



# Utilities Handbook

Adopted by the City of Cocoa Council

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## Introduction

The policies and procedures contained in this document are intended to define the relationship between the account holder of utility services including water (potable and reclaimed), wastewater, and solid waste collection and the City of Cocoa. These policies are, by notification of and availability to all customers, made part of the contract for service entered into by the account holder. By contracting for service, the account holder acknowledges the applicability of these policies and procedures listed in this document as well as those either expressly written or not written in the City of Cocoa Utility Service Policies and Procedures Handbook and the City of Cocoa Utilities Technical Provisions and Standard Details and agrees to abide by them.

The policies and procedures included in this handbook were adopted by the Cocoa City Council at their regular meeting held on August 14, 2019. They were revised and adopted again by the Cocoa City Council on the following dates:

Revision 2: August 26, 2019

Revision 3: March 9, 2021

Revision 4: September 14, 2021

Revision 5: December 14, 2021

Revision 6: July 26, 2022

Revision 7: October 2, 2023 | Administrative Changes Only

[Revision 8: August 13, 2024](#)



## Section 1 – City of Cocoa Municipal Utilities

### A. Establishment

The City of Cocoa (City) owns and operates water and wastewater utilities in accordance with applicable State and Federal regulatory requirements and under permits issued by the State of Florida. These policies, as amended periodically, are adopted by the Cocoa City Council to govern the relationship between the City and its utility customers. Operational authority of the Utilities Department (Department) rests with the City Manager while the City Council retains governing authority of the utilities. The terms Department and City may be used interchangeably in this document.

### B. Authority

The enactment of standard utility policies requires the approval of the City Council. As fee schedules, rates and other specific policies are updated, it will be the responsibility of the City Manager or their designees to ensure this policy and procedures manual is revised in accordance with City Council action. The City Manager is authorized as the hearing or grievance officer for customers.

Prior to an item appearing before the City Council, all grievances should be heard by and submitted through the appeal process to the Deputy Finance Director/Finance Director and/or Utilities Director for review and recommendation to the City Manager for possible resolution and final authority.

### C. Office and Service Hours

City Hall is located at 65 Stone St. and service hours are posted on the City website. Service work for unusual conditions may be arranged at other times upon customer request, depending on ~~availability~~[availability](#), and may require an additional fee.

A 24-hour payment kiosk and drop box are available for customer's convenience on the south side of City Hall. Payments placed in the drop box after 7:30 a.m. are posted the next business day.

Emergency restoration work is performed 24 hours a day, seven days a week. Customer may call the City at 321-433-8400 for emergency service. Reconnection due to disconnection of service for non-payment is not considered an emergency. Dispatch for reconnection of services that were disconnected due to non-payment, or similar instances, will result in additional fees being assessed to the account holder.

### D. Scope & Intent

The intent of these policies is to provide the customer, and the employees of the City a helpful guide which uniform procedures for providing utility service. This policy is not meant to be all-inclusive but offers direction and guidance. The City desires to treat its citizens and rate payers in a fair and nondiscriminatory manner, while recognizing that each customer has distinct needs and requirements.

These policies and procedures have been established as guidelines for the day-to-day operations of the City of Cocoa Public Utilities. These are intended to be used and referred to by the City Council and any employees or agents of the City for determining actions and procedures to be followed with respect to city utilities.

These policies and procedures may be periodically revised through recommendation by the City Manager and with approval of the City Council. City of Cocoa utility services are regulated by the City of Cocoa Code of Ordinances, general utility law, and Florida State Statutes. Policies adopted and amended by the City Council are available on file with the City Clerk.

Employees of the City have been empowered and trained to use these policies to deliver high quality service to customers. Employees are expected to deal with each situation with empathy and understanding, listening carefully to the needs and requirements of individual ~~customer~~[customers](#). Ultimately, the City Manager is the final authority on these policies. However, every customer has the right to appeal any decision before the City Council. See section *Customer Rights* for details.



These policies are not meant as a substitute for personal initiative on the part of the employees but are meant to serve as a guide for reasonable response to customer needs while meeting the requirements of good business practices on the part of the City.

**E. Application of Policies**

These policies apply to every customer and/or applicant for utility service and may be revised, amended, supplemented, or otherwise changed periodically by action of the City Council.

**F. Customer Request for Policies**

Customers may obtain a full copy of the City of Cocoa Utility Service Policies and Procedures Handbook from City Hall, City Clerk's Office, in accordance with public records dissemination Florida Statute Chapter 119, or on the City's website. ~~Customer~~Customers may also request a verbal explanation of policies and are encouraged to seek answers to any questions by contacting City Hall, Utility Customer Service.

**G. Utility Bill Messages and Inserts**

Utility bill messages and inserts shall be reserved for utility rate or water quality related information. On occasion the City Manager or his/her designee may approve unrelated messages or inserts on a case by case basis. Messages will be scheduled in order of priority and request. Any water or sewer utility increase of rates, charges, or fees shall provide notice of the proposed increase to each customer of the utility through the utility billing process, per Florida Statute Chapter 180.136.



## Section 2 – Extension of Utility Systems

### A. Utility Service

**Requirements** - A customer desiring service that requires a main extension shall follow the Utility Extension Procedure contained in this Article. The water meter must be set in the ROW along the frontage of the property being served. This includes flag lots and ingress/egress easements that allow for utilities. Existence of a private utility easement across adjacent properties does not eliminate the requirement for a water main extension across the frontage of the property. The water meter must remain with the property for which it is originally set. It must not be relocated or transferred to another property.

Water main extensions must be completed in accordance with the Utility Extension Policy and accepted by the Utilities Department and cleared by the Florida Department of Environmental Protection (FDEP) prior to furnishing utility service. Main extensions may be required to eliminate service line crossings at major roads or to eliminate services connected to water transmission mains. Water mains and reclaimed water mains must extend across the entire frontage of all properties to be serviced and across all vehicle entrance ways of new subdivisions. Off-site interconnections or tie-ins may be required, as deemed necessary by the Engineering Division, to ensure system integrity, fire protection, and eliminate dead-end systems and are the sole expense of the requesting party.

Sewer mains must be extended, at the greatest depth possible, up to the nearest lot line or across all entrance drives or streets. In areas where no gravity sewer exists, the customer may be required to install a sewage pump station that meets the City's specifications. Construction costs due to pumping capacity and manhole/wet well depths greater than customer requirements may be offset by the City. Location, depth, and capacity of the pump station must be approved by the Utilities Department. If a pump station is to be publicly owned, the pump station sites are to be deeded to the City and ~~should~~ shall be a minimum of 50 feet by 50 feet in size unless otherwise approved by the Engineering Division. Privately operated sewage pump stations may be permitted if operation and maintenance are provided by the owner or an HOA.

**Costs** - Main extensions are at the expense of those desiring service. The customer shall engage private engineering and construction contractor services at his/her own expense. All plans and specifications are subject to the City's approval. The City reserves the right to over-size or to require minimum sizes for any main extension or utility installation.

**Policy Exceptions** - Special cases that do not conform to normal conditions to which these policies apply may be appealed to the City Manager. The City Manager, or a designee, may grant exceptions to the policies to provide relief in cases where extenuating circumstances justify such action. Exceptions are granted only on a case-by-case basis and are not to be considered a change of policy or as setting a precedent.

**Conformance with Technical Provisions** - All utility system installations and extensions must be constructed in conformance with the latest revision of the *Technical Provisions* and Standard Detail Drawings in effect at the time plans were approved by the City. If over six months has elapsed since the plans were approved by the City, all installations must conform to the revision of the *Technical Provisions* and Standard Detail Drawings in effect as of the date of the pre-construction conference. The materials and installation as described in the *Technical Provisions* and Standard Detail Drawings take precedence over the engineer's plans unless approved in writing by the Engineering Division. The *Technical Provisions*, Standard Detail Drawings, and a schedule of rates, fees, and charges are available on the City website at the Engineering Division located at 351 Shearer Boulevard, Cocoa, Florida.

The constructed facilities are subject to inspections by City representatives for compliance with the City's *Technical Provisions*, Standard Detail Drawings, plans, and specifications. Ample notice and opportunity for inspection of new facilities, pipe, fittings, connections, and thrust blocks must be provided by the contractor. All required testing must be performed by the contractor in the presence of a City representative.



## B. Utility Extension Policy & Procedure

**Utility Extension Policy** - The City will accept for operation and maintenance utility extensions constructed for the purpose of providing service to areas within the franchise boundaries of the City's utilities systems. Utility extensions include water distribution systems, ~~fire lines~~ fire lines, ~~waste water~~ wastewater collection systems, and reclaimed water distribution systems. The City is not obligated to accept any extension or render service until the requirements contained in this section have been met.

The City does not allow City owned and maintained utilities to be installed on private commercial properties with the exception of water meters, fire line detector check valves, and sewer force main check valves. The City does not allow City owned and maintained utilities to be installed on private residential properties.

Due to the technical nature of utility extensions, the City requires the use of a Professional Engineer (the Engineer of Record) as the point of contact during the plan review process and through the permitting and construction completion. All correspondence and communication will be between the City staff and that designee.

A Utility contractor is required for all main extensions and the main extension up to the point of service for the fire line system. A fire line contractor is required for the installation from the point of service for the fire line system and the Double Check Detector Assembly (DCDA).

**Utility Extension Procedure** - Prior to any utility extension in the City's service area, the City must review the plans. A Plan Review Charge is collected in accordance with the Schedule of Rates, Fees, and Charges (Schedules A & B). A check made payable to the City of Cocoa must be submitted with the plans for review.

