

**RESOLUTION NO. 22-2008**

**A RESOLUTION OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, IMPOSING AN ANNUAL STORMWATER UTILITY ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AGAINST ALL REAL PROPERTY WITHIN THE TOWN LIMITS OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA; PROVIDING FOR CLASSIFICATIONS OF PROPERTY; PROVIDING CERTIFICATION OF ANNUAL STORMWATER UTILITY ASSESSMENT ROLL; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Resolution 17-2007 of the Town of Grant-Valkaria, Florida, which authorizes the Town Council to adopt a rate resolution for the purposes of imposing a stormwater utility fee or assessment upon the owners of all real property located within the Town; and

**WHEREAS**, Section 197.3632, Florida Statutes, provides that on or before the fifteenth day of September any municipality utilizing the uniform method of levy and collection shall hold a public hearing to adopt a rate resolution for the purpose of imposing said schedule of annual stormwater utility fees or assessments [this Rate Resolution shall stay in effect until such time as a change in the Stormwater Utility Fee or Assessment is proposed], after proper notice and publication; and

**WHEREAS**, prior to September 15, 2008, the Town Council will hold a public hearing to adopt a budget for the operation and maintenance of the Town's stormwater management program for the ensuing fiscal year, and this rate resolution adopted by the Town Council provides sufficient revenues to fund the budget adopted for the operation and maintenance of the Town's stormwater management program; and

**WHEREAS**, Exhibit "A" of this Resolution provides a Schedule of Rates and

Classifications specifying the amount and calculation of annual stormwater utility fee or assessment imposed within the Town for the fiscal year beginning October 1, 2008; and

**WHEREAS**, the Town Council is satisfied that the annual Stormwater Utility Assessment Roll has been prepared in conformity with the Schedule of Rates and Classifications.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, AS FOLLOWS:**

**Section 1.**

The Town Council of the Town of Grant -Valkaria, Florida does hereby adopt the Schedule of Rates and Classifications attached hereto as Exhibit "A" for all property located within the Town of Grant-Valkaria.

**Section 2.**

The Town Council of Grant-Valkaria, Brevard County, Florida, hereby ratifies, confirms, and certifies that the annual Stormwater Utility Assessment Roll for fiscal year beginning October 1, 2008, is in conformity with the Schedule of Rates adopted by the Town Council.

**Section 3.**

The Town Council adopts the uniform ad valorem method for the levy, collection and enforcement of non-ad valorem assessments pursuant to section 197.3632 Florida Statutes. A certified copy of this rate resolution shall be delivered to the Brevard County Tax Collector.

**Section 4.**

Those stormwater utility assessments imposed during fiscal year beginning October 1,

2008, shall be billed for the Town of Grant-Valkaria by its authorized representative, pursuant to the provisions of the agreement between Grant-Valkaria and Brevard County, and shall be due and payable on November 1 of each year, pursuant to law.

**Section 5.**

No bonding of any annual stormwater utility fees or assessments provided for under this Resolution shall be permitted.

**Section 6.**

If any section, subsection, sentence, clause, phrase or portion of this rate resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holdings shall not affect the validity of the remaining portions of this rate resolution.

**Section 7.**

This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF GRANT-VALKARIA, BREVARD COUNTY, FLORIDA, THIS 27<sup>th</sup> DAY OF AUGUST, 2008.**

**(Signature On File)**

\_\_\_\_\_  
**Del Yonts, Mayor**

**ATTEST:**

**(Signature On File)**

\_\_\_\_\_  
**Susanne Krueger, Town Clerk**

## **EXHIBIT A**

SCHEDULE OF RATES AND CLASSIFICATIONS FOR ANNUAL STORMWATER UTILITY ASSESSMENT FOR THE TOWN OF GRANT-VALKARIA FISCAL YEAR BEGINNING OCTOBER 1, 2008. (See Tables for land use categories)

### **BILLING CLASSIFICATIONS:**

**A- Agricultural:** Any property without structures which is used for agricultural pursuits, and is designated as agricultural on the Brevard County Property Appraiser's records.

**S- Single Family Dwelling:** Any property upon which is located any building or structure designed or constructed for, and capable for use as a residence for one family and is erected on a separate lot or parcel.

**D- Multiple Single Family Dwelling Units:** Any property upon which is located more than one building or structure, each of which is designed and constructed for, and capable for use as a residence for one family.

**M- Multifamily Dwelling:** Any property, designated as a trailer park, or upon which is located any building or structure, consisting of more than one dwelling unit, each designed for occupancy for one family.

**B- Condominium:** Any parcel identifying an individual condominium or townhouse unit.

**E- Commercial:** Any lot or parcel upon which is located any structure or facility designed for business related uses (other than as a single family dwelling unit).

