cap” inspection. The District dispatches an inspector to verify the home has been disconnected from our Regional Wastewater System in compliance with our Manual of Minimum Construction Standards and Technical Specifications, and quarterly sewer service charges are temporarily suspended until the rebuilt home receives a certificate of occupancy. At the present time, we do not charge a fee for the Cut and Cap inspection, though we expend administrative and engineering staff time on the process. Implementation of a Cut and Cap Inspection Fee will more equitably allocate and recover the costs for these services.
4. 31-10.001(5) we have revised the definition of Delinquent Quarterly Service Charge for Sewer Service to be clearer.
5. 31-10.001(6) we have added a definition of Delinquent Connection Charge. This definition is the same definition we have used within the organization, but it was not spelled out within this Rule.
6. 31-10.001(7) we have added a definition of Default.
7. 31-10.001(9) and 31-10.003 the definition of “Equivalent Connection” is clarified to be based upon the number of toilets plus urinals if urinals are installed to offset the number of toilets installed. The plumbing code or building code allows the number of toilets installed in a men’s bathroom to be decreased based on the installation of urinals. When this occurs it is fair and reasonable to count urinals for the allocation of costs that historically we assigned strictly to toilets.
8. 31-10.001(21) we have added a definition of “Renovation”
9. 31-10.002(1) We are proposing to charge connection fees for ALL residential toilets. Historically, we only charged connection fees for up to 4 toilets in a residential unit. After careful deliberation, staff determination is that our connection fees are the cost basis for a property to pay for their fair share of capacity in our wastewater treatment plant and

regional transmission system. These systems must be designed and ready to serve ALL connections to our sewer system. A home with 4 toilets can generate more wastewater than a home with 1 toilet (e.g., all 4 toilets could be flushed at once). Similarly, a home with 16 toilets can generate more wastewater than a home with 4 toilets. As such, it is the opinion of the District's professional engineering staff and me that residential connection fees should be based upon all toilets (quantified as equivalent connections) being connected to our sewer system. From an implementation perspective, this rule change will be prospective in application - nothing would change for homes currently connected to the sewer, see 31-10.005(4). When a home comes in for Renovation, we would then charge connection fees for all new toilets being installed.

10. 31-10.003(c) Non-Residential Equivalent Connections table has been updated to better correspond with building categories and water usage values defined in FAC 62-6. From an implementation perspective, this rule change will be prospective in application - nothing would change for non-residential facilities currently connected to the sewer, see 31-10.005(4). When a Non-residential Unit comes in for Renovation, we would then charge connection fees for all new equivalent connections.
11. 31-10.003(d) Non-Residential Equivalent Connections has been updated to delegate authority to the District's Director of Engineering (Courtney Jones, P.E.) to determine the number of equivalent connections when the standard calculations are insufficient to characterize a project, development, or facility.
12. 31-10.004(1) is revised to clarify that an Application for Sewer Service is required for new connections and renovations.
13. 31-10.005(1) is revised to clarify that connection charges are required for new connections and for renovations.
14. 31-10.006 is revised to add a reference to Chapter 31-11 Special Assessments.
15. 31-10.007(1) is revised to include 5% annual rate increases for each of the next 5-years.
16. 31-10.007(1)(a) is revised to remove the 4-toilet cap (1.75 ECs) for residential units with an effective date of 10/1/2026, due to time staff needs to update processes, improve data, and notify customers of this change.
17. 31-10.008 we are proposing to remove the 1.75 EC limitation when a developer or property owner does not provide proof of the number of Equivalent Connections in the facilities they are connecting to the District's sewer system.
18. 31-10.009(3) we removed the definition of Delinquent Quarterly Service Charge for Sewer Service from this section because it is provided in 31-10.001(5&6).
19. 31-10.009(4) we removed the definition of Default because it is provided in 31-10.001(7).
20. 31-10.009(5) we revised this section to remove the definition of Default because it is provided in 31-10.001(7). Also, we have simplified the language with an intent to make the text clearer.
21. 31-10.009(7) added that rates, fees, and charges will not be discounted.
22. 31-10.013(6) revised to include 5% annual rate increases for each of the next 5-years

Mr. Shenkman has reviewed these changes and found them to meet our Enabling Legislation's "fair and equitable" determination of rates fees and charges standard.

Regarding financial revision to Chapter 31-10, the Rate Study is based on these assumptions:

1. Revenue from Quarterly Service Charges – Given the lack of developable land in our service area, increases in quarterly sewer revenue are anticipated to be driven, not by growth in customers, but by rate increases. District Rule 31-10 currently includes scheduled rate increases of 5% for 2026, 2027, 2028, 2029, and 2030.

2. Revenue from New Development (Plant and Line Charges) – these revenues are paid by new customers (i.e., new development) and represent the proportional cost of existing infrastructure needed to serve new customers (i.e., a new home connecting to the sewer system pays for the tiny fraction of the wastewater treatment facility needed to accommodate their wastewater). In their review of our Rate Study, Raftelis recommended we tied these rates to the Engineering News Record Construction Cost Index published in the February edition of each year, which is 2.7% this year.

3. Service Availability Standby (SAS) Revenue – projected to continue a slow, gradual decline, which has been occurring as our service area nears built-out conditions.

4. IQ Water Revenue – our IQ revenues are relatively stable at \$2.5 million per year. Given constraints on the availability of reclaimed water, we do not anticipate entering into any new IQ Water contracts. Thus, increases in IQ Water revenues will be tied directly to rate increases, which would be affected by cost increases. Also, we have informed the Town of Jupiter that we do not want to renew the existing agreement that governs their nano concentrate, which we currently blend with our IQ Water or dispose of down our deep injection well when necessary. The current agreement expires on June 19, 2026, and both additional costs and additional revenue associated with the Nano Agreement will stop when the agreement expires.

5. Miscellaneous Revenues – over the past 5 years, we have averaged \$600,000 per year in miscellaneous revenues. These revenues originate from grant funds (e.g., LRPI grants), cell tower lease, estoppel fees, and sale of surplus equipment. We expect these revenues to remain relatively stable.

6. Interest Revenue – we receive two sources of interest revenue: (a) interest on assessments, which is fixed at the time the assessment is levied, and (b) interest on investments, which fluctuate with market conditions. As of 2/28/2026, our average weighted rate of return on investments is 3.47%. While interest rates have declined, they have been more persistently high than anticipated. I am projecting interest rates paid on our investments will return to 3% in FY2030.

7. Operating Expenses – we anticipate a 3.5% increase in budgeted operating expenses over the next fiscal year and 3% inflation thereafter. Overall inflation has declined, but services and the labor market have remained surprisingly tight, which impact our operating expenses.

8. Capital Improvement Projects – The remainder of this memo provides a categorical summary of the proposed Rate Study, which is based upon the FY2027 to FY2031 Capital Improvement Plan (see table below). This is intended to facilitate the Board's understanding of forthcoming

significant capital investments staff have identified as necessary or desirable. Below, my intent is to specifically discuss any single item or project that is expected to cost \$200,000 or more:

- A. Buildings – Over the next three years, we anticipate spending \$14.1 million to design and construct new maintenance and warehouse buildings and associated facilities that were identified in our Conceptual Site Plan for 2500 Jupiter Park Dr. The maintenance building will have an internal generator to replace our aging 1,250 KW generator, which provides backup power to our wastewater treatment plant during power outages (e.g., hurricanes). The maintenance building will also include bunk facilities to accommodate staff that are required to shelter at the wastewater treatment plant site during our emergency conditions (e.g., a hurricane). These important buildings will be rated for risk category IV (i.e., buildings and structures designated as essential facilities). The current cost estimate will be refined over the coming year as we develop detailed engineering plans.
- B. Infrastructure Improvements (not buildings) – Staff have included \$329k per year over the next five fiscal years. These major projects include: new fire monitoring system for Administration and Operations, new storage facilities for Construction and Collections at 2500 Jupiter Park Drive, completion of headworks liner rehabilitation, and rehab of A and B structures.
- C. Machinery and Equipment – Spending in this category is projected to average \$1.47 million per year over the next five years. These funds are targeted to replace and improve a diversity of critical tools used by District staff, including IT security and disaster recovery improvements, ground penetrating radar, lift station pumps, IQ Water pumps and motors, portable generators, and several important features within our wastewater treatment plant, e.g., aeration basin fine bubble diffusers, aeration basin blowers, programmable logic controllers, headworks bar screen conversion, and replacement of emergency chlorine scrubber .
- D. Vehicles – rehabilitating vehicles is anticipated to cost an average of \$337,000 per year over the next 5 years. We anticipate replacing one vacuum truck, our most expensive vehicle with an anticipated cost of \$500,000, in FY2029. F550 crane trucks are estimated to cost \$200,000, and we anticipate replacing two over the next 5 years.
- E. Public Education – For the 5-year period of this rate study, we have included \$400,000 for engineering and construction of parking facilities, a chickee hut, and nature trails at the 20 acres, \$150,000 for demo and renovations of Unit H (summer camp house) at Bureau of Land Management’s Jupiter Inlet Lighthouse Outstanding Natural Area (BLM is leading this effort), and \$75,000 for renovations to the River Center bathrooms (in anticipation of extending our lease).
- F. Master Planning – We have \$500k budgeted for master planning in FY2027, which was documented as a key priority initiative in our most recent Strategic Plan.
- G. Neighborhood Sewering – With the completion of our scheduled neighborhood sewerage projects, the Rate Study only includes minimal funds necessary to address sewerage of

remnant areas as they become available. If the Board desires to initiate neighborhood sewerage of unscheduled areas, we would need to revamp these projections.