~~Due to the technical nature of the plan submittal, the City designates the Engineer of Record or the Professional Surveyor as the point of contact during the plan review process. All correspondence and communication will be between the City staff and that designee.~~

The Engineer of Record is responsible for preparation of the technical plan drawings and calculations for water, sewer or reclaimed water extensions,

**Initial Submittal** - The City will perform a preliminary review of plans. Send one set of plans and one set of calculations that have been prepared, signed, and sealed by an Engineer registered in accordance with Florida Statutes to the Engineering ~~Division~~ Supervisor. The scaled drawings/set must include water and or waste-water and or reclaimed plans showing the location of the mains, distance off proposed pavement, size and type of mains, size and type of services, fire hydrant with hydrant tees, gate valve locations, restrained pipe lengths, proposed length of pipe, locations of other utilities; manholes, laterals, slope, water and sewer calculations, fire flow calculations, per the Florida Fire Prevention Code, Hydraulic Analysis Report, *Technical Provisions*; and Standard Detail Drawings.

The City will send a letter to the engineer of record requesting revisions to the plans, if necessary, or advising that the plans are acceptable and instructing the engineer of record to submit the (revised) plans for final review.

**Final Submittal** – Send ~~three~~ two sets of scaled drawings/plans plus the number of sets needed by the applicant and two sets of calculations and the FDEP permit applications that have been prepared, signed (all with original signature), and sealed by an Engineer registered in accordance with Florida Statutes to the Engineering Supervisor.

If the mains will be installed within Florida Department of Transportation (FDOT) right-of-way, a FDOT permit application must also be submitted. ~~FDOT permit application requirement can be obtained from the Engineering Division.~~ through the FDOT online permitting portal.

The City will review the final set of plans and, once acceptable, the Engineering Division will approve the plans. The final set of plans and the permit applications will be sent to the Utilities Director or their designee for approval. Upon approval ~~the Engineering Secretary staff~~ will advise the Engineer of Record to pick up the approved plans ~~and submit them to FDEP~~. The approval is valid for one year. Plans need to be submitted for review if construction does not commence within one year from the date of approval.

All plans submitted to the Engineering Division will require a phasing plan that specifically identifies the number of phases, infrastructure contained in the phase (such as hydrants) and the number of homes or units, clubhouse, and



the number and size of meters. A Requirement Letter will be created identifying the costs to the Developer/Customer for each phase and the letter is required to be submitted along with a Request for Service application and the appropriate payment amount to the Customer Service Division. If an approved plan's phasing changes, then the Developer/Customer will be required to resubmit plans for review and re-approval with the updated phasing and a new requirement letter will be issued. The Developer/Customer can use the Requirement Letter to only pay for the phase that needs to be developed. The Requirement Letter is valid for 45 calendar days. After 45 days, a new Requirement Letter will be required. If required documents and payment are not submitted as a complete package, it will not be accepted or, may be returned to its originator.

**FDEP Permit** – FDEP requires that the City's Technical Provisions and Standard Detail Drawings are included with the plans. The Engineer of Record is responsible for submitting the approved set of plans and permit application to FDEP.

**FDOT Permit** - FDOT requires a permit for work within FDOT right-of-way ~~that requires open cutting or crossing of pavement or sidewalks.~~ The permit application is prepared by the engineer of record ~~and submitted to the Engineering Division through the FDOT online permit portal.~~ ~~The owner/developer shall sign the City's Construction Agreement and the owner/developer shall have the City's Hold Harmless and Indemnification Agreement signed by all contractors and subcontractors that will provide preparation, installation, and clean-up of the utility work within the FDOT right-of-way. The agreements must be approved by the City Manager. Then the permit application will be signed by the Utilities Director or designee and forwarded to FDOT.~~

**Requirement Letter** – The City will send a requirement letter to the Engineer of Record once the plans are approved and the City has received the FDEP permit or written confirmation that an FDEP permit is not required. The requirement letter outlines all the items necessary for acceptance of the utility extension and lists the fees and charges due including impact fees, meter charges, and backflow prevention assembly charge for each phase (if applicable).

**Payment of Charges** – Prior to the preconstruction meeting for the new utility system, payment of the following charges is required: Jumper Meter Installation Charge, and the Fire Hydrant Maintenance Fee. All other fees are due before meter(s) installation. all Painting Charges, and Fire Protection Service Charge.

Connection Charges must be paid with the meter installation charge.

The Meter Installation Charge can be paid before or after utility system acceptance. However, the meter will not be installed until the utility system has been accepted for service by the Utilities Department. The customer should allow two weeks after the utility system is accepted for meter installation.

**Preconstruction Meeting** – A preconstruction meeting is required prior to installation of a utility extension. The utility contractor and his/her field Superintendent is required to attend this meeting and provide proof of registration as a State-certified underground utility contractor. ~~The meeting is held in the Utilities Administration Building at 351 Shearer Blvd., Cocoa.~~ The utility contractor is responsible for arranging the meeting time with the ~~Inspection Supervisor~~ Inspector assigned to the project. It is recommended that the Engineer of Record and the project owner attend this meeting. The preconstruction meeting will cover the schedule for payment of fees and charges, materials and installation, the contractor's installation schedule, inspection, testing, and all the requirements to achieve acceptance of the new utility systems.

**Material Inspection** – An inspection of all material is required before it is installed. The utility contractor is responsible for scheduling this inspection with an Engineering Inspector.

**Wet Taps** – All wet taps will be performed by a private tapping contractor that must be on the City's list of approved tapping contractors.

**Open Ditch Inspection** – After the utility extension has been installed, an open ditch inspection is required prior to backfilling the trench. The utility contractor is responsible for scheduling this inspection with an Engineering Inspector. The Inspector will check pipe installation and conformance with plans and specifications.



**Pressure Test and Chlorination** – After the utility extension has been installed and backfilled, all mains shall be swabbed. Foam swabs shall be flushed through the new mains. The swabbing shall be done by the contractor under the direct supervision of the Engineering Inspector. After swabbing, a pressure test is required. The water system is tested at 150 psi for two hours to test for leakage and structural soundness. The first hour is to be witnessed by the utility contractor; the last hour is to be witnessed by the City’s Engineering Inspector and the utility contractor. The utility contractor is responsible for scheduling this test with an Engineering Inspector.

After the pressure test is successfully completed, the water line and appurtenances must be chlorinated. Disinfection will conform to the applicable provisions of American Water Works Association Specification C-651. The chlorine solution must remain in the pipe for at least 24 hours before flushing. No flushing is allowed between bacteriological sampling. All Chlorinated water is required to be de-chlorinated prior to discharge.

**Disinfection and Bacteriological Testing** – ~~Disinfection and~~ A bacteriological testing will be performed ~~by a private laboratory~~ in accordance with ~~the City’s Bacteriological Testing Procedures by Private Laboratories~~ Section 2.8 of the City of Cocoa Technical Provisions and Standard Details. Bacteriological Testing will be performed by a private laboratory approved by the City.

**FDEP Clearance** – Clearance from FDEP is required before the temporary jumper can be removed. The engineer of record shall submit to the City a completed FDEP form “Certification of Construction Completion and Request for a Letter of Clearance to Place a Public Drinking Water Facility into Service” (Clearance Form) and, if a general permit was obtained from FDEP, as-built drawings that have been signed (original signature) and sealed by the engineer of record.

The City will attach a copy of the FDEP permit, pressure test sketch showing the sample points, bacteriological test results, and a copy of the as-built drawings, if required, to the Clearance Form. The Clearance Form is then approved by the Utilities Director or their designee and submitted to the ~~mailed to~~ FDEP. Submittal of the Clearance Form by the Engineer of Record to the City is time sensitive since the bacteriological test results cannot be older than 60 days by the time they are received by FDEP.

**Final Inspection** – After all tests of the utility extension have been successfully completed, a final inspection must be scheduled. The final inspection consists of checking for items such as; concrete valve pads, blue reflectors at the fire hydrants, meter boxes installed to grade, curb stops properly installed in the meter boxes, service line locations marked on the curb, all valves are open, and proper paint used on items that require painting. The utility contractor is responsible for scheduling this inspection with an Engineering Inspector. It is recommended but not required that the utility contractor be present for the final inspection. The City will ~~send a letter to~~ notify the utility contractor in writing if any discrepancies are found.

**Acceptance of Utility Extension** – After the utility extension has been properly installed and successfully tested in accordance with the Utility Extension Policy, and after all required documents described below have been received by the City, the City will send a letter of acceptance to the owner.

**As-Built Drawings** – The City requires three sets of as-built drawings (noted as “as-builts”) signed (all with original signature) and sealed. The as-builts can be certified by a Florida-registered surveyor or the Engineer of Record as to the accuracy of the information supplied. The Engineer of Record must certify that the utility extension has been installed in accordance with the approved plans and specifications. The information provided on the as-built drawings must conform to the City’s latest *Technical Provisions* and Standard Detail Drawings. If a project is completed in phases, the city requires a separate as-built drawing for the phase constructed in order to process the final acceptance.

**Bill of Sale; Maintenance Bond/Security** – The Bill of Sale conveys ownership of the utility extension to the City so the City can operate and maintain the system. The City’s Bill of Sale form must be completed by the owner of the project and submitted to the City. In addition, the City reserves the right to require a maintenance bond or some other security covering the utility extension for a period of up to two (2) years depending on the specifications of a particular extension. The bond or other form of security must be in a form deemed acceptable to the City. The City’s template Bill of Sale is available on the City website. A draft electronic copy of the Bill of Sale must be submitted to Engineering Division and approved by the City Clerk prior to submitting the final Bill of Sale.