**I- Industrial:** Any lot or parcel upon which there is a structure or building for use as productive enterprises and/or manufacturing activities.

**T- Vacant Natural:** Any lot or parcel which is unaltered, contains no structures, and has not been designated as Agricultural (A) or Non-Billable (N). These parcels may be determined on a case by case basis.

**V- Vacant Altered:** Any lot or parcel which contains no structures, is not designated as Agricultural (A) or Non-Billable (N), and has been modified from its natural state. These parcels will be determined on a case by case basis.

**Y- Vacant Improved:** Any lot or parcel which is not designated as agricultural or non-billable, and has been either graded, cleared, compacted and/or excessively landscaped.

N- Non-Billable: Those parcels or lots which are right of way, State or Federal lands or properties designated by the Stormwater Utility to receive an assessment through other means than the Tax Notice.

H- All Else: Any lot or parcel which has not been classified under one of the above billing classes due to its unique land use. The assessment for these parcels will be calculated individually.

**RATES:**

**\$36 per ERU per year**

**An ERU or Equivalent Residential Unit for the purpose of calculating service charge rates has been determined through engineering analysis to be 2,500 square feet of effective impervious area.**

The following is a list of the terms used in the rate calculation formulas given below:

- G = gross area of parcel in sq. feet.
- I = impervious area of parcel in sq. feet
- M = mitigation factor with a range of 0.1 to 1, and an increment of 0.01
- N = number of dwelling units or hook-ups
- NI = adjustment factor for alteration of pervious surfaces
- 0.20 = pervious factor coefficient
- 0.90 = impervious factor coefficient
- 0.03 = pervious factor coefficient for agricultural use only
- 0.40 = infiltration factor for agricultural land use cover for good soil condition
- 0.60 = average runoff coefficient for open space for average soil condition

A- Agricultural

$$\# \text{ ERU's} = \frac{G \times 0.03 \times 0.4}{2500 \text{ sq. feet}}$$

$$\text{Billing} = \# \text{ ERU's} \times \$36 \times M$$

S- Single Family Dwelling

$$\text{Billing} = 1 \text{ ERU} \times \$36 \times M$$

**D- Multiple Single Family Dwelling Units**

$$\text{Billing} = 1 \text{ ERU} \times N \times \$36 \times M$$

**M- Multifamily Dwelling**

$$\text{Billing} = 1 \text{ ERU} \times 0.50 \times N \times \$36 \times M$$

**B- Condominium**

The billing amount is calculated for each unit as a fraction of an ERU.

$$\text{Billing} = 1 \text{ ERU} \times 0.50 \times \$36 \times M$$

**E- Commercial**

$$NI = I \times 1.25$$

$$\# \text{ ERU's Commercial} = \frac{[(NI - I) \times 0.2] + (I \times 0.9)}{2500 \text{ sq. ft.}}$$

$$\# \text{ ERU's Vacant Altered} = \frac{(G - NI) \times 0.03 \times 0.40}{2500 \text{ sq. ft.}}$$

$$\text{Billing} = (\# \text{ ERU's Commercial} + \# \text{ ERU's Vacant Altered}) \times \$36 \times M$$

**I- Industrial**

$$NI = I \times 1.25$$

$$\# \text{ ERU's Commercial} = \frac{[(NI - I) \times 0.2] + (I \times 0.9)}{2500 \text{ sq. ft.}}$$

$$\# \text{ ERU's Vacant Improved} = \frac{(G - NI) \times 0.03 \times 0.60}{2500 \text{ sq. ft.}}$$

$$\text{Billing} = (\# \text{ERU's Commercial} + \# \text{ERU's Vacant Improved}) \times \$36 \times \text{M}$$

**T- Vacant Natural**

No bills generated for these land uses

**V- Vacant Altered**

$$\# \text{ ERU's} = \frac{G \times 0.03 \times 0.4}{2500 \text{ sq. feet}}$$

$$\text{Billing} = \# \text{ ERU's} \times \$36 \times \text{M}$$

**Y- Vacant Improved**

$$\text{ERU's} = \frac{(G \times 0.03 \times 0.60) + (I \times 0.9)}{2500 \text{ sq. ft.}}$$

$$\text{Billing} = \# \text{ ERU's} \times \$36 \times \text{M}$$

**N- Non-Billable**

No bills generated for these land uses.

**H- All Else**

The assessments for the parcels that fall under this category will be determined on an individual basis. One of the formulas provided will be used to calculate the assessment for each parcel according to its land use.

For any of the above categories - if a mitigation credit is granted then the number of ERU's will be multiplied by a factor ranging from 0.1 to 1.0 to arrive at the mitigated number of ERU's.

For any of the above categories (except Non-Billable and Vacant), the minimum billing is set at \$2.35 per parcel.