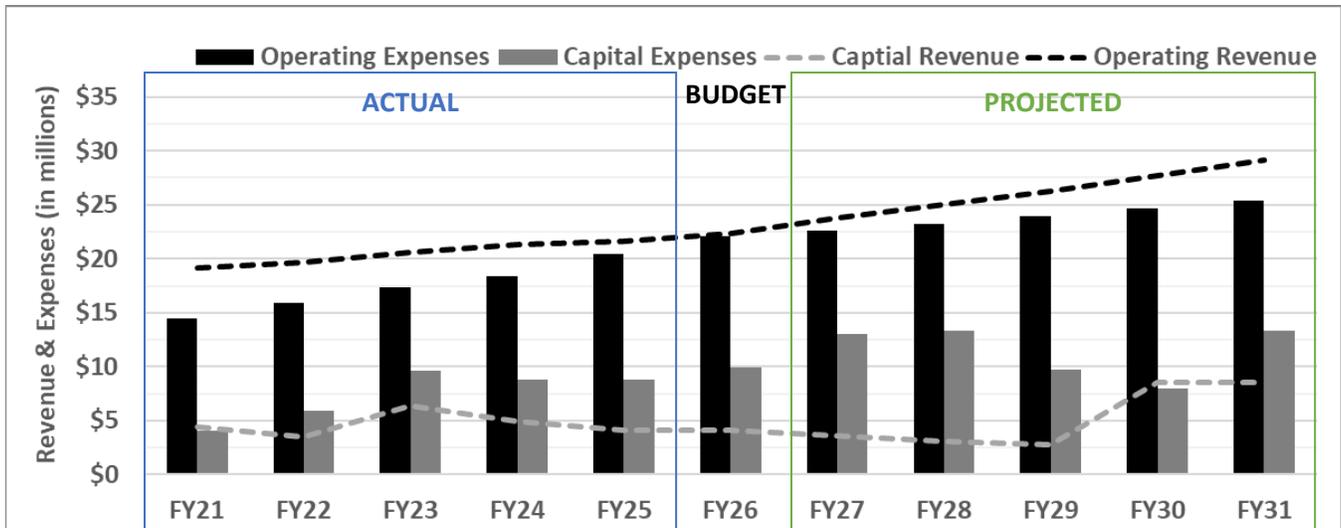
- H. Lift Stations – We are projecting \$11.8 million in capital projects to improve our lift stations over the next 5 years. \$1.1 million per year is projected to be spent systematically rehabilitating our lift stations. This work is driven by ongoing lift station condition assessments, and each budget year our efforts will be focused on those stations deemed most in need of renewal. The second project will comprehensively replace the control panel and associated appurtenances and add telemetry at 34 lift stations at a cost of \$5 million, which will be spread over the next two years.
- I. Gravity System – We anticipate approximately \$3 million per year over the next 5 years as we continue to rehabilitate our aging collection system (gravity laterals, gravity mains, and manholes). This includes \$4.9 million for lining of gravity mains, \$8.3 million for lining laterals, and \$700k for trunk line repairs in Indiantown Rd. These systematic investments will increase system reliability and decrease long term costs by minimizing very expensive emergency point repairs.
- J. Force Mains – We have included \$250,000 for routine rehabilitation of force main appurtenances such as air release valves and valves.
- K. Low Pressure Sewer Systems – We have included \$175,000 in the upcoming year to implement the power monitoring solution discussed last month and an additional \$100,000 for needed LP emergency power equipment.
- L. Telemetry – We have included \$250,000 for routine rehabilitation of telemetry, programmable logic controllers, and instrumentation & control appurtenances.
- M. Operations General Site Improvements – \$113,000 has been added for the Jupiter Park Dr improvements (Town of Jupiter interlocal agreement).
- N. Treatment and Disposal – Over the next 5 years, staff anticipate an average expenditure of approximately \$3.2 million (\$640k per year) to rehabilitate various systems in our water reclamation facility (e.g., replacement of deep bed filter media, electrical system upgrades, and rehab of plant lift station #2) plus remediation of our 20 acres.
- O. Reuse General – We have included \$50,000 per year for routine rehabilitation of reuse force mains and appurtenances.
- P. Reuse Pump Stations – The largest reuse project over the next five years is to rehabilitate electrical, instrumentation, and controls at IQ518 (IQ Water pumping station in Abacoa), at a cost of \$2.1 million in FY27. In FY28-FY29, we expect to spend \$500k to improve electrical, instrumentation, and controls at metering stations and points of connection.
- Q. Biosolids – In 2005, the District entered into an interlocal agreement with the Solid Waste Authority (SWA) to fund a portion of the cost to design, build, and operate the SWA Biosolids Processing and Recycling Facility (BPF). The District owns 8.96% of the facility's total capacity. The District's has invested over \$3.4 million into the facility. The interlocal agreement terminates on August 9, 2029, and the agreement stipulates that at least five years before the termination date the partners must agree to continue operating

the facility (capital costs to rehabilitate and upgrade the facility) or decommission the facility (costs to demo the facility and costs to design, permit, construct, and startup a new facility). We have responded to the SWA confirming our desire to continue operation of the BPF beyond August 9, 2029, as this appears to be our best, most cost-effective option. Therefore, LRD staff have included in the Rate Study \$2.75 million in capital costs spread across FY30, FY31, and FY32. These funds are a necessary cost to continue operation of the BPF, which will include renewing existing equipment and facilities and constructing new facilities. Maintaining a reliable and effective disposal mechanism for our biosolids is an absolute necessity. Furthermore, our onsite biosolids facilities (e.g., biosolids processing building) are nearing the end of their useful life, and staff anticipate spending \$16.5 million in engineering design, permitting, bidding, and contracting fees for a comprehensive reconstruction of these facilities beginning in FY28 (after the maintenance and warehouse facilities have been constructed) through FY32.

In addition to the items currently in our draft 5-Year Capital Improvement Plan, staff have identified the following large cost items that potentially could be incorporated into our planned capital projects. Here, we provide our assumption regarding incorporation of these projects into the Rate Study as planned capital projects. These projects include:

- I. **New Deep Injection Well** - Recent assessments of our existing injection well show no meaningful signs of degradation or lack of performance. We perform these permit-required technical assessments every 5 years, and staff believe it is reasonable and prudent to schedule design, permitting, and construction of a New Deep Injection Well 6 to 8 years into the future. Staff will evaluate this schedule annually using data collected from our ongoing monitoring of the Deep Injection Well System (e.g., wellhead pressures) and each subsequent permit-required assessment. As soon as the mechanical integrity of the Deep Injection Well System comes into question, staff will begin the replacement process, which will likely take 5 years to have a new, fully functional well in service. The outcome of all this, relative to the Rate Study, is that the deep injection well funds have been reassigned to meet other capital cost demands in the near term. Staff assume we will borrow funds to complete construction of a new deep injection well when necessary, which will result in future rate payers contributing the majority of the replacement costs for this long-lived, critical asset.
- II. Projects to improve resiliency of existing major transmission system elements e.g., Old Dixie Highway force main replacement. We look forward to improving our insights into this work through the development of a transmission system master plan

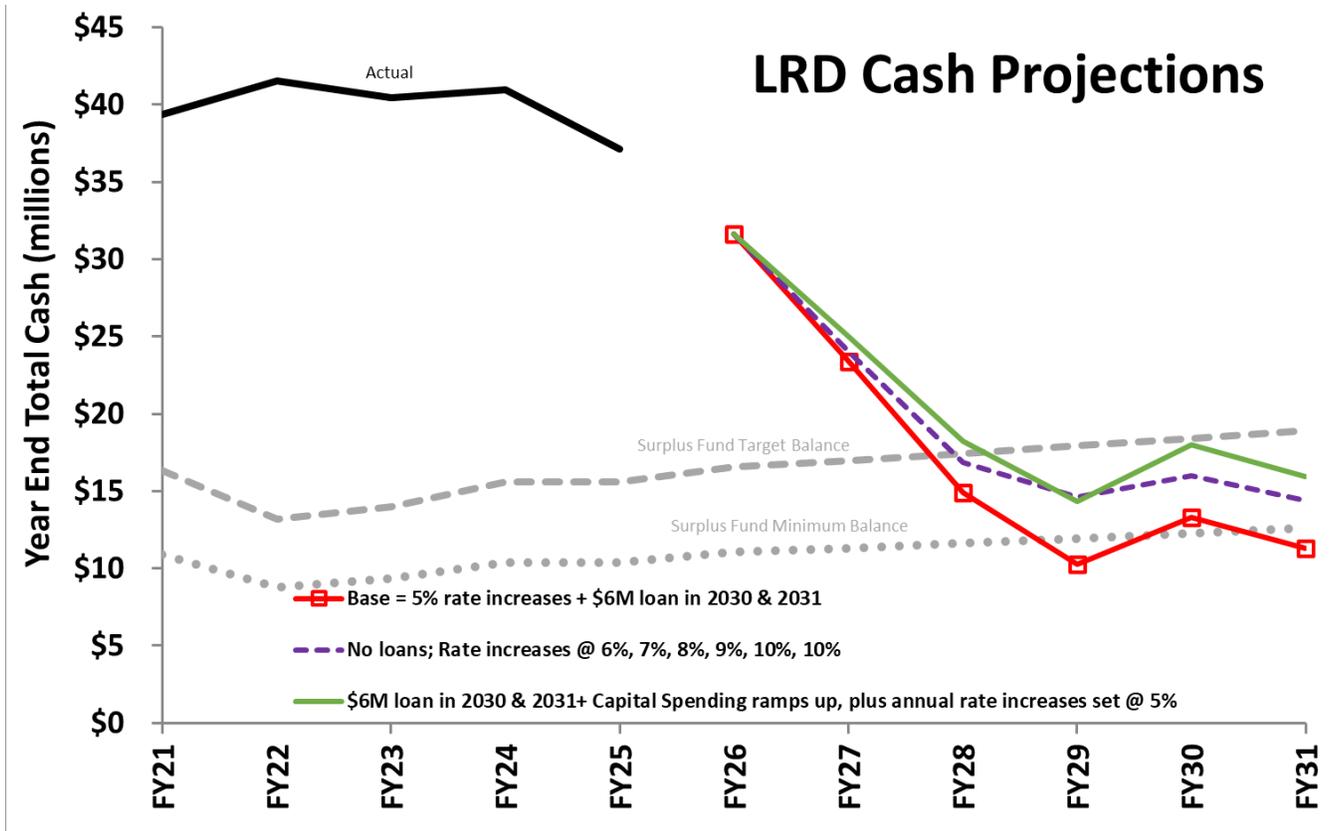
Debt – The District does not have any debt at this time; however, certain projections in the Rate Study assume we will seek a \$6 million loan in FY30 and FY31 to finance some of the major projects that are included in the Rate Study. These loans are modelled as bank loans with a 4.62% interest rate, 20-year term, annual payment of \$460,185 individually or \$920,904 combined, and cumulative total interest payments of \$6,407,382.



The chart above shows total annual operating and capital revenues and expenses by fiscal year. This chart shows that our operating expenses are projected to equal our operating revenues in FY2026 and our capital revenues have been significantly below our capital spending since FY2023, which is due to the lack of development within our service area. While we are proposing some strategic adjustments to how we calculate and charge for capital fees, the available information shows our quarterly sewer rates (historically viewed as operating revenue) need to bear a greater fraction of our capital costs, which is why the draft rule now includes 5% annual rate increases for the next 5-years. While we currently have a meaningful amount of available cash, that accumulated buffer is projected to decrease precipitously as we engage in and complete the significant capital projects we have identified and scheduled in the Rate Study. The capital revenue increase in FY30 & FY31 is due to loans.

The attached draft of Chapter 31-10 Schedule of Rates, Fees, and Charges provides for 5% rate increases annually for quarterly sewer charges and IQ Water for 4/1/2026 and annually thereafter through 4/1/2030. Plant Connection Charges, Regional Transmission System Line Charges, and Administrative Charges have been increased 2.7% based upon the annual increase in the Engineering News Record Construction Cost Index published February 2026. All Subregional Line Charges have been adjusted based on the 10-Year Treasury Rate published by the US Department of Treasury on February 1st, which was 4.29% on 2/2/2026 (the first business day following 2/1/2026).