**Easement** – If the utility extension is installed on private property, a Water Line and Ingress/Egress Easement is required. The Water Line Easement is to be a 15-foot-wide surveyed easement centered over the utility extension. The Ingress/Egress Easement is usually for the entire property and allows the City to enter the property to operate and maintain the water line. The City's Easement form must be completed by the owner of the project and submitted to the City. [The City's template Easements documents are available on the City website. A draft electronic copy of the Easement must be submitted to the Engineering Division and approved by the City Clerk prior to submitting the final Easement.](#) The City sends the Easement to the Brevard County Clerk of Court for recording. It may be necessary for the City to mark the location of utilities using wooden stakes, flags, aerosol paint, etc. The paint will eventually wear off and there are no requirements for the City to remove the utility markings.

**Non-Accepted Systems** – The City is not obligated to repair or to provide field locations on any system that has not been accepted for operation and maintenance. No connections will be made to and no meters will be installed on any system until after the system is accepted and all applicable charges have been paid to the City.

**Private Utility Systems** – All utilities located on private commercial properties will be owned, operated, and maintained by the property owner. The City does not allow City owned and maintained utilities to be installed on private commercial properties with the exception of water meters, fire line detector check valves, and sewer force main check valves.

City inspectors have the right to inspect any portion of the private system for excessive leakage or non-approved connections. Any deficiencies noted must be corrected within ten days of written notice by the City.

### C. Fire Protection System Requirements

The City provides water service for fire protection. On public, commercial, and multifamily residential fire protection systems, the City requires a double check detector assembly (DCDA), the size of which has been determined by a private fire protection system Engineer. The City is responsible for operating and maintaining its water system up to and including the DCDA piping leg and in-ground 90-degree or 45-degree fitting on the customer's side of the DCDA. The City has determined the point of service for the fire line system to be the gate valve installed at the fitting upstream of the DCDA. A fire line contractor is required for the installation of the DCDA.

The fire protection system design must include a safety factor of five psi. Materials for and installation of the DCDA shall be in accordance with Section 2.2 Utility Extension Policy & Procedure and the City's current *Technical Provisions* and Standard Detail Drawings.

The City charges a Fire Protection Service Charge in accordance with the Schedule of Fees, Rates, and Charges. The customer must pay the first year's Fire Protection Service Charge prior to the preconstruction meeting for the utility extension.

For new systems, the Contractor will test the DCDA and provide the backflow certification to the City's Engineering Division. If the test fails, the customer's contractor must have the DCDA repaired by a licensed backflow technician and re-test the DCDA.

The City charges a Fire Line Painting Charge in accordance with Schedule of Fees, Rates, and Charges. The customer must pay the Fire Line Painting Charge prior to the preconstruction meeting for the utility extension. After acceptance, the City will paint the fire line.

For existing fire protection systems, the Water Field Operations is responsible for operating, maintaining, repairs, and testing of the existing DCDA. Customers requiring repair, maintenance, operation, or testing of the existing DCDA shall contact Water Field Operations located at 351 Shearer Boulevard, Cocoa, Florida.

Private fire line contractors are prohibited from operating, maintaining, repairing, and testing DCDA owned, operated, and maintained by the City of Cocoa except as authorized by Water Field Operations. The City will not be responsible for any cost incurred by the customer for unauthorized work on the DCDA.



## Section 3 – Rights and Responsibilities

### A. Right of Way and Access

As a condition of service, the account holder grants to the Utilities Department all rights and privileges necessary for the rendering of service. Utilities Department employees and contracted representatives must have access at all times to the City's facilities located on the customer's premises. Access is limited to the installation, operation, maintenance, inspection, and/or removal of utility appurtenances. Failure to provide access to Utilities Department personnel is grounds for involuntary discontinuance of service. Any advance notice to the customer or occupant of work performed on the customer's premise will be at the discretion of the City. The Utilities Department is not liable for trespass during performance of these activities. Vehicles or large movable objects that block access to the utilities right-of way may be towed at the customer's expense.

### B. Relocation or Adjustment of Utilities

Standard residential 3/4" and 1" meter relocations or adjustments with no concrete or asphalt open cuts, no site restoration work, [no service line replacement](#), and less than ten feet in length will be performed by the City at a cost as provided in the Schedule of Fees, Rates & Charges.

Residential 3/4" and 1" meter relocation or adjustments that require a permit, concrete or asphalt open cuts, site restoration work, [a new service line](#), or are longer than ten feet will require a cost summary estimate from the Engineering Division and the account holder will be required to pay that cost prior to the work being performed by the City.

The City will not relocate or adjust a 3/4" and 1" residential meters within subdivisions currently being developed or within one year of acceptance by the City. The owner must contact the developer who shall have its utility contractor relocate the meter under the direct supervision of the Utilities Department.

When relocation or adjustment of the City's facilities is necessary for a multifamily or commercial building due to a change in the customer's operation or construction or due to a request, such relocation or adjustment will be designed by an engineer and constructed by a utility contractor provided by and paid for by the customer.

In the event that relocation of a customer's point of service is required by the City, a new on-site service line may be installed by a licensed plumber at no cost to the customer. The customer will provide the necessary access to the property for such and installation and will assume responsibility for same upon relocation.

The relocation work or connection of the customer's facilities will be warranted for any defects in the construction for a period of one year. The City; however, will not be responsible for cost associated with damage caused by natural disasters, breaks, acts of God, misuse of the facilities, or any other cause beyond the control of the Utilities Department.

### C. Limits of Liability & Continuity of Service

The Utilities Department will use reasonable diligence to provide dependable service but **DOES NOT GUARANTEE** continuous and uninterrupted service.

The City is not liable for want of supply or for any occurrence, act, omission caused directly or indirectly by mechanical failure of equipment and/or facilities; repairs; or adjustments to its system; riots, strikes, civil unrest, insurrections; accident; litigation; interference by Federal, State, or municipal governments; act of God; acts of the public enemy; or any other cause beyond the control of the Utilities Department. The City reserves to itself full discretion in reducing the amount of water available, in servicing some customers to the exclusion of others, or, if necessary, in discontinuing water, reclaimed water, or waste-water services.

All reasonable efforts are made to assure continuity of services to customers. Although the City uses its good faith effort to see that utilities are delivered safely, the City is not responsible for any damage caused by interruption of utility services. The customer understands that instances may occur where service is interrupted beyond the control of the City and that no compensation will be rendered for such loss of service.



#### D. Account Holder Responsibility for Piping and Leakage

The account holder shall be defined as the person contracting service until or unless the contracted service is voluntarily or involuntarily discontinued. In the absence of any active contract for service, the property owner shall be the account holder. See section *Revert to Property Owner* for details.

The City is only responsible for correcting leaks on the main water system and up to and including the water meter.

The City is not responsible or liable for the account holder's utility system beyond the following points of service:

- Water: the meter and/or backflow prevention assembly
- Reclaimed Water: the meter and/or curb stop
- Waste-water: the City's sewer cleanout or the property line
- Fire Protection/Suppression Systems: the meter, backflow prevention assembly, and the bottom fitting in the ground downstream of the double detector check valve.

The City does not assume any responsibility for, or liability arising because of, the condition of water and/or sewer piping, plumbing or any apparatus on the premises of the account holder and/or property owner. Water pulled across any of the points of service listed above immediately becomes metered water. Metered water that is knowingly or unknowingly either used, lost, leaked, or stolen is considered consumption and is the property and responsibility of the account holder.

The City does not assume any responsibility for, or liability arising because of, any loss or damage to any person or property whatsoever resulting directly or indirectly from the use or misuse or presence of metered water on the account holder's premises.

The account holder is responsible for leakage in the piping on his/her property on his/her side of the water meter at the point of connection to the meter and/or backflow prevention assembly, if applicable, and will be charged for water and/or sewer based on water use as indicated on the meter.

The account holder is responsible for monitoring and safeguarding any intentional or unintentional consumption of water, regardless of any conditions or circumstances known or unknown to the account holder and/or property owner to include if the meter is on or off, that may contribute to water loss, leak, or theft of water.

The City is not responsible for investigating, informing, or prosecuting due to water leaks, loss, or thefts on the customer's side of the water meter. As a courtesy the City makes a reasonable effort to inform the customer of excessive or active water usage, if noticed, during routine meter reads or maintenance. It is the customers responsibility to regularly monitor their water meter usage/flow rate indicator for symptoms of water loss.

When a customer requests the water meter to be turned on it is the responsibility of the customer to make sure all valves, faucets, hoses, and any other appliances that demand water are turned off prior to the City representative turning the meter on. If the City representative notices the meter flow rate indicates active water use when turning on the water meter, the meter will be immediately turned back off and a reasonable attempt to leave a notice that the meter was turned off will be made. In the event the City does not detect any active water flow, the City is not responsible for any water loss or damage.

For details regarding system operations for the City of Cocoa, please refer to the City of Cocoa Utility Service Policies and Procedures Handbook, the City of Cocoa Utilities Technical Provisions and Standard Details and/or City of Cocoa Code of Ordinances.



## Section 4 – Requirements and Regulations

### A. Potable Water Service Policy

Properties within the City's franchise area are eligible for connection to the potable water system on a first-come first-served capacity-available basis. As deemed necessary by the Utilities Director, some projects may require off-site improvements or hydraulic studies to assess the impact of the proposed service on existing customers. All costs for studies or off-site improvements will be paid by the customer.

### B. Resale of Water

Water service obtained from the City is to be used by the customer only, for the purpose specified in the application for service, and cannot be resold. Water service is furnished directly to the customer through the City's individual meter. It is for the customer's sole use and is not to be re-metered by the customer for the purpose of selling water service at a profit to lessees, tenants or others. Re-metering for the purpose of equitable distribution of water and sewer service costs is allowed so long as the charges reflect the amount charged by the City.

