

## ORDINANCE NO. 1670

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING THE SCHEDULE OF RATES FOR WATER AND WASTEWATER IMPACT FEES COLLECTED BY THE CITY OF AUBURNDALE BY INCREASING THE SAID WATER AND WASTEWATER IMPACT FEES; PROVIDING FOR SEVERABILITY; A REPEALING CLAUSE; AND THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in fiscal year 2020-2021, the City Commission of the City of Auburndale, Florida commissioned Raftelis Financial Consultants, Inc., to perform a comprehensive utility rate and impact fee study to determine the appropriateness and adequacy of the existing rate structure and present user rates, fees and charges for water and wastewater utility service for customers of the City of Auburndale, Florida, Water and Wastewater Utility System (hereinafter referred to as "City's Utility System"); and

**WHEREAS**, on July 23, 2021, the City of Auburndale received the "2021 Utility Rate and Impact Fee Study" performed by Raftelis Financial Consultants, Inc. (the "2021 Study") which recommends a rate design adjustment, future rate adjustments and financial policies for consideration by the City Commission of the City of Auburndale. The aforementioned 2021 Study has been provided to the City Commission and incorporated herein by reference; and

**WHEREAS**, based on the 2021 Study, the recommendations of the City of Auburndale's financial consultant, and the comments received from members of the public and customers of the City's Utility System during open and properly advertised public hearings, the City Commission finds it necessary to modernize the rate structure and amend the schedule of rates, charges and fees for water and wastewater utility

service provided to customers of the City, including the City's water and wastewater impact fees; and

**WHEREAS**, the Florida Impact Fee Act, Section 163.31801, Florida Statutes, and the provisions of Chapter 2021-63, Laws of Florida, expressly do not apply to water and wastewater "connection fees;" and

**WHEREAS**, water and wastewater impact fees charged to new customers of the City's Utility System are "connection fees" that are exempt from the provisions of the Florida Impact Fee Act and Chapter 2021-63, Laws of Florida; and

**WHEREAS**, the City Commission of the City of Auburndale finds that the 2021 Study is a qualifying demonstrated need study that would justify, under the Florida Impact Fee Act and Chapter 2021-63, Laws of Florida, should those acts apply, a present need to amend and increase the water and wastewater impact fees charged to new customers of the City's Utility System, without the need for phase-in limitations, due to the extraordinary circumstances faced by the City which include, but are not limited to, the City's participation in the Polk Regional Water Cooperative, the cost and need to develop regional alternative water supply projects for future water supply, and the City's need for significant land acquisition and system improvements to increase wastewater discharge capacity; and

**WHEREAS**, the City Commission has held two publicly noticed Workshop meetings prior to the adoption of this Ordinance dedicated to discussing the extraordinary circumstances necessitating the need to increase the water and wastewater impact fees established herein; and

**WHEREAS**, the City Commission of the City of Auburndale finds it prudent to provide at least 90 days of notice to the development community prior to the effective date of the new Water and Wastewater impact fees established herein, which the City Commission sets at December 1, 2021; and

**WHEREAS**, the City Commission of the City of Auburndale finds that all public hearing, notice, and workshop requirements imposed by general law for the consideration and adoption of this Ordinance have been met

**NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF AUBURNDALE, FLORIDA;**

**SECTION 1.** The above recitals are hereby incorporated as the factual basis for the adoption of this Ordinance.

**SECTION 2.** The schedule of new rates for water and wastewater impact fees to be charged by the City of Auburndale and collected at the time of building permit issuance are hereby established to be effective on December 1, 2021, as more specifically set forth on the attached Composite Exhibit A (1A - Water Impact Fee by Land Use) and (2A - Wastewater Impact Fee by Land Use) which are incorporated herein by reference.

**SECTION 3.** All impact fee rate schedules shall not be published in the Code of Ordinance Book and shall be made available in all offices maintained by the City of Auburndale.

**SECTION 4. SEVERABILITY.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**SECTION 5. ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS.** It is the intention of the City Commission that sections of this Ordinance may be renumbered or relettered and typographical errors which do not affect the intent may be authorized by the City Manager or his/her designee without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

**SECTION 6.** All notice requirements under Section 180.136 of the Florida Statutes have been complied with prior to adoption of this Ordinance.

**SECTION 7. COPY OF ORDINANCE ON FILE.** A copy of this Ordinance shall be kept on file in the office of the Auburndale City Clerk and a copy of the new and increased Water and Wastewater impact fees established herein shall be posted on the City's website.

