

Sec. 28-216. - Connection fee payment, revisions, expenditures and refunds.

- (a) *Connection fee payment schedule.* Payment of connection fees shall be made upon commitment by the district for capacity, upon approval of a water and/or sewer service agreement, or concurrent with the issuance of building or remodeling permits by the Hernando County Development Department. Connection fees shall be paid either as a lump sum or in project phases as described below, or on an installment basis with monthly, quarterly, semi-annual or annual payments. For all connection fees paid on an installment basis, the installment period shall not exceed five (5) years.
- (1) *Lump sum payment.* The connection fee payment amount shall be for the amount of sewer or water capacity committed to the project. Connection fees for all projects involving single buildings shall be paid fully upon receipt of the formal commitment. Payment of connection fees for any project may be made as a lump sum at the option of the applicant and shall be paid upon receipt of formal commitment. If an immediate expenditure of funds is not required by the county to provide service, an irrevocable letter of credit from a Florida bank or other security acceptable to the county attorney equal to one hundred (100) percent of the total connection fee may be acceptable, until a time specified by the county.
- (2) *Project phase payments.* Connection fees for project phases shall be paid upon commitment for service by the district for the additional project phases. If an immediate expenditure of funds is not required by the district to provide service, an irrevocable letter of credit from a Florida bank or other security acceptable to the county attorney equal to one hundred (100) percent of the total connection fee may be acceptable, until a time specified by the county.
- (3) *Installment payments.* In cases of financial need, the department may offer an installment payment plan to persons with a single-family home that must be connected to the county's systems as a result of well failure, water and/or sewer line extensions that require connection of existing properties, and/or by order of the health department or the Florida Department of Environmental Protection. The installment payments will be assessed and collected in the manner described in subsection 28-214(d)(6).
- (b) *Connection fee revisions.* Any changes in regard to connection fees listed herein shall be by resolution of the Hernando County Water and Sewer District Board at a properly advertised board meeting in accordance with subsection 28-213(c)(2). Revised connection fees shall apply to commitments then in effect as follows:
- (1) Commitments involving connection fees fully paid under the lump sum payment method shall not be affected by the revised fee schedule until expiration of the commitment. If a time extension is granted upon expiration of the commitment, additional applicable fees shall apply for all phases of the project for which construction plans have not been approved. The

applicant shall have the option of either paying the difference in connection fees for each project phase made after expiration of the original commitment or of having the remaining unused connection fee balance credited toward a revised number of prepaid connections.

(2) Commitments involving connection fees paid under the incremental payment method shall be revised in the following manner:

- a. Down payments shall be credited in the same manner as lump sum payments described in subsection (b)(1) above.
- b. Upon full utilization of the lump sum payment, connection fees for remaining units shall be based upon the connection fees in effect at the time application is made for a building permit.

(c) *Connection fee extended payment plan.* When private entities, serving apartments, mobile home parks or other commercial establishments under single ownership and/or control are required by a governmental agency to connect to the district utility system, the connection fees required by section 28-213 may be paid as a lump sum in accordance with this section, subsection (a)(1) or, if approved by the board, on an extended payment plan.

The extended payment plan shall require a down payment equal to twenty (20) percent of the connection fee. The remainder shall be payable in equal monthly installments at an annual interest rate not to exceed what is authorized by Florida Statutes over a period of time not to exceed five (5) years. Monthly installments may be billed and paid separately or along with the monthly water and/or sewer service bills from department, or by use of pre-issued monthly coupons or billing statements.

(d) *Connection fee expenditures.*

- (1) Connection fees will be deposited in a separate fund and accounted for by water or sewer revenue and expense.
- (2) All interest earned by the investments of monies in this fund will be deposited into this fund prorated to water or sewer per account balance.
- (3) Connection fees may be expended district-wide.

(e) *Connection fees; non-refundable.* Except as otherwise required by law, connection fees paid to the department are not refundable.

(Ord. No. 2003-06, § 8, 3-25-03; Ord. No. 2005-20, § 7, 10-18-05; Ord. No. 2006-02, § 3, 2-14-06)