### C. Sub-serving by Customer

The customer will not build or extend water lines across or under a street, alley, lane, court, avenue, across property lines or in any other way in order to furnish service through one meter to more than one property. Serving more than one property is not allowed even though such adjacent property may be owned by the customer. An exception to this policy may be requested in writing from the Utilities Director. Written consent for the exception will be given only when such adjacent properties are operated as one integral unit under the same name for carrying on parts of the same business. When and if such consent is given, the customer must obtain any necessary State, county, or municipal permits. All construction must be in accordance with applicable codes, installed by duly licensed professionals, and subject to applicable inspection procedures. Service is furnished only to the property immediately adjacent to the meter. If the customer subdivides a property that has a single water service (meter), the existing water service will be used to serve the property immediately adjacent to the meter. The remaining subdivided properties must be provided with individual service lines and meters at the owner's expense. A water main extension may be required in order to provide service to the customer's subdivided property. If a main extension is required in order to provide service to a property, refer to section *Utility Extension Policy & Procedure*.

### D. Customer Facility Requirements

All on-site service lines and plumbing are to be installed in accordance with these requirements and regulations and in compliance with the latest guidelines of local codes and inspection authorities. All installations must be inspected and approved by an authorized inspector as required by law. The Utilities Department may deny service to any new or altered installation or it may disconnect service to any existing installation that, in the opinion of the Utilities Department, constitutes a hazard to the public, to other customers, or to its employees.

### E. Backflow Prevention and Cross-Connection Control

Backflow prevention assemblies are to be installed to provide protection to the water system and to comply with local and State regulatory authorities and the City's Cross-Connection Control and Backflow Prevention Program.

The potable water supply must be protected from the possibility of contamination. Non-potable sources of water or harmful substances must be prevented from entering the potable water system. The Utilities Department promotes the avoidance, prevention, and elimination of cross-connections. It provides for a continuing program of cross-connection education, prevention, detection, and control. This program is intended to prevent water that has passed from the public distribution system into the private plumbing and fire protection systems from re-entering the public system. The City charges an annual Cross Connection Control Program Administration Charge, in accordance with the Schedule of Rates, Fees, and Charges, to administer this ongoing program required by federal and state regulations.

The most current edition of the following codes, rules, and standards are adopted as a part of Cocoa's Cross-Connection Control Program:



- Florida Administrative Code (FAC) 62-550.200(22) defining cross-connections; FAC 62-555.360 prohibiting cross-connections and providing a routine Utilities Department program for the detection and prevention of cross-connections; FAC 62-610 establishing rules for reclaimed water systems serving potable water customers.
- Florida Building Code Plumbing Volume, Section 608.8, requiring identification of potable and non-potable water distribution systems either by color marking or metal tags.
- American Water Works Association (AWWA) manual M14 providing recommendations for organizational background for a cross-connection control program.
- The Foundation for Cross-Connection Control and Hydraulic Research (University of Southern California) manual *Cross Connection Control* for the approval of backflow prevention assemblies.
- The Code of Ordinances of the City of Cocoa, Chapter 22, setting forth rules for alternative water service and providing for discontinuance of water service to properties not in compliance with the rules.

The Water Field Operations Division is responsible for the education and training of personnel for the testing, installation, and maintenance of all backflow prevention assemblies (including [fireline fire line](#) backflow devices). This division records material and equipment installation and inspection data. Surveys are performed at the premises of existing and new customers to detect actual or potential cross-connections.

The customer is liable for the initial installation cost of a backflow prevention assembly, which cost must be paid in advance of installation.

The City maintains backflow prevention assemblies that meet the City's requirements and charges an annual Backflow Assembly Testing & Maintenance Charge in accordance with Exhibit A Rates, Fees, and Charges.

#### **F. Curb Stops**

The City is responsible for the use and maintenance of the water service lines up to and including the backflow prevention assembly. The curb stop is a mechanism used by the City to regulate the flow of water to the meter and is City property. It is the City's option to grant permission to the customer to turn the curb stop on or off for emergency repairs or after-hour turn-on when water is running. The curb stop is not designed to be used as a faucet and frequent use may damage the device. A damaged curb stop will be repaired or replaced at the discretion of the City. The customer may be charged the actual cost of repair or replacement at the discretion of the City.

It is recommended that a customer have a shut off valve installed downstream of the meter and backflow preventer, at the customer's expense. A house valve is also recommended. A house valve is an in-line connection and handle on the water service line from the meter to the house. It is usually located on the exterior of the house near an outside faucet or hose bib but can be located internally near a water heater or clothes washer hookup. By turning the handle, the customer can shut off the water supply to the house in an emergency or to make repairs.

#### **G. Individual Meters**

Individual meters are required for all new residential service connections with the following exceptions:

- High-rise (three stories or greater) condominiums
- Short-term rental units and travel trailer parks
- Special cases as approved in writing by the Utilities Director

#### **H. Sizing of Meters**

Water meters will be sized according to the guidelines stated in the American Water Works Association manual M22, Sizing Water Lines and Meters. The engineer of record shall complete the calculation for sizing the meter. The engineer shall provide the calculations to the Utilities Department for approval. If deemed necessary by the Utilities Department, the owner shall provide to the Utilities Department access to the property to evaluate the water usage requirements. The minimum size meter, as calculated, will be installed. No over-sizing of meters will be permitted.

#### **I. Upsizing of Water Meters**



If requested by a commercial or multifamily residential customer and justified according to section *Sizing of Meters*, the customer may replace an existing meter with a larger meter. All calculations must be completed by a licensed engineer or architect. The calculations for upsizing must be submitted to the Engineering Division for review and approval. Installation of upsized service piping shall be in accordance with Section *Relocation or Adjustment of Utilities*. The customer shall be required to bring the service up to current standard requirements at the customer's expense. Current standard requirements may include, but are not limited to, installation of a backflow prevention assembly and conversion of below-ground to above-ground installation in accordance with the *Technical Provisions*. Meters will not be upsized for billing purposes. Additional fees and charges may apply.

### **J. Separation of Meters**

A commercial or multifamily residential customer who desires to install individual 3/4" meters in lieu of an existing master meter 1" or larger may be allowed to do so in accordance with section *Relocation or Adjustment of Utilities*.

A commercial or multifamily customer who desires to install meters for the purpose of establishing a separate billing of non-irrigation flows may do so as long as the flows do not enter the waste-water collection system. Installation of the service shall be in accordance with section *Relocation or Adjustment of Utilities*. In either case, the customer is responsible for reconnection of individual plumbing to the new meters.

Payment of impact fees will not be required unless the use of the property has changed and will result in increased water demands. Other charges may apply.

### **K. Irrigation Meters**

Temporary or Permanent irrigation meters are not permitted. Existing irrigation meters are grandfathered to remain on the distribution system.

### **L. Temporary Construction Meters**

Temporary construction meters are subject to the following requirements:

- Temporary construction meters will have a specified time period of 90 days. Extensions of time maybe granted if requested in writing with proper justification.
- Temporary construction meters will be located, at the discretion of the Utilities Department, on the nearest acceptable fire hydrant or 2" blow-off and secured by a chain and lock.
- Temporary construction meters will be installed for construction purposes only. Meters permanently mounted on spray trucks for tank filling purposes are exempt from these restrictions. Meters mounted on water trucks are subject to these restrictions.
- Temporary construction meters will not be utilized for irrigation purposes or for domestic supply purposes.
- Temporary construction meters will be removed or relocated only by Utilities Department personnel.
- Repairs necessitated by abuse of a temporary construction meter will be charged against the customer's deposit.

### **M. Temporary Jumper Meters**

A temporary jumper meter shall be installed at a tie-in valve of all new water main extensions. All swabbing, flushing, and testing operations will be accomplished through the jumper meter. The jumper meter is to be used only for the swabbing, flushing, and testing of the new water main extension. It shall not be used as a construction meter for the project. If any utility contractor or subcontractor connects to the new system, whether it has a jumper meter or not, the connection will be disconnected and the utility contractor will be billed for an illegal connection. This may lead to a delay in the acceptance of the water system for service, thereby delaying the permanent meter installation.

The jumper meter installation shall be in accordance with the City's Standard Detail Drawings. It shall consist of 2" galvanized pipe and fittings, a 3" meter supplied by the City (paid for by the developer or contractor), and a 2" double check valve supplied by the contractor. The contractor shall install the jumper meter assembly. All tie-in valves shall be locked by the contractor with the chains and locks supplied by the City. After installation of the jumper meter assembly, the contractor shall have the 2" backflow prevention assembly tested by a State-licensed backflow testing company to assure that it is functioning properly. A copy of the testing report must be supplied to the City.



## Section 5 – Establishing Service

### A. New Connection to the Water/Sewer Distribution Systems

Properties within the City's franchise area are eligible for connection to the potable water system on a first-come first-served capacity-availability basis. The City of Cocoa Engineering Department plans, designs, and obtains permits for the drinking water transmission and distribution, waste-water collection, and reclaimed water distribution systems. As deemed necessary by the Utilities Director, some projects may require off-site improvements or hydraulic studies to assess the impact of the proposed service on existing customers. All costs for studies or off-site improvements will be paid by the customer. The general requirements are described in the City's Technical Provisions and Standards Details.

A new customer connecting to water and/or sewer system (new construction) may apply for the desired service obtaining a cost summary from the Engineering Department. Once the cost quote is available, the customer shall pay for the new connection by contacting the Customer Service Division. Once payment is processed and all required permits have been acquired Upon payment, work orders are entered for Engineering to install the new connection.