Historically, the Rate Study and Budget are relatively conservative documents, i.e., we often underspend relative to what was projected in the Rate Study and Budget for a given year. If our planned capital projects occur at a rate slower than projected (as they have across our recent history), our available cash balance will be sustained for longer than projected in the chart on the following page. Alternatively, if we improve our ability to execute major capital projects in a timely manner, we will likely see our available cash balance decline more quickly.



The chart above is the simplistic outcome from our Rate Study Model. It shows the actual cash on hand at the end of the prior five fiscal years and the projected cash on hand at the end of the current budget year and the future five years in the Rate Study planning horizon.

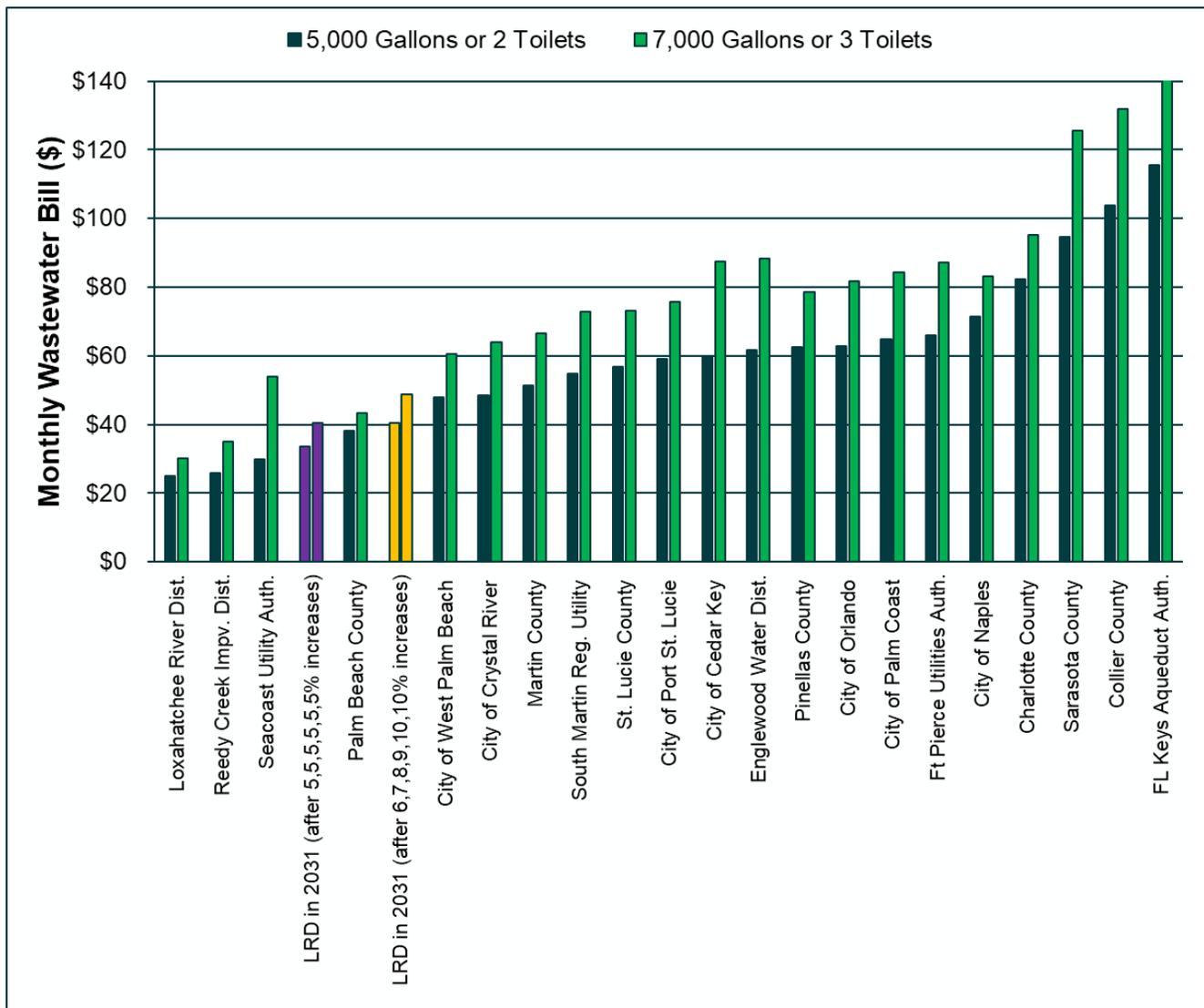
- The **red line** is the base case and models the conditions described in the text provided on the prior pages of this memo, i.e., 5% rate increases annually, a \$6 million loan in FY30 and a \$6 million loan in FY31. Even after borrowing \$12M, our available cash is projected to hover around our surplus fund minimum balance. While the Rate Study is conservative (potentially over estimating costs), it suggests that we may need additional funds (revenue, grants, and/or loans) to execute the work we have identified over the upcoming 5-year period.
- The only difference between the red line and the solid **green line** is that the green line assumes slightly slower capital spending, i.e., 70, 70, 75, 75, 80% of annual Rate Study projections, whereas the red line assumes we spend 80% of annual Rate Study projections.
- The dashed **purple line** assumes no loans and only rate increases are used to fund anticipated operating and capital costs, with rate increases being 6% in FY26, 7% in FY27, 8% in FY28, 9% in FY29, and 10% in FY30 and FY31.

Finally, the Rate Study does not include any major grant funds, which theoretically should be available to the District as we build some of the planned major improvements (e.g., maintenance building and new generator).

The gray dotted and dashed lines in the chart above are from our Board-approved Cash Reserve Policy, which stipulates the District will maintain a minimum cash reserve in the Surplus Fund

Account. The Surplus Fund Account Minimum Balance is the sum of the Operating Reserve (4 months of budgeted operating expenses), the Renewal and Replacement Reserve (1.5% of gross depreciable assets), and 100% of the current year portion of debt service requirements including both interest and principal (zero because we have no debt). The Surplus Fund Account Target Balance is 150% of the Surplus Fund Account Minimum Balance.

The chart below shows comparisons of 2025 monthly wastewater rates between LRD and 20 peer organizations. To provide perspective on the potential rates increases discussed in the chart above, I have added what our monthly wastewater rates would be in **2031** after compounding all of the proposed rate increases for the two most extreme scenarios (purple bars assume the following annual rate increases: 5%, 5%, 5%, 5%, 5%, 5%; orange bars assume the following annual rate increases: 6%, 7%, 8%, 9%, 10%, 10%). Even after compounding rate increases across 6 years, our rates would still be in the lower quartile of rates charged by our peers in 2025.



## Loxahatchee River District's FY2027 – FY2031 Capital Improvement Plan

	FY2027	FY2028	FY2029	FY2030	FY2031
80% of Total Capital is used in Rate Study Cash Projection Model (due to conservative nature of projected capital costs)	\$ 13,002,000	\$ 13,361,066	\$ 9,737,066	\$ 8,020,266	\$ 13,369,066
<b>Total Projected Capital Costs =</b>	<b>\$ 16,252,500</b>	<b>\$ 16,701,333</b>	<b>\$ 12,171,333</b>	<b>\$ 10,025,333</b>	<b>\$ 16,711,333</b>
<b>Contingency</b>	\$0	\$0	\$0	\$0	\$0
<b>Land</b>	\$0	\$10,000	\$10,000	\$10,000	\$10,000
<b>Buildings</b>	\$2,801,000	\$6,900,000	\$4,400,000	\$0	\$0
<b>Infrastructure Improvements (not buildings)</b>	\$1,005,000	\$370,000	\$90,000	\$90,000	\$90,000
<b>Machinery and Equipment</b>	\$773,500	\$1,253,000	\$1,273,000	\$907,000	\$3,148,000
<b>Vehicles</b>	\$360,000	\$245,000	\$500,000	\$520,000	\$60,000
<b>Construction in Progress</b>	<b>\$11,313,000</b>	<b>\$7,923,333</b>	<b>\$5,898,333</b>	<b>\$8,498,333</b>	<b>\$13,403,333</b>
CIP - Exec/Finance/Lab/Cust Svc/IT/Const	\$0	\$0	\$0	\$0	\$0
CIP - Public Education	\$0	\$225,000	\$0	\$0	\$0
CIP - Master Planning	\$500,000	\$0	\$0	\$0	\$0
CIP - General Collection & Transmission	\$0	\$0	\$0	\$0	\$0
CIP - Neighborhood Sewering	\$0	\$10,000	\$10,000	\$10,000	\$10,000
CIP - Lift Station	\$3,815,000	\$3,625,000	\$2,125,000	\$1,125,000	\$1,125,000
CIP - Gravity System	\$2,305,000	\$2,633,333	\$2,633,333	\$5,033,333	\$2,633,333
CIP - Force Mains	\$0	\$50,000	\$50,000	\$100,000	\$50,000
CIP - LPSS	\$275,000	\$20,000	\$20,000	\$20,000	\$20,000
CIP - Permanent Generators	\$0	\$0	\$0	\$0	\$0
CIP - Telemetry	\$20,000	\$35,000	\$35,000	\$35,000	\$40,000
CIP - Operations Planning Studies	\$0	\$0	\$0	\$0	\$0
CIP - Operations General Site Improvements	\$113,000	\$0	\$0	\$0	\$0
CIP - Treatment & Disposal	\$1,895,000	\$525,000	\$225,000	\$325,000	\$225,000
CIP - Reuse General	\$0	\$50,000	\$50,000	\$100,000	\$50,000
CIP - Reuse Pumping Stations	\$2,090,000	\$0	\$0	\$0	\$0
CIP - Reuse Mains	\$0	\$0	\$0	\$0	\$0
CIP - Reuse Telemetry/Metering/Controls	\$0	\$250,000	\$250,000	\$0	\$0
CIP - Biosolids	\$300,000	\$500,000	\$500,000	\$1,750,000	\$9,250,000

RULES  
OF THE  
LOXAHATCHEE RIVER  
ENVIRONMENTAL CONTROL DISTRICT  
CHAPTER 31-10  
SCHEDULE OF RATES, FEES AND CHARGES  
FOR THE USERS OF THE REGIONAL WASTEWATER SYSTEM

- 31-10.001 Definitions.
- 31-10.002 Residential Equivalent Connections.
- 31-10.003 Non-Residential Equivalent Connections.
- 31-10.004 Application for Sewer Service.
- 31-10.005 Plant Connection Charges, Regional Transmission System Line Charges, Administrative Charges, and Subregional Line Charges for Residential and Non-Residential Units.
- 31-10.006 Special Assessments
- 31-10.007 Quarterly Service Charges for Sewer Service.
- 31-10.008 Determination of Equivalent Connections.
- 31-10.009 Responsibility for Payment and Enforcement of Collections.
- 31-10.010 Payment of Certain Rates, Fees and Charges; Developer Agreement.
- 31-10.011 Connection to Sewer Required. (Repealed)
- 31-10.012 Exceptions to the Payment of Connection Charges.
- 31-10.013 Irrigation Quality Water User; Rates, Fees and Charges for Irrigation Quality Water Services; Irrigation Quality Water Agreements.
- 31-10.014 Low Pressure Pump Unit Delivery Procedures & Delivery Charge.
- 31-10.015 Termination/Abandonment of Easements – Application Fee.