**SECTION 8. CONFLICTS WITH OTHER ORDINANCES AND RESOLUTIONS.** That portion of any Ordinance and/or Resolution which may be in conflict with this Ordinance is hereby repealed but only to the extent of such conflict upon the adoption of this Ordinance.

**SECTION 9. EFFECTIVE DATE.** This Ordinance shall take effect immediately upon adoption after a second and final reading provided however that the increased Water and Wastewater impact fees established herein shall not take effect until December 1, 2021.

**City of Auburndale  
2021 Impact Fee Study  
1A - Water Impact Fee by Land Use**

Type	Unit	Calculated - Inside City	Calculated - Outside City
Single Family	1	\$2,217.00	\$2,771.25
Manufactured Home	1	\$1,566.26	\$1,957.83
Duplex/Triplex	Dwell. Unit (DU)	\$2,216.50	\$2,770.63
Multi-Family	DU	\$2,216.50	\$2,770.63
Barber/Beauty Shop	Chair	\$604.50	\$755.63
Bowling Alley	Lane	\$406.26	\$507.83
Auto Repair - Bay	Bay	\$2,682.39	\$3,352.99
Car Wash (automatic)	Stall	\$40,300.00	\$50,375.00
Car Wash (self service)	Stall	\$806.00	\$1,007.50
Country Club/Golf Course	Acre	\$536.26	\$670.33
Add per employee/shift	Empl/Shift	\$121.88	\$152.35
Doctor/Dentist/Vet.			
Add per practitioner	Practitioner	\$2,013.74	\$2,517.18
Add per employee/shift	Empl/Shift	\$121.88	\$152.35
Add per kennel (cage)		\$162.50	\$203.13
Factory (Ex. Ind. Waste)			
a) per employee/shift w/o showers, or	Empl/Shift	\$120.88	\$151.10
b) per employee/shift w/ showers	Empl/Shift	\$201.52	\$251.90
Flea Market: < 3 dpw			
a) non-food service, or	Vendor	\$121.88	\$152.35
b) food service, or	100 sqft	\$406.24	\$507.80
c) limited food service	Establishment	\$203.13	\$253.91
Flea Market: > 3 dpw			
a) non-food service, or	Vendor	\$243.75	\$304.69
b) food service, or	100 sqft	\$806.00	\$1,007.50
c) limited food service	Establishment	\$406.26	\$507.83
Food Operation			
a) < 16 hr operation, or	Seat	\$322.24	\$402.80
b) > 16 hr operation, or	Seat	\$483.29	\$604.11
c) single service (donuts/ice cream/etc) < 16 hr operation, or	Seat	\$162.50	\$203.13
d) single service (donuts/ice cream/etc) > 16 hr operation	Seat	\$284.40	\$355.50
Bar/Cocktail	Seat	\$161.13	\$201.41
Drive-in Restaurant	Space	\$403.98	\$504.98
Carryout (including caterers)	100 sqft	\$406.26	\$507.83
Carryout (including caterers)	Empl/Shift	\$121.88	\$152.35
Food Outlet (excluding deli, bakery, meat)	100 sqft	\$19.73	\$24.66
Add for deli	100 sqft	\$78.88	\$98.60
Add for bakery	100 sqft	\$78.88	\$98.60
Add for meat dept	100 sqft	\$147.90	\$184.88
Add for water closet	Closet	\$403.00	\$503.75
Health Club	1000 sqft	\$5,372.89	\$6,716.11
Hotel/Motel			
a) regular, or	Room	\$809.72	\$1,012.15
b) resort, camps, cottages, suites/kitchenett	Room	\$1,612.00	\$2,015.00
Add self service laundry	Machine	\$6,045.00	\$7,556.25