### B. New Connection to the Reclaimed Water Distribution System

Any utility account holder within the City of Cocoa limits and in good standing may request the City to install and operate a City approved irrigation/reclaimed water meter at any property owned by such account holder, provided that the City has reclaimed water mains available to serve the account.

Prior to the installation of a new in-ground irrigation system to be connected to the City's reclaimed water system, or connection of an existing system to the City's system, the account holder shall request the City to install and operate a city-approved reclaimed water meter. The account holder is responsible for connecting their system to the account holder side of the meter and for allowing inspection of all connections by City staff prior to the turn on of the meter. All irrigation/reclaimed water meters, meter boxes, pipes and other equipment furnished or used by the City in installing any such irrigation meter shall be and remain the property of the City. Prior to installation of any such reclaimed water meter, the account holder shall pay to the City all charges as specified in the Schedule of Rates, Fees, and Charges (A&B) established and modified periodically by the City Council.

A new customer connecting to the reclaimed water system may apply for the desired service, if available, as outlined in the [Reclaimed Water Application](#) and through contacting the Water Reclamation Facility at 321-433-8749.

### C. Contracting Utility Service to Existing Connections

Anyone may apply for water and/or sewer service to a property within the appropriate service area provided they are the owner, owner's agent, or a prospective tenant of the property to be served.

The Customer Service Division (hereafter referred to as City) must treat all applicants in an equal and non-discriminatory manner, without regard to race, sex, age, ethnicity, national origin, disability, mental illness or ability, sexual orientation, gender, gender identity/expression, sex characteristics, religious, creed, political opinions, or marital status.

A new Request for Service Application form (referred to as Application) must be submitted for every water/sewer connection, including transferring service to a new location, regardless of prior connections to an existing address or account holder history PRIOR to receiving utility service. A Service Initiation Fee, in accordance with the current schedule of rates, fees, and charges, will be due for the processing of any new application. See section *Connection & Installation Fees & Charges* for details.

### D. Utility Application Processing

Persons wishing to establish water/sewer service will be required to complete a Request for Service Application form. If not applying in person, the Request for Service Application form must be notarized. **All** persons requesting utility services must provide the following information:

- Full name
- Mailing Address
- Service Address



- Home, Cell & Work Phone Numbers
- Email Address (if available)
- One valid form of government issued identification with photo – Valid driver’s license, passport, alien registration card, or state issued photo ID
- A second form of identification such as anything that has the applicant’s name embossed and/or printed on it, excluding debit/credit cards, such as social security card, insurance card, voter’s registration, passport, vehicle registration, etc.
- Names of adult persons living in household (if applicable)

Property Owner as Account Holder:

- Proof of Property Ownership if different than Brevard County Property Appraiser’s website.
- If property owner is unavailable, provide a copy of the Power of Attorney.

Non-Property Owner as Account Holder:

- Notarized, Valid Rental Agreement between the prospective tenant and property owner. The property owner’s signature must be notarized; however, if prospective tenant and property owner both appear in person and provide government photo identification, neither signature needs to be notarized.
- If an agreement is not available or has expired, a notarized [Letter of Authorization](#) must be completed by the property owner or authorized agent.
  - o If authorized agent is submitting the application, provide Power of Attorney, Property Management Agreement, etc.
- If property owner is deceased, an authorized agent must provide death certificate and documentation verifying survivorship (i.e. Last Will and Testament, Trust, Probate, etc.).

Property owners shall provide a closing statement or deed to verify ownership. Property owners may have utilities connected at more than one location as long as all account balances remain current. Any property owner’s prior debt for utility services at any location and/or a property owner’s outstanding account balance at the service location applied for, may prevent a property owner, their agent, and/or a tenant from establishing new service until account(s) are paid in full. See section *Prior Utility Debts* for details.

Non-Property Owners shall provide the City with a notarized copy of a valid lease/rental, or a copy of a valid lease/rental agreement that contains an electronic signature with certificate of authenticity, or a notarized [Letter of Authorization](#) and may be limited to one service location at any given time. The non-property owner’s utility account will be set up in the name or names specified in the lease/rental/occupancy agreement. A property management agreement shall be required for agents acting on behalf of the property owner. In the event that any person named in the lease has an outstanding utility debt with the City, that debt shall be paid in full prior to service connection. See section *Prior Utility Debt* for details. If any notarized lease/rental/[Letter of Authorization](#) for occupancy agreement and/or property management agreement cannot be provided, the Request for Service Application may be denied.

Master Metered Multi-Unit Residential and Commercial Properties collectively serviced by a single master meter shall have the account held in the name of the property owner.

Private fire protection “[firelinefire line](#)” systems shall have the account held in the name of the property owner and shall remain active at all times. Any unauthorized connection or use of a private fire protection system will be considered theft of service and a penalty shall be billed to the customer of record. All water consumption on a [firelinefire line](#), not intended for fire suppression or normal testing/maintenance, will be billed at the first-tier water rate. It is the customer’s responsibility to ensure no connection or use of the [firelinefire line](#) occurs for anything other than it’s intended purpose of fire prevention to include leak, loss, intentional use, or theft. See section *Utility Tampering and Theft of Service Fees & Charges* for details.

**E. Time and Place of Application**

Persons requesting utility services at existing connections ~~must~~ complete a Request for Service Application form and submit all required documentation to City Hall in person between 8:00 a.m. and 4:30 p.m. Monday through



Friday, (excluding City closures), by mail (65 Stone St. Cocoa, FL 32922), e-mail (customerservice@cocoafll.gov), online—<https://www.cocoafll.gov/DocumentCenter/View/12345/Request-for-Service-Application-ADA-Fillable>, or via facsimile (321-433-8408). However, in the event service is requested electronically and, in order to verify identity, the Application must be notarized, and legible copies of a valid government issued identification document (driver's license, passport, state identification card, military identification card, etc.) must be submitted. If the copies are illegible or the application is not notarized, ~~they may not be accepted, the paperwork shall be returned to the applicant,~~ delaying the connection process. If applications and subsequent documentation are sent electronically by e-mail or fax or by mail, it is the responsibility of the customer to follow-up and ensure Customer Service has received the documents.

The City offers next business day ~~service.~~ ~~service, however electronic requests may take up to two (2) business days for service connection.~~ No service will be connected until all application procedures have been completed and any fees/balances, if applicable, are paid in full. Completed applications received in person before 12 pm on the day of requested service may be processed for connection, if same day turn on service is available and, the applicant pays the Same Day Initiation Fee. See *Service Initiation Fee* for details. The City will strive to meet each customer's needs for connection of service. Normal ~~connections~~ ~~connections~~ will be made in a timely manner during regular business hours. The City reserves the right to inspect the meter prior to connection to determine if utility service can be received at the premise in a safe manner.

**F. Application of Deposit and Exemption Criteria**

The City requires water and sewer deposits for any applicant wishing to establish service at any location, except as specified below, and shall be billed on the account holder's first bill. Any applicant with prior debt, has been involuntarily discontinued from service, has filed bankruptcy in the past 12 months, applies for a temporary connection, has self-restored service, or has had their meter locked off, plugged or removed shall pay the deposit prior to the connection or re-connection of service.

Residential accounts contracted by the property owner shall be exempt from deposit if the contracting owner meets the following criteria:

- Has been or is in the Military and can provide a copy of their Military ID card or a DD 214 form; or,
- Has been an account holder of any utility in the United States within 120 days of application for service and can provide a letter of reference from the utility showing that he/she has no outstanding debt and had 12 consecutive months of good credit; or,
- Is transferring service from an existing account with good credit to a new property owned by the applicant within the City's distribution network; or,
- Completes an Automatic Debit (ACH) Agreement and maintains successful, automatic bank draft for 12 consecutive months.

Residential accounts contracted by the non-property owner shall be exempt from deposit if the contracting account holder meets the following criteria:

- ~~— Has been an account holder of any utility in the United States within 120 days of application for service and can provide a letter of reference from the utility showing that he/she has no outstanding debt and had 12 consecutive months of good credit; and,~~
- Completes an Automatic Debit (ACH) Agreement and maintains successful and continuous, automatic bank draft for the life of the account

Residential accounts shall have their deposits refunded to the account after twelve (12) consecutive months of good credit. Good credit is defined as not having been disconnected for non-payment, or not having had two or more returned payments within 12 consecutive months, or not having two or more delinquency notices within 12 consecutive months, or not having any account be sent thorough debt collection (i.e. collections, lien, etc.). A customer having multiple active accounts will be subject to deposits billed on all of the accounts if good credit is not maintained on any one of the accounts or combination of accounts (as in the case of two returned payments).



Commercial account and master metered multi-unit residential dwelling account deposits will remain on the account until services are requested for disconnection and/or involuntarily terminated by the City.

Governmental accounts shall be exempt from deposit.

See section *Deposits* for details.

### **G. Service to Commercial Accounts**

Non-residential accounts established for service will require a signature by a duly authorized representative of a business entity. For a business not operated by a recognized legal entity, the account will be listed in the name of a responsible person (owner, manager, etc.). That person accepts the personal responsibility for payment of the account and must notify the City of any changes in ownership. For a business operated by a recognized legal entity, the account will be listed in the name of a responsible person “DBA” (doing business as) the name of the company. Commercial property applicants require the same information as residential property applicants and are subject to all utility policies and procedures as described in this document.

A multi-unit dwelling is a structure that contains two or more residential units. Those multi-unit residential dwellings that are serviced by a master meter, including duplexes, are considered commercial accounts for utility billing purposes and the utility account will remain in the property owner name.