### 31-10.001 Definitions.

When used in this Chapter the following terms are defined as follows.

(1) “Account” is the account for each property connected to the District’s Regional Wastewater System ~~sewer system established by the District~~. No more than one (1) account will be established per unique Property Control Number (PCN) as established by either Martin County or Palm Beach County, whichever is applicable.

(2) “Administrative Charge” is the charge paid for ~~each Equivalent Connection to the Regional Wastewater System, to pay for~~ administrative, legal, engineering, and inspection expenses associated with each ~~new connection to~~ Application for Service submitted to the District for review and approval ~~the system~~. The Administrative Charge is based upon the total number of Equivalent Connections being reviewed, is due and payable before District plan review or approval ~~connection is made to the system,~~ and is not transferable or refundable.

(3) “Capital Cost” means the construction cost of regional transmission facilities plus an allowance for associated cost. Construction costs include, but are not limited to, the cost of installation of pipelines, special fittings, valves, pumps, appurtenances, and the cost of acquiring permanent and construction rights-of-way and easements. Allowances for associated costs include engineering services, legal, fiscal, contingencies, and administrative cost. In no event will the allowance for associated cost exceed twenty-five percent (25%) of the construction cost.

(4) “Cut and Cap Inspection Fee” means the charge to offset administrative and engineering expenses incurred through the processing of an application to disconnect sewer service, i.e., inspecting the disconnection of an existing connection to the Regional Wastewater System.

(5) “Delinquent Quarterly Service Charge for Sewer Service” means a Quarterly Service Charge for Sewer Service that is not paid by the end of the service period ~~is delinquent if not paid during the service period~~. Service periods are as follows: Quarter 1: January 1 through March 31; Quarter 2: April 1 through June 30; Quarter 3: July 1 through September 31; Quarter 4: October 1 through December 31.

(6) “Delinquent Connection Charge” means a Connection Charge not paid in full within 365 days following the Notice of Availability of Sewer Service, excluding properties under a Standard Developer Agreement, vacant parcels, or parcels enrolled and compliant with an Installment Agreement for Connection Charges.

(7) “Default” means any rates, fees, or charges imposed by the District that remain unpaid after the service period, or for connection charges 12-months following Notice of Availability of Sewer Service.

(85) “District” means the Loxahatchee River Environmental Control District, a separate local agency of government operating in accordance with Chapter 2021-249, Laws of Florida.

(96) “Equivalent Connections” or “E.C.” is a multiple factor determined by the amount of toilets (water closets) and urinals, if urinals are installed to offset the number of toilets installed, per individual residential and non-residential unit, the estimated public usage or average flow of wastewater per day, or a combination of the above which may be connected with or used by each parcel of land which may be connected with or used by the Regional Wastewater System, as more particularly set forth in Rules 31-10.002 and 31-10.003.

(107) “Estoppel Fee” means the charge to offset administrative and legal expenses associated with providing information to parties requesting the status in writing for justifiable reliance purposes as to rates, fees, and charges due to the District for a specific property. An Estoppel Fee is determined at \$30.00 per Estoppel letter provided by the District and may be changed from time to time in accordance with the law.

(118) “Governing Board” means the Governing Board of the Loxahatchee River Environmental Control District.

(129) “G.P.D.” means gallons per day.

(1310) “Non-residential Unit” is a non-residential building or structure connected to the Regional Wastewater System including, but not limited to, hotels, motels and boarding houses, wholesale and retail businesses, professional offices, schools, warehouses (including each individual bay) and without limitation all other buildings and structures of a commercial, public, or quasi-public nature.

(1411) “Owner” means the legal owner or owners of a property served by the District. By accepting sewage service from the District, all of the property owners of each parcel shall be jointly and severally liable to the District for all charges, rates, and fees incurred for each parcel. If requested by the Owner in writing, the District will submit its bills and other communications to an agent of the Owner such as a property owners or homeowners association manager, property manager, or other legally authorized representative of the Owner.

(1512) “Plant Connection Charge” is the charge paid for each Equivalent Connection to the Regional Wastewater System, and credit for which shall run with and be appurtenant to the land. The Plant Connection Charge is due and payable before connection is made to the systemRegional Wastewater System and is not transferable. Excess Plant Connection Charge(s) may be refunded if owner demonstrates, in accordance with objective determinations of the District, that fully paid Plant Connection Charges will not be used. In no case shall Plant Connection Charge be refunded for a

Residential or Non-residential Unit not connected within one (1) year of sewer being declared Available. Plant Connection Charges are determined as set forth in this rule and may be changed from time to time in accordance with the law.

(1613) “Quarterly Service Availability Standby Charge” is the periodic charge for each Equivalent Connection, commencing upon the signing of a Standard Developer Agreement, and is computed at the rate of sixty-eight percent (68%) of the Quarterly Service Charge per Equivalent Connection as established by the Governing Board and amended from time to time.

(1714) “Quarterly Service Charge” is the periodic charge for each Equivalent Connection when it is connected to the Regional Wastewater System or within one (1) year of the time the connection is Available, whichever occurs first, and shall be billed in advance. Quarterly Service Charges are established by the Governing Board and amended from time to time.

(1815) “Regional Transmission Facility” means transmission lines, force mains, gravity interceptors, lift stations or pump stations that collect wastewater from two or more sub-regions and transport the wastewater to the District treatment plant. The size and location of the Regional Transmission Facility are described in the latest Transmission System Master Plan as amended.

(1916) “Regional Transmission System Line Charge” is the charge paid for each Equivalent Connection to the Regional Wastewater System, and credit for which shall run with and be appurtenant to the land. The Regional Transmission System Line Charge is due and payable before connection is made to the ~~system~~Regional Wastewater System and is not transferable. Regional Transmission System Line Charge may be refunded if owner demonstrates, in accordance with objective determinations of the District, that fully paid Regional Transmission System Line Charge will not be used.

(2017) “Regional Wastewater System” means any plant, facility or property; and additional extensions and improvements having the capacity for current or future use in connection with the collection, transmission, treatment, purification or disposal of sewage of any nature or originating from any source, including industrial wastes resulting from any processes of industry, manufacture, trade or business, or from the development of any natural resources. The Regional Wastewater System includes but is not limited to: treatment plants, pumping stations, lift stations, valves, force mains, intercepting sewers, laterals, pressure lines, mains and all necessary appurtenances and equipment; all sewer mains and laterals for the reception and collection of sewage; any interest in real and personal property; rights, easements and franchises of any nature whatsoever relating to the District.

(2148) "Renovation" is defined as the addition of one or more plumbing fixtures (e.g., toilet) or the addition of square footage to any structure for Residential Units. For Non-residential Units, "Renovation" is defined as the addition of one or more plumbing fixtures (e.g., toilet), the addition of square footage to any structure, or a change in operation.

(22) "Reserve Service Availability" is the right of an Owner to receive sewer service in the Regional Wastewater System upon reasonable demand.

(2349) "Residential Unit" is a residential living unit or structure directly or indirectly connected to the Regional Wastewater System including but not limited to single family dwelling, detached living structure with toilet, and each separate living unit of duplexes, apartments, townhouses, condominiums, and cooperative apartments.

(2420) "Special Assessments" are assessments approved, set, and levied by the Governing Board for properties benefitted by the construction, acquisition, extension and operation of the Regional Wastewater System on the basis of the total cost to the District of construction, reconstruction, labor, materials, acquisition, property rights, surveys, design, engineering, legal, administration, operation, maintenance, and all other expenses necessary or incidental to completion of the specially assessed improvements.

(2524) "Subregional Collection Facilities" means neighborhood gravity collection lines, collection manholes, force mains, lift stations and pump stations intended primarily to collect and transport wastewater from the subregional system to the ~~Regional~~ ~~Transmission~~ ~~Facility~~.

(2622) "Transmission System Master Plan" means the report on "Wastewater Collection System Master Plan" for the District dated February 1981 or the latest updated version of the report approved by the Governing Board. The report contains maps and describes those transmission mains, pump stations, lift stations, gravity collectors and interceptors, which constitute the facilities of the ~~Regional~~ ~~Transmission~~ ~~Facility~~ ~~system~~.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Section 6(6), (8), (9), (11), (12), and (27), and Section 8. History – New 12-9-76, Amended 9-26-78, 5-21-81, 3-15-2012, 3-20-2014, 3-19-2015, 6-18-2015, 3-17-2016, 3-21-2019, 3-17-22, 3-19-2026. Formerly 31-10.01.

### **31-10.002 Residential Equivalent Connections.**

The District will use the following amounts to determine Plant Connection Charges, Regional Transmission System Line Charges, Administrative Charges, Quarterly Service Availability Standby Charges, and Quarterly Service Charges, and other purposes in connection with sewer service provided by the District:

- 1) Residential Equivalent Connections are calculated as:

- (a) One (1) toilet (water closet) equals 1.000 Equivalent Connection.
- (b) ~~each additional toilet up to 5 equals 0.25 Equivalent Connections~~ ~~Two (2) toilets (water closets) equals 1.250 Equivalent Connections.~~
- (c) ~~each additional toilet up to 7 equals 0.20 Equivalent Connections.~~ ~~Three (3) toilets (water closets) equals 1.500 Equivalent Connections.~~
- (d) ~~each additional toilet over 7 equals 0.1 Equivalent Connections.~~ ~~Four (4) or more toilets (water closets) equals 1.750 Equivalent Connections.~~

- 2) Nurseries/Day Care Centers are calculated as 1.0 residential Equivalent Connection per 550 square feet of gross space.
- 3) Live/Work Units (as such zoning designation is approved and defined by the local zoning authority) are calculated based upon two components:
  - (a) The Residential (“Live”) component is calculated as provided in subsection (1) above; plus
  - (b) The Limited Non-Residential (“Limited Work Unit”), defined as a total gross floor area 500 square feet or less, adds 0.50 Equivalent Connection, or the Standard Non-Residential (“Standard Work Unit”), defined as a total gross floor area more than 500 square feet, adds 1.0 Equivalent Connection.

TYPE OF USE	EQUIVALENT CONNECTIONS
Residential Unit with 1 toilet	1.0
Residential Unit with 2 toilets	1.25
Residential Unit with 3 toilets	1.50
Residential Unit with 4 <del>or more</del> toilets	1.75
<del>Residential Unit with 5 toilets</del>	<del>2.00</del>
<del>Residential Unit with 6 toilets</del>	<del>2.20</del>
<del>Residential Unit with 7 toilets</del>	<del>2.40</del>
<del>Each additional Residential Unit toilet over 7</del>	<del>+ 0.10 per toilet</del>
Nurseries/Day Care	1.0 per 550 square feet of gross space
Limited Live/Work Unit (500 sq. ft. or less of work use) as designated by zoning authority	0.5 per unit plus applicable Residential E.C. <del>-</del>

Standard Live/Work Unit (more than 500 sq. ft. of work use) as designated by zoning authority	1.0 per unit plus applicable Residential E.C.
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Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida, Section 6(6), (8), (9), (11), and (19), and Section 8. History-New 12-9-76, Amended 9-26-78, 5-21-81, 6-30-85, 11-1-98, Formerly 31-10.02. Amended 3-17-2005, 3-16-2006, 3-15-2012, 3-20-2014, 6-18-2015, 3-17-22.