**City of Auburndale  
2021 Impact Fee Study  
1A - Water Impact Fee by Land Use**

Type	Unit	Calculated - Inside City	Calculated - Outside City
Laundry (self service)	Machine (reg)	\$3,425.50	\$4,281.88
Laundry (self service)	Machine (50lb)	\$3,224.00	\$4,030.00
Laundry/Dry Clean (commercial)	Machine	\$3,224.00	\$4,030.00
Office Building	100 sqft	\$121.88	\$152.35
RV Park (transient)			
a) overnight stay - no water/sewer, or	Space	\$406.26	\$507.83
b) overnight stay - with water/sewer	Space	\$604.50	\$755.63
Service Station			
a) open < 16 hrs, or	Water Closet	\$2,015.00	\$2,518.75
b) open > 16 hrs	Water Closet	\$2,619.50	\$3,274.38
Store/Shopping Center (excluding food/laundry)	SqFt	\$0.79	\$0.99
Sports Stadium	Seat	\$31.40	\$39.25
Swim and Bathing Facility (public)	Person	\$81.25	\$101.56
Theater/Auditorium	Seat	\$32.28	\$40.35
Warehouse with Office			
Add per employee/shift	Empl/Shift	\$121.88	\$152.35
Add loading bay	Bay	\$806.00	\$1,007.50
Add self storage	Unit	\$8.13	\$10.16
Institutional			
Church	Seat	\$24.37	\$30.46
Add meals - regular basis	Meal	\$40.42	\$50.53
Hospital (no meals)	Bed	\$1,612.00	\$2,015.00
Add meals prepared	Meal	\$40.65	\$50.81
Nursing Home (no meals)	Bed	\$809.72	\$1,012.15
Add meals prepared	Meal	\$40.65	\$50.81
Parks, Public Picnic			
a) toilets only, or	Acre	\$104.68	\$130.85
b) bathhouse, showers/toilets	Acre	\$217.50	\$271.88
Public Institution (other than school)			
not including kitchen ww, and	Person	\$806.00	\$1,007.50
add meals	Meal	\$40.65	\$50.81
Schools			
a) day-type, and	Student	\$81.25	\$101.56
add for showers (3)	Shower	\$32.49	\$40.61
add for cafeteria (3)	Meal	\$32.49	\$40.61
add per employee/shift	Empl/Shift	\$121.88	\$152.35
b) boarding type, or	Student	\$605.82	\$757.28
c) college	Student	\$1,119.68	\$1,399.60
Work Camp - Const/Ag	Worker	\$406.26	\$507.83

**City of Auburndale  
2021 Impact Fee Study  
2A - Wastewater Impact Fee by Land Use**

Type	Unit	Calculated - Inside City	Calculated - Outside City
Single Family	1	\$4,258.00	\$5,322.50
Manufactured Home	1	\$2,997.28	\$3,746.60
Duplex/Triplex	Dwell. Unit (DU)	\$4,257.50	\$5,321.88
Multi-Family	DU	\$4,257.50	\$5,321.88
Barber/Beauty Shop	Chair	\$1,277.25	\$1,596.56
Bowling Alley	Lane	\$851.50	\$1,064.38
Auto Repair - Bay	Bay	\$5,109.00	\$6,386.25
Car Wash (automatic)	Stall	\$85,150.00	\$106,437.50
Car Wash (self service)	Stall	\$17,030.00	\$21,287.50
Country Club/Golf Course	Acre	\$1,175.07	\$1,468.84
Add per employee/shift	Empl/Shift	\$272.48	\$340.60
Doctor/Dentist/Vet.			
Add per practitioner	Practitioner	\$4,257.50	\$5,321.88
Add per employee/shift	Empl/Shift	\$255.45	\$319.31
Add per kennel (cage)		\$340.60	\$425.75
Factory (Ex. Ind. Waste)			
a) per employee/shift w/o showers, or	Empl/Shift	\$255.45	\$319.31
b) per employee/shift w/ showers	Empl/Shift	\$425.75	\$532.19
Flea Market: < 3 dpw			
a) non-food service, or	Vendor	\$255.45	\$319.31
b) food service, or	100 sqft	\$851.50	\$1,064.38
c) limited food service	Establishment	\$425.75	\$532.19
Flea Market: > 3 dpw			
a) non-food service, or	Vendor	\$510.90	\$638.63
b) food service, or	100 sqft	\$1,703.00	\$2,128.75
c) limited food service	Establishment	\$851.50	\$1,064.38
Food Operation			
a) < 16 hr operation, or	Seat	\$851.50	\$1,064.38
b) > 16 hr operation, or	Seat	\$1,021.80	\$1,277.25
c) single service (donuts/ice cream/etc) < 16 hr operation, or	Seat	\$340.60	\$425.75
d) single service (donuts/ice cream/etc) > 16 hr operation	Seat	\$596.05	\$745.06
Bar/Cocktail	Seat	\$340.60	\$425.75
Drive-in Restaurant	Space	\$596.05	\$745.06
Carryout (including caterers)	100 sqft	\$851.50	\$1,064.38
Carryout (including caterers)	Empl/Shift	\$255.45	\$319.31
Food Outlet (excluding deli, bakery, meat).	100 sqft	\$170.30	\$212.88
Add for deli	100 sqft	\$681.20	\$851.50
Add for bakery	100 sqft	\$681.20	\$851.50
Add for meat dept	100 sqft	\$1,277.25	\$1,596.56
Add for water closet	Closet	\$3,406.00	\$4,257.50
Health Club	1000 sqft	\$10,218.00	\$12,772.50
Hotel/Motel			
a) regular, or	Room	\$1,703.00	\$2,128.75
b) resort, camps, cottages, suites/kitchenette	Room	\$3,406.00	\$4,257.50
Add self service laundry	Machine	\$12,772.50	\$15,965.63