### **H. At-Risk Deposits**

Any applicant with prior debt, or, any of the following circumstances shall pay the at-risk deposit amount prior to the connection or re-connection of service:

- where the account was involuntarily discontinued from utility service
- has filed bankruptcy in the past 12 months
- has a payment returned for service restoration after non-payment processing
- is applying for a temporary connection
- has had a meter removed/plugged/locked, or, has tampered with a connection
- has their commercial solid waste container removed/locked due to non-payment
- is attempting to activate service after an account has been sent to collections

A collection/write-off on a utility account is when a utility account holder is indebted to the City after all deposits and payments are applied during the finalization process.

Service initiation fee and at-risk deposits shall be paid in advance of connection. The applicant may be exempt from the at-risk deposit only if they complete an Automatic Debit (ACH) Agreement and maintain successful and continuous, automatic bank draft for the life of the account. See *Application of Deposit and Exemption Criteria* and *Billed Deposits* for details.

### **I. Service for Temporary Connections and Disconnections**

Prospective buyers can request a temporary connection for inspection of the property during the closing process. Inspection connections are temporary and shall not extend beyond 10 business days. If the prospective buyer closes on the property and wishes to keep the connection permanent, the buyer must contact Customer Service to transition the account to permanent status. Inspection connections may not be authorized if any prior debt exists. Water deposits and any administrative fees shall be paid in advance prior to the connection.

### **J. Prior Utility Debts**

Any prior debt and outstanding account balances must be paid in full before service can be connected or re-connected. If the prior debt status is due to involuntary disconnection, tampering, a collection, or, write-off account, the ~~account balance must be paid in~~ ~~balances holder must be paid~~ ~~the required amount in~~ cash or money order before service can be connected. The account holder will be required to pre-pay utility deposits before service is established and the account remains in a cash only status for 24 months unless the account holder completes an Automatic Debit (ACH) Agreement with the city and maintains successful automatic bank draft for 24 consecutive months.



The City shall refuse to furnish new service to:

- any applicant or any member of the household who is indebted to the City of Cocoa for service previously furnished at any location connected to City infrastructure where they were the contracting party; or
- an applicant the City reasonably believes directly benefited from utility service provided to a former contracting occupant who is indebted to the City of Cocoa at the same service location applied for; or
- an applicant where the current property owner has an outstanding account balance at the same service location applied for; or,
- an applicant where the current property owner has a prior debt at any location connected to the City infrastructure that is owned by the same property owner; or
- an applicant where the service location applied for has [an outstanding owner balance](#) ~~lien~~ or [lien](#) on the property even if the lien has not been perfected per FL Statute 159.17.

In the instance that debt to the City is not discovered prior to approval of application, the previous balance will be transferred to the account holder's current account where it will become part of the balance due for services. Account holders will be expected to pay the previous balance in full along with their subsequent monthly bill in order to avoid having services interrupted for non-payment. If the previous balance is of significant amount, [and the account holder qualifies, they may be eligible to](#) apply for [an](#) extension or payment plan in accordance with this policy. Failure of staff to discover a previously owed debt does not relinquish the debt owed to the City by the delinquent account holder.

#### K. Reasons for Denial of Service

Applications for utility service may be denied for any one of the following reasons:

- An incomplete Request for Service Application form is submitted.
- Valid, legible support documentation such as a notarized lease/rental/letter of authorization, property deed, etc. is in question or cannot be provided.
- Questionable Identification – inability to provide legible, verifiable or valid identification
- A prior debt for an applicant or service location exists see section *Prior Utility Debts* for details.
- An applicant with prior debt has not paid the required deposit see section *Deposits* for details.
- An applicant or occupant who benefitted from the utility service at any location who is indebted to the City. Refer to Florida Statute section 180.1351a

#### L. Privacy

Our application/agreement requests that the potential account holder voluntarily provide their social security number. We request this number to verify identity, protect sensitive account information, and collect delinquent balances. There is no statutory or other authority requiring any account holder to provide a social security number. However, if available, when account holder billing data is requested, the last four digits of the social security number or Tax ID Number may be used to verify identity prior to any information being given out by staff. In the absence of a social security number, staff members may request other verifying information or, request the account holder to appear in person to protect account holders against fraud.

Account holder billing data is considered public information. Florida law allows certain persons to request that eligible personal information contained in the City's utility customer information system be exempt from public records disclosure. Please refer to Florida Statute section 119.071 or other applicable statute for scope of protection. Requests can be made by the account holder completing a [Utility Customer Public Records Exemption Request](#) and returning it to the Customer Service Division. The City will ensure that account holder information, including billing data, is adequately safeguarded against unauthorized use.

In accordance with the Telephone Consumer Protection Act (TCPA), the account holder agrees by contracting service, that the City of Cocoa may contact him/her as described in section *Utility Debt Collection*.

All incoming and outgoing calls to Customer Service may be recorded and/or monitored for quality assurance.

Delinquency Notices can be requested, by the property owner, to be sent to the property owner of any rental property.





## Section 6 – Application of Rates, Fees, and Charges

### A. Establishment of Rates, Fees, and Charges

Rates and fees for all utility services are established and adopted by the Cocoa City Council. The City Council reviews rates and fees each year during the budget process. The Council examines current and future needs (including adequate reserves) of the systems in order to establish rates that are adequate to meet these needs. Rates, fees, and charges are generally set in a fee schedule adopted with the annual budget; however, any fees, charges, or rates are subject to change throughout the fiscal year and upon City Council approval.

The City of Cocoa is also a contracted regional utility billing agent for services on behalf of several surrounding municipalities and sewer entities such as Brevard County, City of Cocoa Beach, City of Cape Canaveral, City of Rockledge, Colony Park, and Sun Lake. The rates and fees for these services are established and adopted by their respective municipality and/or the Public Service Commission and are subsequently provided to the City of Cocoa for billing on the regional utility bill. For more information on these services and their rates or fees please contact the respective service provider. See section *Regional Utility Billing* for more details.

### B. Determination of Utility Rates

Utility rates for specific locations are based on a number of factors including residency, connection/meter size, number of establishments connected to a single service connection, etc. Water charges are billed according to the number of gallons metered, rounded to the nearest thousand, within a billing cycle. Sewer charges are based on the total number of gallons recorded on the water meter within a billing cycle and may include a cap. Both water and sewer charges include a monthly base fee for service availability and administration and commodity charges for actual consumption. See section *Calculating Consumption* for details.

Solid waste charges are based on the number and/or size of containers delivered to a location. All inside the City properties receiving utility services are required to have solid waste services and will be charged the solid waste fee, as set forth in the current Schedule of Rates, Fees, and Charges (Schedule A & B) except where solid waste services are provided independently.

### C. Discounts and Exemptions

Senior citizens (over 62), disabled citizens, and Military active duty or certain veterans may be eligible for a discount on residential City of Cocoa garbage service and/or exemption from City of Cocoa late fee penalties on residential accounts. Eligibility criteria can be found on the [Residential Discount & Exemption Application](#). Discounts on residential garbage cannot be stacked ~~if the applicant meets more than one of the eligibility criteria~~. A completed application and any supporting documentation must be provided to the Customer Service Division for consideration of discount.

An account processed for delinquency two (2) or more times in twelve (12) consecutive months will forfeit any discount or exemption and will have to re-apply after twelve (12) consecutive months of good credit.

Discounts and exemptions will not transfer, follow, or be applied to any service established at a new location upon termination of service at existing location. The account holder must re-apply for the discount and/or exemption with each initiation of new service at any location.

Any customer with a metered cooling tower that is also served by the Cocoa Sewer system is eligible for a discount on sewer consumption for the amount of water metered by the cooling tower each month.

The City of Cocoa occasionally goes out for debt and the bond holders provide covenants that City must abide by as a condition of receiving the bond money. No free water will be provided for any reason as written in the master bond covenants. See also Florida Statute Chapter 153.83 for additional information.

### D. Existing Franchise Agreements

To the extent that any water rate, fee, or charge adopted by resolution or ordinance of the Cocoa City Council is in conflict with a rate, fee, or charge set forth in an existing water franchise agreement between the City of Cocoa and



any other government entity, the rate, fee, or charge set forth in the conflicting franchise agreement shall apply to customers which are subject to said agreement.

**E. Utility Connection & Installation Fees & Charges**

Water Service Impact Fee – The water impact fee is charged per equivalent residential connection (ERC). If a single-family residence (SFR or 1.0 ERU) has a physical connection to a live reclaimed water distribution system that serves the entire property at the time the impact fee is due for the property requiring service, the water impact fee is reduced per ERC.

The Engineering Division or designee may utilize the following methods to formulate an estimate:

1. Flow submitted on Brevard County’s Concurrency Evaluation form or FDEP construction permit application as calculated and certified by a registered engineer or architect.
2. Flow calculated from data contained in Florida Administrative Code 64E-6.008, Table I “For System Design”.
3. Metered flow data documented by the most recent 12-month flow history of four similar establishments.

South Mainland Connection Charge – Additional fee in conjunction to the water service impact fee for any connection located in 129A or 129B in the south mainland.

Sewer Service Impact Fee – The sewer impact fee is charged per equivalent residential connection (ERC).

Reclaimed Water Service Connection Fee – The reclaimed water impact fee is charged to connect to the reclaimed water distribution network.

Water Service Line Installation Charge – The charge for the installation of a service line.

Backflow Prevention Assembly Installation Charge – Reduced pressure and double-check valves are two common backflow prevention devices. Larger meters and other installations are estimated on a case-by-case basis. Impact fees and special connection charges for this category are in addition to all other applicable costs listed.

Spray Truck Meter Installation Charge – Any customer requiring the installation of a meter on a spray truck shall pay a non-refundable charge and a refundable deposit for installation of the meter. The account holder is responsible for providing the current reading to the Customer Service Division monthly for billing. The truck and meter must be made available at least once every six months, from the date of installation, for an actual reading by the Field Service Division.