**31-10.003 Non-Residential Equivalent Connections.**

(1) The District will use the highest number of Equivalent Connects to determine Plant Connection Charges, Regional Transmission System Line Charges, Administrative Charges, Quarterly Service Availability Standby Charges, and Quarterly Service Charges, and other purposes in connection with sewer service provided by the District:

- (a) A minimum of one (1) Equivalent Connection per ~~n~~Non-residential ~~u~~Unit, as defined herein; or
- (b) One (1) Equivalent Connection per toilet (water closet); or
- (c) Equivalent Connections in accordance with the following non-residential businesses, occupations and uses, based upon the maximum occupancy per fire code design where applicable:

TYPE OF USE	EQUIVALENT CONNECTIONS
Tavern (Bar)	<del>.040.10</del> per seat
Restaurant (regular)	<del>.060.20</del> per seat
Restaurant (24 hours)	<del>.100.30</del> per seat
<u>Restaurant (take-out)</u>	<u>0.20 per seat</u> <u>or 1.0 per toilet or urinal<sup>†</sup> whichever is greatest</u>
Trailer Park <del>and-or</del> Mobile Home Park	<u>Each space treated as individual residential unit (see 31-10.002) with minimum of 1 per space</u>
<u>Place of Assembly with commercial kitchen</u>	<u>0.04 per seat</u>
<u>Place of Assembly without commercial kitchen</u>	<u>0.75 per 1000 sq. ft. (gross building area)</u> <u>or 1.0 per toilet or urinal<sup>†</sup> whichever is greatest</u>

Hotel <del>or</del> Motel (no Bar or Restaurant)	1.0 per unit + 1.0 per common area and/or employee toilet <u>or urinal</u> <sup>†</sup> Bar/Restaurant calculated separately
Hospital	<del>.80</del> 1.0 per bed + 1.0 per common area and/or employee toilet <u>or urinal</u> <sup>†</sup>
Nursing <u>Home, Rest Home, or Adult Congregate Living Facilities</u>	<del>.400</del> .50 per bed + 1.0 per common area and/or employee toilet <u>or urinal</u> <sup>†</sup>
<del>Assisted Living Facility / Adult Congregate Living Facility</del>	<del>.575 per bed + 1.0 per common area and/or employee toilet</del>
<del>High School and Middle School</del>	<del>.080</del> .07 per <del>pupil</del> student + 0.08 per <u>faculty</u>
<del>Elementary School and Pre-School</del>	<del>.06 per pupil</del>
Office Buildings	.75 per 1000 sq. ft. (gross building area) or 1.0 per toilet <u>or urinal</u> <sup>†</sup> whichever is greatest
<del>Large Single Use Retail (&gt;20,000 sq. ft.) Shopping Centers without food or laundry</del>	.50 per 1000 sq. ft. (gross building area) or 1.0 per toilet <u>or urinal</u> <sup>†</sup> whichever is greatest
<u>Laundromats or facilities with commercial grade washing machines</u>	1.1 per washing machine
Recreational Vehicle (RV) Park	0.75 per recreational vehicle space + 1.0 per common area and/or employee toilet
Swimming Pool Backwash Discharge	<del>0.10</del> .5 per 3,000 gallons <u>per month</u>
Elevator Sump	0.5 per sump
Marina pump out station	1.0 per pump out station
Public toilets in parks	1.0 per toilet <u>or urinal</u> <sup>†</sup>
Quasi-public toilets e.g., community recreation areas	1.0 per toilet <u>or urinal</u> <sup>†</sup>
<u>Carwash</u>	<u>District Engineering review required</u>
<u>Warehouse and/or Storage</u>	<u>0.08 per employee, 0.05 per loading bay, 0.005 per self-storage unit, and 1.0 per toilet or urinal</u> <sup>†</sup>

<sup>†</sup> only for urinals installed to offset the number of toilets installed

~~or,~~

(d) As may be determined by the District's Director of Engineering; or

(e) As may be designated by the Governing Board upon presentation of good and sufficient evidence to merit other specific determination.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Sections 6(6), (8), (9), (11), and (19), and Section 8, and Sections 6(9), (12) and (27). History- New 12-9-76, Amended 6-25-78, 9-26-78, 5-21-81, 4-25-84, 6-30-85. Formerly 31-10.03. Amended 3-23-00, 3-17-05, 3-16-06, 03-18-10, 3-20-2014, 6-18-2015, 3-17-2016, 3-17-22, 3-19-2026.

### **31-10.004 Application for Sewer Service.**

Before any Owner receives sewer service from the District, the Owner shall:

(1) ~~1. i~~ If a new customer or an existing customer upon Renovation of their Unit, submit an application form as provided on the District website (“Application for Sewer Service”) to the District’s Customer Service Department in person;

(2) ~~2. p~~ Provide proper personal identification and proof of ownership of the property at which sewer service is desired. The District may accept telephone or electronic orders for utility service from existing customers with an active District account provided that the Owner provides the District proper personal identification (driver's license number or state identification card number) that matches the previous information in the Owner’s record and proof of ownership of the property at which service is desired; and

(3) ~~3. p~~ Pay all outstanding fees and charges owed to the District for the subject property, including any delinquent fees and/or charges.

An Application for Sewer Service shall not be deemed complete unless the above three (3) requirements are met.

The Fair and Accurate Credit Transaction Act of 2003, 15 United States Code, Chapter 41, Section 1681, which can be found at <https://www.ftc.gov/enforcement/statutes/fair-accurate-credit-transactions-act-2003>, requires that the District obtain positive identification from the Owner requesting utility service. The receipt of an application by the District does not constitute a guarantee of sewer service.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida, Section 6(6), (9), (11) and (19), and Section 8. History - New 12-9-76. Repealed 12-12-78, Formerly 31-10.04. New 3-19-2015 as to Application for Sewer Service, Amended 3-17-22.

### **31-10.005 Plant Connection Charges, Regional Transmission System Line Charges and Subregional Line Charges for Residential and Non-Residential Units.**

(1) Before connecting, directly or indirectly, to the Regional Wastewater System, and upon Renovation, an Owner shall pay all applicable Plant Connection Charges, Regional Transmission System Line Charges, Administrative Charges, and Subregional Line Charges.

(2) Effective April 1, 1981, all residential and non-residential Plant Connection Charges, Regional Transmission System Line Charges, and Administrative Charges shall be based on the schedules in effect at the time the District and Owner execute a developer agreement as listed below:

PLANT CONNECTION CHARGES

April 1, 2025 thru March 31, 2026 @ ~~\$2,006.00~~~~1,953.00~~ per E-C.

REGIONAL TRANSMISSION SYSTEM LINE CHARGES

April 1, 2025 thru 31 March 31, 2026 @ ~~\$1,302.00~~~~1,268.00~~ per E-C.

ADMINISTRATIVE CHARGES

April 1, 2025 thru March 31, 2026 @ ~~\$188.35~~~~183.40~~ per E-C.

Commencing April 1, ~~2026~~~~2025~~ and thereafter, Plant Connection Charges, Regional Transmission System Line Charges, and Administrative Charges shall increase (or decrease) based upon the annual increase (or decrease) in the Engineering News Record Construction Cost Index published in the February edition of each year.

The District shall not execute a contract committing to provide service that exceeds the total capacity limitations set by the Governing Board. The full amount of the Regional Transmission System Line Charges and Administrative Charges shall be due and payable in U.S. funds (dollars) or by contract to provide Capital Costs and to construct certain portions of the Regional Transmission System at the time commitment of service is made.

(3) Notwithstanding Section 31-10.005(2) above, effective April 1, 1995, those properties having (or which previously had) buildings or structures having certificates of occupancy prior to April 1, 1981, shall pay the full Plant Connection Charge established in Section 31-10.005(2) less a subsidy of Five Hundred Dollars (\$500.00), provided they are paid for and connected to the Regional ~~Sewer-Wastewater~~ System within one (1) year of the time that lines serving said property are formally declared Available by the Governing Board. Notwithstanding Section 31-10.005(2) above, the Plant Connection Charge, Regional Transmission System Line Charges, and Administrative Charges for those buildings or structures having certificates of occupancy prior to notice of sewer availability, can be financed using the District's Installment Agreement method of collection up to five (5) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two percent (2.0%), but not to exceed eight percent (8%), existing at the time of execution of the Installment Agreement, with no prepayment penalty. Should any structure or building not be paid for or financed using the District's Installment Agreement and

connected to the District's ~~system~~ Regional Wastewater System within one (1) year of the time that the line serving said property is formally declared Available by the Governing Board, it will at the time of connection pay full Plant Connection Charges, Regional Transmission System Line Charges, and Administrative Charges as are applicable to new construction at time that connection is made regardless of the date of certificate of occupancy.

(4) Owners with existing contracts for service with the District shall pay Plant Connection Charges, Regional Transmission System Line Charges, and Administrative Charges as indicated in those contracts, and such charges shall not be subject to increase.

(5) Subregional Line Charges. From time to time the District constructs and extends Subregional Collection Facilities to existing Residential and/or Non-residential Units. The District shall collect the costs of extending the Subregional Collection Facilities through the apportionment of these costs to each of the benefited properties. Such charges shall be payable commencing when the Equivalent Connection is connected to the Regional Wastewater System of the District, or within one (1) year of the time the connection is Available, whichever occurs first. All Subregional Line Charges shall be adjusted each April 1<sup>st</sup> based on the 10-Year Treasury Rate published by the US Department of Treasury on February 1<sup>st</sup>.

(5)(a) Western Indiantown Road Subregional Collection Facilities: Subregional Transmission System Line Charges for the Western Indiantown Road Subregional Collection Facilities shall be ~~\$2,182.582,092.80~~ per Equivalent Connection. Commitment of service shall not exceed those total capacity limitations as authorized for commitment by the Governing Board. The full amount of the Subregional Line Charges shall be due and payable at the time commitment of service is made. Those buildings or structures having certificates of occupancy prior to January 20, 2012, the date this transmission system line was deemed Available, may finance this Subregional Line Charge over twenty (20) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two (2.0%) percent, but not to exceed 8%, existing at the time commitment of service is made, with no prepayment penalty, to be collected by non-ad Valorem tax roll.

5(b) Inlet Village Subregional Line Charge for Inlet Village Subregional Collection Facilities. The rate of the Inlet Village Subregional Line Charge shall be ~~\$2,588.682,482.20~~ per Equivalent Connection. Commitment of service shall not exceed those total capacity limitations as authorized for commitment by the Governing Board. The full amount of the Subregional Line Charges shall be due and

payable at the time commitment of service is made, except those buildings or structures having certificates of occupancy prior to the date this transmission system line is deemed Available, may finance this Subregional Line Charge over twenty (20) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two (2.0%) percent, but not to exceed 8%, existing at the time commitment of service is made, with no prepayment penalty, to be collected by non-ad valorem tax roll.