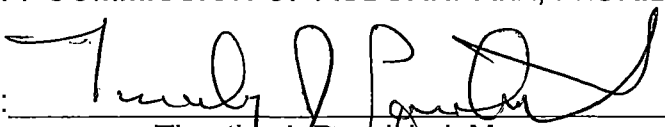
**City of Auburndale  
2021 Impact Fee Study  
2A - Wastewater Impact Fee by Land Use**

Type	Unit	Calculated - Inside City	Calculated - Outside City
Laundry (self service)	Machine (reg)	\$5,109.00	\$6,386.25
Laundry (self service)	Machine (50lb)	\$6,812.00	\$8,515.00
Laundry/Dry Clean (commercial)	Machine	\$6,812.00	\$8,515.00
Office Building	100 sqft	\$255.45	\$319.31
RV Park (transient)			
a) overnight stay - no water/sewer, or	Space	\$851.50	\$1,064.38
b) overnight stay - with water/sewer	Space	\$1,277.25	\$1,596.56
Service Station			
a) open < 16 hrs, or	Water Closet	\$4,257.50	\$5,321.88
b) open > 16 hrs	Water Closet	\$5,534.75	\$6,918.44
Store/Shopping Center (excluding food/laundry)	SqFt	\$1.72	\$2.15
Sports Stadium	Seat	\$68.12	\$85.15
Swim and Bathing Facility (public)	Person	\$170.30	\$212.88
Theater/Auditorium	Seat	\$68.12	\$85.15
Warehouse with Office			
Add per employee/shift	Empl/Shift	\$255.45	\$319.31
Add loading bay	Bay	\$1,703.00	\$2,128.75
Add self storage	Unit	\$17.03	\$21.29
Institutional			
Church	Seat	\$85.15	\$106.44
Add meals - regular basis	Meal	\$85.15	\$106.44
Hospital (no meals)	Bed	\$3,406.00	\$4,257.50
Add meals prepared	Meal	\$85.15	\$106.44
Nursing Home (no meals)	Bed	\$1,703.00	\$2,128.75
Add meals prepared	Meal	\$85.15	\$106.44
Parks, Public Picnic			
a) toilets only, or	Acre	\$221.39	\$276.74
b) bathhouse, showers/toilets	Acre	\$34.06	\$42.58
Public Institution (other than school)			
not including kitchen wwf, and	Person	\$1,703.00	\$2,128.75
add meals	Meal	\$85.15	\$106.44
Schools			
a) day-type, and	Student	\$177.15	\$221.44
add for showers (3)	Shower	\$68.12	\$85.15
add for cafeteria (3)	Meal	\$68.12	\$85.15
add per employee/shift	Empl/Shift	\$255.45	\$319.31
b) boarding type, or	Student	\$1,277.25	\$1,596.56
c) college	Student	\$2,128.75	\$2,660.94
Work Camp - Const/Ag	Worker	\$851.50	\$1,064.38




INTRODUCED, PASSED AND DULY ADOPTED ON FIRST READING by the City Commission of the City of Auburndale, Florida, meeting in Regular Session this 2<sup>nd</sup> day of August, 2021.

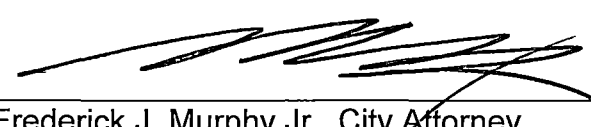
CITY COMMISSION OF AUBURNDALE, FLORIDA

By:   
Timothy J. Pospichal, Mayor

ATTEST:

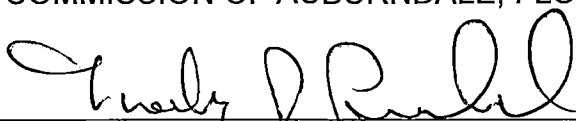
By:   
Jeffrey E. Brown, City Clerk

LEGAL IN FORM AND VALID IF ENACTED:

By:   
Frederick J. Murphy Jr., City Attorney

PASSED AND DULY ADOPTED ON SECOND AND FINAL READING by the City Commission of the City of Auburndale, Florida, meeting in Regular Session this 16<sup>th</sup> day of August, 2021.

CITY COMMISSION OF AUBURNDALE, FLORIDA

By:   
Timothy J. Pospichal, Mayor

ATTEST:

By:   
Jeffrey E. Brown, City Clerk