Temporary Jumper Meter Installation Charge – All new water main extensions require a 3” temporary jumper meter for swabbing, flushing, and testing of the new water main. The developer or contractor shall pay a refundable deposit and a non-refundable installation/relocation fee each time to install or relocate the temporary jumper meter.

Temporary Construction Meter Installation Charge – Any customer requiring the installation of a 2” temporary meter for construction purposes on a fire hydrant or water truck shall pay a refundable deposit and a non-refundable installation/relocation charge each time to install or relocate the temporary construction meter.

Fire Hydrant Maintenance Charge – The City recovers the cost of flowing, turning, and painting (finish coat) each newly installed or relocated fire hydrant. The City will flow the hydrant to obtain the initial flow data, turn it to face the direction specified by the fire department of the jurisdiction in which it is installed, and apply the final coat of paint as described in the City’s Technical Provisions document. This charge covers the City’s labor, materials, and equipment.

**Materials/Labor Charge – When evidence of tampering, illegal connection, or during any new or reconstruction project, any lost, stolen, or damaged meter, register, [fireline fire line](#), meter box, meter antenna, pipe, fittings, backflow preventer, or any other utility materials, shall be replaced at the current quoted cost of the materials plus any applicable labor necessary.**

**F. Utility Field Service Fees & Charges**

Plan Review and Construction Inspection Charge – Charges to review plans and inspect construction. Individual property owners building a single-family residence are exempt from this charge.



**Hydrant Residual Flow Test Charge** – The City charges a hydrant residual flow test charge for any customer requiring such a test. The City will flow the designated hydrant and will provide the customer with the flow and residual pressure information. This charge covers the City's labor, materials, and equipment.

**Fire Line Painting Charge** – The City charges a fire line painting charge to apply the finish coat for all newly installed and relocated fire lines. The City and/or its contractor will apply the final coat of paint as described in the Technical Provisions. This charge covers the City's labor, materials, and equipment.

**Meter Station Painting Charge** – The City charges a meter station painting charge to apply the finish coat for all newly installed and relocated meter stations. The City and/or its contractor will apply the final coat of paint as described in the Technical Provisions. This charge covers the City's labor, materials, and equipment.

**Meter Installation/Replacement Charge** – The charge for the installation of a new or replacement meter, upon customer request, on an existing service line.

**Meter Relocation/Adjustment Charge** – The charge for the standard relocation or adjustment of an existing meter. The meter must remain in the frontage of the property it was originally set with.

**Meter Calibration Testing Charge** – Any customer of the City's water service shall be charged to conduct an accuracy test on the account holder's meter. This fee must be paid in advance of the testing; however, if the meter is found to be functioning outside the established, weighted accuracy limits of 98.5% to 101.5%, either over registering or under registering consumption, the fee will be refunded to the account.

**Service Call Fee** - A service call fee shall be applied to the next bill for services that are not deemed necessary by the City. Such services include, but are not limited to, re-reading of utility meters, locating a meter, checking a meter for a possible leak at the meter connection point, checking a meter for active flow-rate, low pressure, temporary meter turn-off, replacing damaged or missing materials at construction/reconstruction/new build accounts, etc. In the event a customer requests a re-read of the meter and City staff determines the meter was initially misread, the account holder will be issued a corrected bill with the corrected reading and this service call fee will be waived. Under no circumstances shall the City reimburse account holders for reading their own meter, turning on or off their meter, etc.

**After Hours Reconnection Fee** - After normal business hours reconnections are prohibited for any customer and they must be scheduled through the Utility Customer Service office during normal business hours. If a customer requests for services to be reconnected at any location outside of normal business hours through the emergency after hours call center, an after hours reconnection fee will be billed, in addition to any other fees that may apply.

**Meter Access Fee** - The account holder is responsible for keeping the meter box serving the property in a manner that is unobstructed by shrubs, grass, weeds, mulch, dirt, or other similar materials. Similarly, vehicles may not be parked over the meter box or fences may not be installed around the meter box preventing access. The meter box and meter must be accessible by the City of Cocoa at all times. If a failure to retrieve a reading or access the meter is due to the account holder (or their agent) a meter access fee may apply.

**Meter Access Vehicle Tow Charge** - The account holder is responsible for keeping the meter box serving the property in a manner that is unobstructed from any vehicles that prevent the City from access. If the City needs to tow a vehicle from the top of the meter box to gain access, the account holder will be assessed this charge.

**Data Log Report** - The account holder may request a special read report, called a data log, from those digital meters that support this technology. The log will report the daily and hourly consumption for the past 96 days from the date the data is captured. The account holder is provided one free report per calendar year per location when the account experiences excessive consumption. If the consumption does not meet the excessive consumption criteria or when two or more additional report requests are made in the same calendar year, this fee is applicable. See section *Utility Billing Adjustments* for details.



## G. Utility Service Rates & Charges

**Water Service and Consumption Charges** – The monthly base fee for water service is assessed by meter size and is also known as readiness to serve charge, designed to collect revenues to cover some operating and maintenance expenses. This fee is billed to all active accounts and does not include the monthly consumption commodity charges. The water commodity charges are based upon metered water consumption. Water used via temporary meter or jumper meter during construction will be billed at the lowest tier rate structure. Inside Rate refers to consumption rates for meters located inside the city limits of Cocoa; whereas, the Outside Rate refers to consumption rates for meters located outside the city limits of Cocoa. See section *Calculating Consumption* for details. Additional information can be found in the [City of Cocoa's Code of Ordinances Chapter 22 – Water and Sewers](#).

**Sewer Service and Consumption Charges** – The monthly base fee for sewer service is assessed by meter size and is also known as readiness to serve charge designed to collect revenues to cover some operating and maintenance expenses. This fee is billed to all active accounts and does not include the monthly consumption commodity charges. The sewer commodity charges are based upon metered water consumption. Inside Rate refers to Inside the city limits of Cocoa; whereas, the Outside Rate refers to outside the city limits of Cocoa. See section *Calculating Consumption* for details. Additional information can be found in the [City of Cocoa's Code of Ordinances Chapter 22 – Water and Sewers](#).

**Public Fire Protection Fee** – The City charges monthly for public fire protection often called a “hydrant charge” to cover the installation and maintenance of fire hydrants.

Incorporated areas – an “inside city” charge per hydrant, per month, is billed to the respective municipality where the hydrant is located.

Unincorporated areas – an “outside city” charge is assessed to every active water meter/account.

Additional information can be found in the [City of Cocoa's Code of Ordinances Chapter 22 – Water and Sewers](#).

**Private Fire Protection Fee** – The City charges monthly for metered and unmetered fire sprinkler connections (fire line) to the potable water system and are based upon the connection size and takes into account the amount of water system capacity required for fire suppression. The charge includes annual testing of fire line backflow prevention assembly. All private ~~fireline~~fire line accounts shall be billed to and remain active in the name of the property owner. It is the responsibility of the property owner to contact the City of Cocoa upon any changes in property ownership so that the billing may be reflective of the same. Additional information can be found in the [City of Cocoa's Code of Ordinances Chapter 22 – Water and Sewers](#).

**Reclaimed Water Service** – Reclaimed water is wastewater that has been treated and transformed into a product that is clean, clear, and odorless. It is not suitable for drinking; however, it is for irrigation and is a major component of the city's water conservation program where available. The monthly base fee for reclaimed water service is assessed by meter size and is also known as the readiness to serve charge designated to collect revenues to cover some operating and maintenance expenses. The reclaimed water commodity charges are based upon metered reclaimed water consumption. Additional information can be found in the [City of Cocoa's Code of Ordinances Chapter 22 – Water and Sewers](#).

**Solid Waste Collection Service** – The City charges monthly for residential and commercial collection and disposal of bulk trash, refuse, vegetative waste, recyclable materials, white goods, and construction and demolition debris from residents, business, and other entities within the municipal boundaries of the City of Cocoa. All active, residential water accounts must have solid waste, recycling, and green waste collection billed on the account. All active, multi-family master metered accounts are considered commercial service. All commercial water accounts must have solid waste services billed; however, recycling and green waste services are elective by the customer. Senior citizens (over 62) and disabled citizens may be eligible for discounted garbage service. Eligibility criteria can be found on the [Residential Garbage Discount Application](#). A completed application and any supporting documentation must be provided to the Customer Service Division for consideration of discount. Additional information can be found in the [City of Cocoa's Code of Ordinances Chapter 9 – Health and Sanitation](#).



**Solid Waste Collection Franchise Fee** – The City has granted a Contractor the exclusive right, privilege, or franchise to collect and transport for disposal solid waste within the service area. This franchise fee is considered a payment to the City, for an amount permitted by law, in exchange for the rights and privileges granted under the agreement and is passed along to the customer and remitted directly to the City. Additional information can be found in the [City of Cocoa's Code of Ordinances Chapter 9 – Health and Sanitation](#).

**Backflow Prevention Assembly Testing & Maintenance Charge** – Billed monthly on all commercial or master metered multi-family dwelling accounts for the testing and maintenance of backflows.

**Grease Trap** – The City charges monthly for a device that separates and retains waterborne greases and grease complexes prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. These devices also serve to collect solids, generated by and from food preparation activities, prior to the water exiting the trap and entering the sanitary sewer collection and treatment system. Additional information can be found in the [City of Cocoa's Code of Ordinances Chapter 22 – Water and Sewers](#).

**Public Service Tax** – This tax is levied on City of Cocoa water service accounts on the total water charge for service including fixed and consumption-based charges. Additional information can be found in the [City of Cocoa's Code of Ordinances Chapter 19 – Taxation](#). In addition, other municipalities may enact a public service tax on Cocoa water service.