5(c) Rocking Horse Lane Subregional Line Charge for Rocking Horse Lane Subregional Collection Facilities. The rate of the Rocking Horse Lane Subregional Line Charge shall be ~~\$721.75692.07~~ per Equivalent Connection. Commitment of service shall not exceed those total capacity limitations as authorized for commitment by the Governing Board. The full amount of the Subregional Line Charges shall be due and payable at the time commitment of service is made, except those buildings or structures having certificates of occupancy prior to the date this transmission system line is deemed Available, may finance this Subregional Line Charge over twenty (20) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two (2.0%) percent, but not to exceed 8%, existing at the time commitment of service is made, with no prepayment penalty, to be collected by non-ad valorem tax roll.

5(d) 66th Terrace Phase 1 Subregional Line Charge for 66th Terrace Phase 1 Subregional Collection Facilities. The rate of the 66th Terrace Phase 1 Subregional Line Charge shall be ~~\$728.29698.33~~ per Equivalent Connection. Commitment of service shall not exceed those total capacity limitations as authorized for commitment by the Governing Board of the District. The full amount of the Subregional Line Charges shall be due and payable at the time commitment of service is made, except those buildings or structures having certificates of occupancy prior to the date this transmission system line is deemed ~~a~~available, may finance this Subregional Line Charge over twenty (20) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two (2.0%) percent, but not to exceed 8%, existing at the time commitment of service is made, with no prepayment penalty, to be collected by Non-Ad Valorem tax roll.

5(e) Jamaica Drive Phase 1 Subregional Line Charge for Jamaica Drive Phase 1 Subregional Collection Facilities. The rate of the Jamaica Drive Phase 1 Subregional Line Charge shall be ~~\$1,059.441,015.86~~ per Equivalent Connection. Commitment of service shall not exceed those total capacity limitations as authorized for

commitment by the Governing Board of the District. The full amount of the Subregional Line Charges shall be due and payable at the time commitment of service is made, except those buildings or structures having certificates of occupancy prior to the date this transmission system line is deemed ~~a~~Aavailable, may finance this Subregional Line Charge over twenty (20) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two (2.0%) percent, but not to exceed 8%, existing at the time commitment of service is made, with no prepayment penalty, to be collected by Non-Ad Valorem tax roll.

5(f) 69th Terrace Phase 1 Subregional Line Charge for 69th Terrace Phase 1 Subregional Collection Facilities. The rate of the 69th Terrace Phase 1 Subregional Line Charge shall be ~~\$1,274.07~~1,221.66 per Equivalent Connection. Commitment of service shall not exceed those total capacity limitations as authorized for commitment by the Governing Board of the District. The full amount of the Subregional Line Charges shall be due and payable at the time commitment of service is made, except those buildings or structures having certificates of occupancy prior to the date this transmission system line is deemed ~~a~~Aavailable, may finance this Subregional Line Charge over twenty (20) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two (2.0%) percent, but not to exceed 8%, existing at the time commitment of service is made, with no prepayment penalty, to be collected by Non-Ad Valorem tax roll.

5(g) SE Island Way Martin County Parcel ID 28-40-42-000-000-00020-5 Subregional Line Charge for SE Island Way Martin County Parcel ID 28-40-42-000-000-00020-5 Subregional Collection Facilities. The rate of the SE Island Way Martin County Parcel ID 28-40-42-000-000-00020-5 Subregional Line Charge shall be ~~\$6,109.88~~5858.55 per Equivalent Connection. Commitment of service shall not exceed those total capacity limitations as authorized for commitment by the Governing Board of the District. The full amount of the Subregional Line Charges shall be due and payable at the time commitment of service is made, except those buildings or structures having certificates of occupancy prior to the date this transmission system line is deemed ~~a~~Aavailable, may finance this Subregional Line Charge over twenty (20) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two (2.0%) percent, but not to exceed 8%, existing at the

time commitment of service is made, with no prepayment penalty, to be collected by Non-Ad Valorem tax roll.

5(h) Jamaica Drive Phase 2 Subregional Line Charge for Jamaica Drive Phase 2 Subregional Collection Facilities. The rate of the Jamaica Drive Phase 2 Subregional Line Charge shall be ~~\$855.18820.00~~ per Equivalent Connection. Commitment of service shall not exceed those total capacity limitations as authorized for commitment by the Governing Board of the District. The full amount of the Subregional Line Charges shall be due and payable at the time commitment of service is made, except those buildings or structures having certificates of occupancy prior to the date this facility is deemed ~~a~~Aavailable, may finance this Subregional Line Charge over twenty (20) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two (2.0%) percent, but not to exceed 8%, existing at the time commitment of service is made, with no prepayment penalty, to be collected by Non-Ad Valorem tax roll.

5(i) Harbor Road South Subregional Line Charge for Harbor Road South Subregional Collection Facilities. The rate of the Harbor Road South Subregional Line Charge shall be ~~\$1,006.45965.05~~ per Equivalent Connection. Commitment of service shall not exceed those total capacity limitations as authorized for commitment by the Governing Board of the District. The full amount of the Subregional Line Charges shall be due and payable at the time commitment of service is made, except those buildings or structures having certificates of occupancy prior to the date this facility is deemed ~~a~~Aavailable, may finance this Subregional Line Charge over twenty (20) years at a fixed interest rate equal to the current Wall Street Journal Prime Rate plus two (2.0%) percent, but not to exceed 8%, existing at the time commitment of service is made, with no prepayment penalty, to be collected by Non-Ad Valorem tax roll.

Specific Authority Chapter 2021-249, Laws of Florida, and Section 381.00655, Florida Statutes. Law Implemented Chapter 2021-249, Laws of Florida, Section 6(6), (9), (11), (12), and (19), and Section 8. History - New 12-9-76, Amended, 9-26-78, 12-12-78, 5-21-81, 5-24-82, 4-24-83, 4-25-84, 6-30-85, Formerly 31-10.05. Amended 6-30-86, 5-4-87, 4-17-88, 5-3-89, 5-13-90, 5-7-92, 5-9-93, 5-9-94, 5-19-96, 7-14-97, 11-1-98, 6-22-99, 3-23-00, 3-15-01, 3-21-02, 3-20-03, 3-18-04, 3-17-05, 3-16-06, 3-15-07, 3-20-08, 3-19-09, 3-18-10, 3-17-11, 3-15-2012, 6-21-2012, 3-21-2013, 3-20-2014, 3-19-2015, 3-17-2016, 3-16-2017, 3-21-2019, 10-15-2020, 3-17-22, 3-17-23, 10-20-23, 12-15-23, 3-21-2024, 9-19-2024, 3-20-2025, 5-15-2025, 3-19-2026.

### **31-10.006 Special Assessments.**

Special Assessments are due and payable with interest at the time of transfer of the underlying real property for consideration as an at-arms-length transaction unless transferred to the real estate tax bill for the property as a continuing obligation of the property until paid in full. For additional information about the District's special assessments, see Rule Chapter 31-11 Special Assessments.

Specific Authority Chapter 2021-249, Laws of Florida, Section 6(10), (12), (19) and (27). Law Implemented Chapter 2021-249, Laws of Florida, Section 6(10), (12), (19), and (27). History - New 12-9-76, Amended, 9-26-78, 12-12-78, 5-21-81, 5-24-82, 4-24-83, 4-25-84, 6-30-85, Formerly 31-10.05. Amended 6-30-86, 5-4-87, 4-17-88, 5-3-89, 5-13-90, 5-7-92, 5-9-93, 5-9-94, 5-19-96, 7-14-97, 11-1-98, 6-22-99, 3-23-00, 3-15-01, 3-21-02, 3-20-03, 3-18-04, 3-17-05, 3-16-06, 3-15-07, 3-20-08, 3-19-09, 3-18-10, 3-17-11, 3-15-2012, 3-17-22, 3-19-2026.

### **31-10.007 Quarterly Service Charges for Sewer Service.**

(1) Quarterly Service Charges shall be payable by the Owner commencing when the Equivalent Connection is connected to the Regional Wastewater System of the District, or within one (1) year of the time the connection is Available, whichever occurs first, and shall be billed in advance. Notwithstanding any other provision of this section, an Owner that has established a tenant as the bill recipient for the Quarterly Service Charge prior to April 1, 2015 may continue to have the established tenant listed as the bill recipient for the Quarterly Service Charge until such time as that tenant relationship changes (e.g., new Owner(s) or new tenant(s)). The Owner is required to notify the District within fifteen (15) days of the tenant relationship change.

(a) The Quarterly Service Charge for Residential Units shall be:

~~For the period of April 1, 2025 thru March 31, 2026 @ \$60.26 per E.C.~~

For the period of April 1, 2026 thru ~~September 30, 2026~~~~March 31, 2027~~ @ \$~~63.27~~~~62.06~~ per E.C. not to exceed 1.75 ECs

For the period October 1, 2026 thru March 31, 2027 @ \$63.27 per EC

For the period of April 1, 2027 thru March 31, 2028 @ \$~~66.44~~~~63.92~~ per E.C.

For the period of April 1, 2028 thru March 31, 2029 @ \$~~69.76~~~~65.20~~ per E.C.

For the period of April 1, 2029 thru March 31, 2030 @ \$~~73.25~~~~67.16~~ per E.C.

For the period of April 1, 2030 thru March 31, 2031 @ \$76.91 per EC

(b) The Quarterly Service Charge for Non-residential Units shall be as follows:

~~For the period of April 1, 2025 thru March 31, 2026 @ \$6.88 per thousand gallons of metered potable water usage;~~

For the period of April 1, 2026 thru March 31, 2027 @ ~~\$7.22~~7.09 per thousand gallons of metered potable water usage;

For the period of April 1, 2027 thru March 31, 2028 @ ~~\$7.58~~7.30 per thousand gallons of metered potable water usage;

For the period of April 1, 2028 thru March 31, 2029 @ ~~\$7.96~~7.45 per thousand gallons of metered potable water usage;

For the period of April 1, 2029 thru March 31, 2030 @ ~~\$8.36~~7.67 per thousand gallons of metered potable water usage;

For the period of April 1, 2030 thru March 31, 2031 @ \$8.78 per thousand gallons of metered potable water usage;

provided that the minimum Quarterly Service Charge for Non-residential Units shall be as follows:

~~For the period of April 1, 2025 thru March 31, 2026 @ \$82.46~~

For the period of April 1, 2026 thru March 31, 2027 @ ~~\$86.58~~84.94

For the period of April 1, 2027 thru March 31, 2028 @ ~~\$90.91~~87.48

For the period of April 1, 2028 thru March 31, 2029 @ ~~\$95.46~~89.23

For the period of April 1, 2029 thru March 31, 2030 @ ~~\$100.23~~91.91

For the period of April 1, 2030 thru March 31, 2031 @ \$105.24.

