

**RESOLUTION NO: 2011-06**

**A RESOLUTION OF THE CEDAR KEY WATER AND SEWER DISTRICT; AUTHORIZING THE IMPOSITION OF A “FOG SURCHARGE” ON THE MONTHLY BILLS OF CUSTOMERS WHO REFUSE TO COME INTO COMPLIANCE WITH THE DISTRICT’S FATS, OIL, AND GREASE REGULATIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Cedar Key Water and Sewer District owns and operates a water and wastewater system as part of a combined and integrated water and wastewater system; and

**WHEREAS**, the District provides potable water and wastewater treatment services to customers within its geographical boundaries as established by the Legislature of the state of Florida; and,

**WHEREAS**, the discharge of fat, oil and grease into the sewer system has in the past caused clogged pipes, sewage discharges, and malfunctions of the waste treatment plant; and

**WHEREAS**, in order for the District to protect the public health and the environment, and to comply with state water quality requirements, it is necessary that the district strictly regulate the discharge of fat, oil and grease into the sewer system; and

**WHEREAS**, continued violation of the fats, oil and grease regulations results in added costs imposed on the District for repair and maintenance and the sewer system; and

**WHEREAS**, the customers who create these additional costs by refusing to comply with the District fats, oil and grease regulations should bear such additional costs.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CEDAR KEY WATER AND SEWER DISTRICT:**

**Section 1. FOG Surcharge**

A new subsection J is added to Section 6.09 (Interception of Fat, Oil and Grease) of the District Resolutions to read as follows:

**J. FOG Surcharge Authorized.**

1. A Fats, Oil and Grease (FOG) Surcharge may be added to the monthly bill of any owner or operator if the District Board finds each of the following based on substantial competent evidence presented to the Board:

- a. That the activities of the owner or operator are resulting in discharges of fats, oil and/or grease in an amount that, individually or collectively, is causing harm to the District wastewater system.
  - b. That the activities of the owner or operator are in violation of the fats, oil and grease regulations set forth in this Section.
  - c. That the discharge of fats, oil, and/or grease by the owner or operator is, individually or collectively, causing additional maintenance and/or repair costs to the District.
  - d. That there has been at least two previous attempts by the District to obtain compliance by the owner or operator, and a refusal by the owner or operator to comply.
2. The amount of the monthly surcharge shall be the minimum amount necessary to cover the District's additional monthly repair and maintenance costs associated with the violation of the regulations set forth in this part, pro-rated among the owners or operators that are found to be subject to the surcharge pursuant to J 1 above.
  3. The surcharge shall remain in place until such time as the Board makes a finding that, with regard to any owner or operator, the owner or operator has come into compliance with all regulations set forth in this Section.

**Section 2. Amendment and Codification.** In Section 1 above, language underlined shall be added. The changes in Section 1 above shall be incorporated into the District's codified resolutions.

**Section 3. Effective Date.** This Resolution shall take effect upon final adoption.

Passed on 1<sup>st</sup> reading by a vote of 5 to 0 on the 8<sup>th</sup> day of August, 2011.

Passed on 2<sup>nd</sup> reading by a vote of 4 to 0 on the 12<sup>th</sup> day of September, 2011.

CEDAR KEY WATER  
AND SEWER DISTRICT

BY: *Dottie Haldeman*  
Dottie Haldeman, Chairperson

ATTEST:

*Ann Richburg*  
Ann Richburg, Secretary

(SEAL)