For Non-residential Units that do not have a metered water supply or that have not established a minimum of one (1) month of water use history, and certain other uses (e.g., elevator sump; pool backwash; public toilets in parks; marina pump out station) the Quarterly Service Charge shall be a flat rate of:

~~For the period of April 1, 2025 thru March 31, 2026 @ \$82.46 per E.C.~~

For the period of April 1, 2026 thru March 31, 2027 @ ~~\$86.58~~84.94 per E.C.

For the period of April 1, 2027 thru March 31, 2028 @ ~~\$90.91~~87.48 per E.C.

For the period of April 1, 2028 thru March 31, 2029 @ ~~\$95.46~~89.23 per E.C.

For the period of April 1, 2029 thru March 31, 2030 @ ~~\$100.23~~91.91 per E.C.

For the period of April 1, 2030 thru March 31, 2031 @ \$105.24 per EC

(2) Temporary Disconnection of Sewer Service – The District ~~may~~will temporarily suspend Quarterly Service Charges when sewer service is disconnected as provided below. If temporarily suspended, quarterly sewer service charges will cease on the first day of the quarter following verification and approval by the District. Quarterly sewer service charges will resume on the first day of the quarter following reconnection to the sewer (e.g., upon receipt of a Certificate of Occupancy). Failure to notify the District of reconnection to the ~~sewer system~~Regional Wastewater System will result in the District back-billing quarterly sewer service charges to the date reconnection to the sewer was made. Circumstances warranting suspension of quarterly sewer service charges of an existing Residential Unit or Non-residential Unit connected to the District’s ~~sewer system~~Regional Wastewater System include:

- (a) sewer disconnection in coordination with the District’s Engineering Department ~~and according to District standards, which will include (i) completion of an Application to Disconnect Sewer Service, (ii) payment of a Cut and Cap Inspection Fee of \$95.00, and (iii) cut and cap inspection confirmed compliance with District’s Manual of Minimum Construction Standards and Technical Specifications,~~ or
- (b) proof of designation as uninhabitable by a municipal authority (e.g., fire official, building official).

(3) The Quarterly Service Availability Standby Charge shall be due and payable for each Equivalent Connection reserving service availability, commencing upon the reserving of service availability and shall continue to be owing for each quarter and paid promptly upon billing in the manner as provided for the Quarterly Service Charge thereafter until payment of the Plant Connection Charge. The amount of the Quarterly Service Availability Standby Charge shall be sixty-eight percent (68%) of the Quarterly Service Charge which is set based upon the fixed expenses incurred by the District in operating the plant and the Regional Wastewater System excluding the variable costs related to the amount of sewerage processed.

- (a) A prepayment of twelve (12) months Service Availability Standby Charges will be required commencing upon the reserving of service availability in addition to the Quarterly Service Availability Standby Charge which shall be prepaid quarterly.
- (b) At the time Plant Connection Charges become due and payable ten and one half (10.5) months of the twelve (12) months of prepaid Service Availability Standby Charges shall be credited to the Plant Connection Charges.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida Section 6(6) (8), (9), (11), (19), and (27), and Section 8. History - New 12-9-76, Amended 6-25-78, 9-26-78, 12-12-78, 11-28-79, 5-21-81, 5-24-82, 10-12-82, 4-24-83, 5-24-84, 6-30-85,

Formerly 31-10.07. Amended, 6-30-86, 5-4-87, 4-17-88, 5-3-89, 5-13-90, 5-12-91, 5-7-92, 5-10-93, 5-7-94, 5-7-95, 5-19-96, 7-14-97, 11-1-98, 6-22-99, 3-23-00, 3-15-01, 3-21-02, 3-20-03, 3-18-04, 3-17-05, 3-16-06, 3-15-07, 3-20-08, 3-19-09, 3-18-10, 3-17-11, 3-15-2012, 3-21-2013, 3-20-2014, 3-19-2015, 6-18-2015, 3-17-2016, 3-16-2017, 3-21-2019, 3-17-22, 3-17-23, 3-21-2024, 3-20-2025, 3-19-2026.

### **31-10.008 Determination of Equivalent Connections.**

Each Owner of each lot or parcel of land which may be connected to the Regional Wastewater System shall provide proof of the number of Equivalent Connections for each lot or parcel owned. If the Owner does not produce proof of the number of Equivalent Connections, the District will charge the Owner up to the maximum rates, fees and charges of the District based upon ~~1.75 E.C. per lot or parcel based upon~~ the best information practically ~~A~~available to the District.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida, Section 6(6) and (9), and Section 8. History - New 12-9-76. Amended 9-26-78, Formerly 31-10.08, Amended 3-15-2012, 3-19-2015, 3-17-22, 3-19-2026.

### **31-10.009 Responsibility for Payment and Enforcement of Collections and Foreclosure of Liens.**

(1) Responsibility. The District shall hold the Owner of the property being served with sewage service primarily responsible for all charges for sewage service to the property, without regard to the fact that a tenant, licensee, customer or other party was actually utilizing the sewage service and may be paying for same directly to the District.

(2) Payment. All payments to the District shall be made using U.S. funds (dollars). Payment may be made in cash, check, electronic check, money order, electronic bill pay, direct debit, a Master Card or Visa debit card, or credit card or a Discover credit card. All checks shall be in a form that complies with the standards for cash items adopted by the Federal Reserve System to facilitate the sorting, routing, and mechanized processing of such items. Payment made using debit card or credit card is limited to a maximum of \$5,000.00 per account per month.

(3) Delinquent Quarterly Service Charge for Sewer Service. ~~Quarterly Service Charge for Sewer Service shall be delinquent if not paid during the service period. Each quarter~~ ~~†~~the District will apply a delinquent fee equal to ten percent (10%) of the delinquent Quarterly Service Charge for Sewer Service to each accounts with a delinquent balance of \$20.00 or more.

(4) Default. ~~If any fees, rates, or charges for sewage service are not paid when due and are unpaid for thirty (30) days or more, the Owner shall be in default, and †~~The District may seek recovery of the amounts due in Default from the Owner through any or all available legal remedies.

(5) Interest and Enforcement. Upon default, delinquent sewer charges bear interest at twelve percent (12%) per annum computed from the default date until paid. The District may issue

~~written notice, discontinue service, and pursue any legal remedies, including suit to recover unpaid amounts with legal interest, penalties, costs, and reasonable attorney's fees. While a customer is actively enrolled and compliant with a District-approved Delinquent Account Payment Plan, interest and delinquent fees on the arrears covered by the plan are suspended; if the plan defaults, such fees and interest resume per this subsection. When the fees, rates, or charges for the services and facilities of any system are not paid when due and are in default as set forth above, the District shall provide written notice to the Owner that the District may discontinue and shut off the supply of services and facilities to the property until all fees, rates, or charges, including interest at twelve percent (12%) per annum, plus all penalties and charges for the shutting off and discontinuance and the restoration of such services or facilities are fully paid. If the fees or charges remain unpaid for thirty (30) days after being due, such delinquent fees, rates, or charges shall bear interest at the rate of twelve percent (12%) per annum computed from the date when originally due, until paid and the District may discontinue the supply of service and facilities to the property. The District may file suit in a court of competent jurisdiction to recover any delinquent fees or charges, together with legal interest, penalties, and charges for the shutting off and discontinuance and the restoration of such services or facilities and all other costs and other expenses, including court costs and reasonable attorney's fees.~~

(6) Foreclosure of Liens. The District shall have a lien on all lands and premises served by it for all charges and fees, until paid, for services provided to such lands or premises by the District, or connection fees associated therewith, which lien shall be prior to all other liens, except that such lien shall be on parity with the lien of state, county, and municipal taxes, and any lien for charges for services created pursuant to Section 159.17, Florida Statutes. Such lien shall be perfected by the District by recording in the official records of the county in which the lands or premises are located a claim of lien in form substantially as provided in Section 713.08, Florida Statutes. A copy of the claim of lien shall be served as provided in Section 713.18, Florida Statutes, within ten (10) days after the claim of lien is recorded. If thirty (30) days after service has been made, liens created under this Rule remain delinquent, such liens may be foreclosed by the District in the manner provided by the laws of Florida for the foreclosure of mortgages on real property, and the District shall be entitled to 12% interest per annum, attorney's fees, and other court costs.

(7) No Service Free. No sewage disposal service shall be furnished or rendered free of charge to any Owner, person, firm, corporation, agency or organization whatsoever, and the District and each and every Owner, person, firm, corporation, agency or organization that uses or is required to use such service shall pay the rates, fees, and charges established by the Governing Board.

**Furthermore, rates, fees, and charges will not be discounted for any organization, regardless of tax status, unless required by law.**

(8) **Administrative Credits.** The Executive Director, or his or her designee, may authorize a credit or refund to an account in certain situations, including billing errors, clerical errors, excessive payments by the customer, meter adjustments, and application of grant funds. In each case, the affected customer must provide a signed written request for refund that quantifies the requested refund, documents the justification for the refund, and states whether the refund should be provided as a credit to the customer's account unless the customer specifically requests a refund check at the same time the customer requests the refund. In no circumstance shall such credit or refund exceed \$10,000 without prior authorization of the Governing Board.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida, Section 6(6),(8), (9), (11), and (19), and Section 8. History - New 12-9-76. Formerly 31-3.16, 31-3.18 and 31-10.09. Rules 31-3.016 & 31-3.018 moved, consolidated and renumbered 31-10.009(4), (5) and (6) by amendment on 6-15-2000. Amended 9-26-78, 10-11-80, 3-23-00, 6-15-00, 3-15-2012, 3-19-2015, 3-17-2016, 3-17-22, 3-19-26.

**31-10.010 Payment of Certain Rates, Fees and Charges; Developer Agreement.**

(1) Applicants for service requiring less than ten (10) E.C.s must execute an Application for Sewer Service appropriate for the use and shall pay all Connection Charges at the time of application. Applications for Sewer Service forms are provided on the District's website at <https://loxahatcheeriver.org> and may be obtained from the District office.

(2) Applicants desiring to reserve service availability for 10 Equivalent Connections or more must execute a standard developer agreement, as developed and provided by the District ("Standard Developer Agreement"), which is provided on the District's website at <https://loxahatcheeriver.org> and also may be obtained from the District office, and pay all charges and fees required by the agreement. Applicants must also provide plans and specifications with sufficient detail to calculate the number of Equivalent Connections contemplated on the lot or parcel of land.

The following matters are addressed in the Standard Developer Agreement:

- (a) The reservation of the agreed service availability in the Regional Wastewater System on the subject property in terms of Equivalent Connections.
- (b) Payment required to reserve sewer service availability.
- (c) Construction of off-site facilities under certain conditions.
- (d) Dedication of facilities and land to the District.

- (e) Describing the reservation of service availability in terms of the equivalent connections as non-assignable, non-transferable, and running with the land, and describing exceptions.
- (f) Requiring payment of a Quarterly Service Availability Standby Charge and prepayment of twelve (12) months thereof.
- (g) Describing payment and obligations and providing for recovery of costs and attorney's fees.
- (h) Subject the Owner to the rates, fees and charges of the District as established from time to time but fixing the rate for the Regional Transmission System Line Charge, Administrative Charge, and Plant Connection Charge.

(2) Applicants desiring to reserve service availability for concurrency in the Regional Wastewater System must sign a "Concurrency Reservation Agreement," which is provided on the District's website at <https://loxahatcheeriver.org> ("Concurrency Reservation Agreement") and also may be obtained from the District office, and make all payments required by the agreement. Applicants must also provide plans and specifications with sufficient detail to calculate the number of Equivalent Connections contemplated on the lot or parcel of land. The following matters are addressed in the Concurrency Reservation Agreement:

- (a) The reservation of the agreed service availability in the ~~R~~Regional ~~W~~Wastewater ~~S~~System on the subject property in terms of equivalent connections.
- (b) Requiring payment of a Quarterly Service Availability Standby Charge and prepayment of twelve (12) months thereof.
- (c) Providing a duration of the shorter of twelve (12) months or thirty (30) days after applicant obtains a development order.
- (d) Providing for the unexpired portion of the prepaid Quarterly Service Availability Standby Charge to be refunded to the applicant if the development order is denied, or credited to the Service Availability Standby Charge if a Standard Developer's Agreement is entered into by the applicant within thirty (30) days of the development order.
- (e) Describing the reservation of service availability in terms of the equivalent connections as non-assignable, non-transferable, and running with the land, and describing exceptions.
- (f) Describing payment, including rates, fees, and charges of the District, and obligations and providing for recovery of costs and attorney's fees.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida, Section 6(6),(8), (9), (11), and (19), and Section 8. History-New 12-9-76. Amended, 9-26-78, 5-21-81, 5-24-84. Formerly 31-10.10. Amended 5-10-93, 3-20-08, 3-19-09, 3-18-10, 3-15-2012, 3-17-22, 3-19-26.

**31-10.012 Exceptions to the Payment of Connection Charges.**

(1) Connection Charges shall not apply to those residential and non-residential buildings and structures referred to in the Agreement for Sale between the Village of Tequesta and the District, dated May 23, 1973.

(2) Those residential and non-residential buildings and structures which have escrowed, paid or committed capital improvement charges and have executed legally binding agreements where capital improvement charges are referred to in such agreements, said agreements shall be enforced according to their tenor, except that the capital improvement charges shall be treated as Plant Connection Charges, and except that where capital improvement charges may be increased or subjected to assessment and reassessment from time to time, there shall be no increase over the amount of capital improvement charges as stated in said agreements, and said provision providing for assessment and reassessment of capital improvement charges shall not be enforced.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida, Section 6(6), (8), (9) (11), (12), and (27), and Section 8. History - New 12-12-79. Formerly 31-10.12, Amended 3-15-2012.

**31-10.013 Irrigation Quality Water User; Rates, Fees and Charges for Irrigation Quality Water Service; Irrigation Quality Water Agreements.**

(1) “I.Q. Water” is defined as Irrigation Quality Water provided by the District, regardless of the original source of the I.Q. Water. I.Q. Water also may be referred to as “reuse water” or “reclaimed water”, which is further defined in Chapter 62-610, Florida Administrative Code.

(2) “Wholesale I.Q. User” is defined as user of I.Q. Water, for which the I.Q. Water is pumped by the District to a storage facility, such as ponds, lakes, or tanks, at an off-site location. The I.Q. Water is then pumped by a party other than the District, into the lines that irrigate the User’s property.

(3) “Retail I.Q. User” is defined as a user of I.Q. Water, for which the I.Q. Water is pumped by the District, to a storage facility, such as ponds, lakes or tanks, at an off-site location. The I.Q. Water is then pumped by the District from the storage facility, into the lines that deliver I.Q. Water to the User’s property for further distribution and irrigation by the User.

(4) “Nano I.Q. User” is defined as a user of I.Q. Water, where the I.Q. Water was originally made available by blending the Town of Jupiter’s nanofiltration concentrate and for which the I.Q. Water is pumped by the District, to a storage facility, such as ponds, lakes, or tanks, at an off-site location. The I.Q. Water is then pumped by a party other than the District, into the lines that irrigate the User’s property.

(5) Rates, Fees and Charges for Wholesale, Retail, and Nano I.Q. Water Rates are those rates, fees and charges approved, set, and levied by the Governing Board based on the total cost to the District of construction, reconstruction, labor, materials, equipment, acquisition, property rights, surveys, design, engineering, legal, administration, operation, maintenance, and all other expenses necessary or incidental to construction, operation, and improvement of the I.Q. Water system and provision of I.Q. Water.

(6) The District’s rate for I.Q. Water are:

(a) Wholesale I.Q. Users shall pay the following rates for their requested G.P.D.

~~For the period of April 1, 2025 thru March 31, 2026 \$0.5002 per 1,000 gallons.~~

For the period of April 1, 2026 thru March 31, 2027 ~~\$0.5252~~ **\$0.5152** per 1,000 gallons.

For the period of April 1, 2027 thru March 31, 2028 ~~\$0.5515~~ **\$0.5307** per 1,000 gallons.

For the period of April 1, 2028 thru March 31, 2029 ~~\$0.5790~~ **\$0.5466** per 1,000 gallons.

For the period of April 1, 2029 thru March 31, 2030 ~~\$0.6080~~ **\$0.5630** per 1,000 gallons.

~~For the period of April 1, 2030 thru March 31, 2031 \$0.6384 per 1,000 gallons.~~

(b) Retail I.Q. Users shall pay the following rates for their requested G.P.D.

~~For the period of April 1, 2025 thru March 31, 2026 \$0.6766 per 1,000 gallons.~~

For the period of April 1, 2026 thru March 31, 2027 ~~\$0.7104~~ **\$0.6969** per 1,000 gallons.

For the period of April 1, 2027 thru March 31, 2028 ~~\$0.7460~~ **\$0.7178** per 1,000 gallons.

For the period of April 1, 2028 thru March 31, 2029 ~~\$0.7832~~ **\$0.7393** per 1,000 gallons.

For the period of April 1, 2029 thru March 31, 2030 ~~\$0.8224~~ **\$0.7615** per 1,000 gallons.

~~For the period of April 1, 2030 thru March 31, 2031 \$0.8635 per 1,000 gallons.~~

(c) Nano I.Q. Users shall pay the following rates for their requested G.P.D.

~~For the period of April 1, 2025 thru March 31, 2026 \$0.9204 per 1,000 gallons.~~

For the period of April 1, 2026 thru March 31, 2027 ~~\$0.9664~~ **\$0.9480** per 1,000 gallons.

The District may revise its schedule of rates, fees, and charges in accordance with the Loxahatchee River Environmental Control District Act codified in Chapter 2021-249, Laws of Florida, all applicable District rules, and all relevant laws. It is the District’s intention to evaluate

the sufficiency of I.Q. Water rates during the annual Rate Study, which typically occurs in February and March with potential rate adjustments implemented April 1<sup>st</sup>. The I.Q. Rate shall be billed monthly or such other billing cycle period as the District may determine.

(7) The Start Up Fee of the District for Retail I.Q. Users shall be the greater of (a) six (6) months of charges at the Retail I.Q. Rate for the requested gallons per day, or (b) \$3,500.00. The Application Fee of the District for Wholesale I.Q. Users shall be the greater of (a) six (6) months of charges at the I.Q. Rate for the requested gallons per day, or (b) \$18,000.00.

(8) All persons, firms and corporations (hereinafter called “Applicant”) desiring to reserve service availability in the regional I.Q. Water system of the District where said I.Q. Water is ~~A~~available or is proposed to be ~~A~~available, as determined by the District, prior to receiving District approval, shall sign a Standard Irrigation Quality Water Agreement and pay the charges and fees specified therein.

Specific Authority Chapter 2101-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida, Sections 6(6), (8), (9), (11), (12), and (27), and Section 8; History-New 7-23-97, Amended 11-1-98, 3-16-06, 3-18-10, 3-21-2013, 3-19-2015, 3-21-2019, 2-20-2020, 3-17-22, 3-17-23, 3-21-2024, 3-20-2025, 3-19-2026.

#### **31-10.014 Low Pressure Pump Unit Delivery Procedures & Delivery Charge.**

(1) All Owners in an area serviced by a low pressure sanitary sewer system, shall be responsible for taking possession of the Low Pressure Pump Unit (“**Pump Unit**”) upon notification the Pump Unit is available for pick up at the District. A Property Owner that does not pick up the Pump Unit shall be subject to the following delivery procedures and delivery charge. The First Delivery Notice to the Owner shall provide:

- (a) Owner is delinquent with installation of the low pressure pumping system for their wastewater service.
- (b) The District has been holding their Pump Unit since the completion of the sewer project.
- (c) The Pump Unit was included in their assessment and is their responsibility to install.
- (d) The District will no longer hold the Pump Unit for their pick up and installation.
- (e) If not picked up within thirty (30) days, the Pump Unit will be delivered at an additional Delivery Charge of \$300.00 to the Owner (the “Delivery Charge”).
- (f) The Pumping Unit will be delivered in good working order, suitable for District’s future maintenance.
- (g) If the Owner fails to have the Pump Unit installed within forty-five (45) days and there is damage to the Pump Unit components, the Owner will be responsible for the

cost to provide a Pump Unit in good working order for District maintenance in the future.

2. If the Pump Unit is not picked up within thirty (30) days after the First Delivery Notice, the Second Delivery Notice shall be sent to the Owner which shall provide:

- (a) Pump Delivery will be made on a date and time certain.
- (b) The Pump Unit and appurtenances will be delivered to the most accessible location on the Property or a mutually convenient location as discussed with Owner.
- (c) A written report will be made of each delivery with photographs of the Pump Unit placement at time of delivery and condition of surrounding area. The District will request written receipt from the Owner for the Pump Unit, however it is not mandatory for the Property Owner to provide or for the District to obtain.
- (d) The written report shall be signed by two District personnel, witnessed and notarized, and made part of the District's records.

3. After delivery, the Owner will be provided written notification that their Pump Unit has been delivered and an Invoice will be provided for the Delivery Charge.

4. All correspondence to be provided by certified mail with return receipt and regular mail.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida, Sections 6(6), (8), (9), (10), and (19), and Section 8. History-New 3-15-2012. Amended 3-17-22.

**31-10.015 Termination/Abandonment of Easements – Application Fee.**

(1) Property Owners may request a Termination/Abandonment of easement. Requests shall be accompanied by an application and application fee in the amount of \$~~586.54~~~~571.12~~.

(2) The application fee for termination/abandonment of easements shall increase (or decrease) based upon the annual increase (or decrease) in the Engineering News Record Construction Cost Index published in the February edition of each year.

Specific Authority Chapter 2021-249, Laws of Florida. Law Implemented Chapter 2021-249, Laws of Florida, Sections 6(9). History-New 10-20-2023, 3-21-2024, 3-20-2025, 3-19-2026.