## H. Utility Administrative Fees & Charges

**Service Initiation Fee** - A service initiation fee, as set forth in the current Schedule of Rates, Fees, and Charges (Schedule B), will be charged for establishing, re-activating or, transferring of an account, the processing of every Request for Service Application to include, turning on the meter, turning off the meter during termination, etc. This fee ~~may~~ not apply in certain instances where transfer of ownership of an account takes place (i.e. estate accounts, deceased account holder, name change).

The standard service initiation fee will be the default fee for every application processed as this fee offers next available business day service. The same-day service initiation fee will be available upon request and only if the City is capable of offering same-day service for an additional fee. Each application processed shall include only one service initiation fee.

**Deposits** – The City requires water and sewer deposits for any applicant wishing to establish service at any location, except as specified. See section *Application of Deposit and Exemption Criteria*. In some cases, the City may require an increased at-risk deposit after certain conditions occur that increase the potential for risk of loss. See section *Deposits* for details. [Utility accounts will be audited periodically and will be assessed adequate deposits when required.](#)

**Convenience Fee** - Due to processing charges by the City's third-party payment processor a convenience fee will apply when paying utility bills online, over the phone, at the kiosk, and in person when paying by credit/debit card or e-check.

**Late Fee** - A late fee, as set forth in the current schedule of rates, fees, and charges, will be applied to any utility account whose current bill is not paid in full by the due date. This includes accounts where only a partial payment has been received during the month. This fee may also be applied to any account whose payment arrangement has defaulted or is delinquent. The late fee will be applied to applicable accounts at the close of business on the due date. Payments received after this time, whether in person, by mail, or in the drop-box will still be deemed past due.

**Late Fee Exemption** – An exemption of imposed late fees for eligible customers, as set forth in the current schedule of rates, fees, and charges, will be applied to any qualifying residential account upon application. See section *Discounts and Exemptions* for details.

**City of Cocoa Garbage Discount** - A discount on garbage service for eligible customers inside the City of Cocoa, as set forth in the current Schedule of Rates, Fees, and Charges (Schedule B), will be applied to any qualifying residential account upon application. See section *Discounts and Exemptions* for details.



**Returned Payment Fee** - A returned payment fee shall be applied to the utility account for the processing of any returned payment. See section *Payment Options and Application of Payments* for details.

**Collections Processing Fee** - This fee is billed to the account holder to recover the actual amount paid by the City to a third-party vendor for account debt collection efforts. See section *Utility Debt Collection* for details.

**Utility Lien Recording Fee** - This fee is billed to the property owner for the preparation of filing a utility lien or the release of a utility lien, and to recover the amount paid by the City to Brevard County to record legal documents. See section *Utility Debt Collection* for details.

**Utility Lien Search Fee** - This fee is billed to the requestor for the search of a utility lien and payable to the City of Cocoa's lien search vendor, Orange Lien Data. See section *Utility Debt Collection* for details.

**Utility Billing Service Charge** – This fee is billed and collected for certain utility services on behalf of other entities in accordance with interlocal agreements. The fee is determined by the cost of billing other municipality and agency service(s) on the regional utility bill and adjusted annually by the consumer price index – all urban consumers. This fee is collected by the City and remitted back to the entity that billed it to offset their contractual billing fees paid to the City.

**High Consumption Credit Application Processing Fee** – This fee is billed and collected for processing a High Consumption Water Credit Application if an adjustment is granted. If an adjustment does not meet the eligibility requirements, the fee is not charged. See section *Utility Billing Adjustments* for details.

**Delinquency Processing and Application of Fee** -

A delinquency processing fee for non-payment, as set forth in the current Schedule of Rates, Fees, and Charges (Schedule B), shall be applied to all accounts processed with delinquent balances as of 4:30 p.m. on the delinquency processing date, **regardless if the service is physically disconnected**, and the account shall be subject to interruption of services per Florida Statute 159.18. This includes accounts where only a partial payment has been received during the month or a payment was returned. See section *Payment Options and Application of Payments* for details. This fee may also be applied, immediately, to any account whose approved payment arrangement has defaulted. See section *Customer's Rights* for details. The delinquency processing fee covers both administrative and field service costs to prepare, process and collect the delinquent account and shall be billed on the next utility bill.

**Delinquency Processing:** Reasonable efforts shall be made by the City to inform the occupants of delinquency processing and subsequent service interruption as a courtesy. Such efforts may include delinquency notices, phone call, e-mail, text message, door hanger, or, as notated on the monthly utility bill. These efforts are considered a courtesy to the customer. Failure to receive any notification will not avoid the necessity of payment and will not delay or avoid interruption of service.

Delinquency Notices are automatically generated for each delinquent bill as a courtesy reminder to all account holders with outstanding balances not paid within forty-five (45) days of the date of the original bill, including weekends, holidays, and City closures. Delinquency Notices are mailed to account holders and can be viewed or downloaded online by registering the utility account through the online bill pay portal at <https://cocoaf.firstbilling.com>. Delinquency Notices can also be sent to property owners of rental properties if a request is made to Customer Service. Delinquency Notices carry a delinquency processing date that is seven (7) days from the date the notice was issued including weekends, holidays, and City closures. **Full payment of the delinquent balance must be received by the City and be applied to the utility account by 4:30 p.m. on the delinquency processing date provided on the Delinquency Notice to avoid interruption of service and any penalty or processing fees.** It is not recommended to utilize the drop box or kiosk for delivery of your payment on the delinquency processing date, as all payments made after 7:30 a.m. shall be received and post to the account the following business day. See section *Payment Options and Application of Payments* for details.

Absent a payment of the full delinquent balance or absent an approved payment arrangement, at 4:30 p.m. on the delinquency processing date the account shall proceed with automated delinquency processing through the following, regardless if service is physically disconnected:



- The account holder shall forfeit any rights prior to the discontinuance of service. See section *Customer's Rights* for details.
- The delinquency processing fee and any applicable deposits shall be billed to the account and appear on the next utility bill. See section *Future Deposits* for details.
- A work order to interrupt service shall automatically generate on any date/time after the delinquency processing date at the City's sole discretion and dispatched to the field for completion.
- The outstanding account balance (current charges plus previous charges and penalties) must be paid in full before service shall be restored per Florida Statute Chapter 159.18 and City of Cocoa Ordinance Code.

Payment for only the delinquent balance received or processed after 4:30 p.m. on the delinquency processing date will not avoid an interruption of service, nor will it constitute the necessity of reconnection of service. The outstanding account balance (current charges plus previous charges and penalties) must be paid in full before service shall be restored per Florida Statute Chapter 159.18 and City of Cocoa Ordinance Code. Service reconnection may not be guaranteed the same day. The account holder must request service reconnection by contacting Utility Customer Service during normal business hours once full payment of outstanding account balance is made. Service reconnection outside normal business hours is prohibited. See section *After Hours Reconnection Fee* for details.

Regular billing will follow a Delinquency Notice but will not cancel or extend this delinquency processing date. Failure to make immediate payment on the account may result in subsequent Delinquency Notices generated as additional bills become delinquent. Any subsequent late notice provided with new delinquency processing dates will not supersede or replace the date on the oldest unpaid Delinquency Notice and additional delinquency processing fees may continue to accrue until or unless the full delinquency amount on the account is paid, regardless if the service is physically disconnected.

The City reserves the right to immediately disconnect, lock off, remove, and/or terminate the utility service without notification to the account holder upon any returned payment originally presented to the City to prevent or restore services from delinquency processing, waiving the 10-day grace period. See sections *Payment Options and Application of Payments and Involuntary Discontinuance of Service* for details.

All accounts in a delinquent status and remaining disconnected from service for two (2) consecutive billing cycles may be processed for involuntary discontinuance of service and terminated. See section *Involuntary Discontinuance of Service* for details.

For non-property owner accounts in a delinquent status where service has been self-restored and is unauthorized, a tampering fee and a lock fee, as set forth in the current Schedule of Rates, Fees, and Charges (Schedule B), will be applied and the account will immediately be processed for involuntary discontinuance of service. See sections *Tampering and Theft of Service* and *Involuntary Discontinuance of Service* for details.

For property owner accounts in a delinquent status where service has been self-restored and there is unauthorized consumption, a tampering fee and a lock fee, as set forth in the current Schedule of Rates, Fees, and Charges (Schedule B), will be applied to the account. See section *Tampering and Theft of Service* for details.

Any account holder who does not already have a deposit on account and whose service is processed for non-payment or involuntarily terminated will be required to pay a deposit and maintain good credit, regardless if they were previously exempted. See section *Deposits* for details.

### **I. Utility Tampering and Theft of Service Fees & Charges**

In accordance with the City of Cocoa Code of Ordinances and Florida Statute Chapter 812.14, it shall be unlawful to willfully alter or tamper with a utility meter, pipe, hydrant, meter seal, meter assembly, fire line, bypass meter, or knowingly allow damage to a meter or other property belonging to the City of Cocoa in such a manner as to cause loss or damage or to prevent any meter installed from registering the quantity of water which would otherwise pass through. Any person may not, knowingly or unknowingly, use water passing through any meter connected with or belonging to the City of Cocoa, after the meter has been altered or tampered with, or cause the City of Cocoa, without its consent, to supply any unauthorized water service to any person, firm, or corporation without reporting the service



for payment. The City of Cocoa reserves the right to prosecute all cases of tampering, utility theft and fraud to the fullest extent of the law.

If tampering or an illegal connection occurs when an account is active, services may be involuntarily discontinued immediately until such fee, including any outstanding balance on the account, is paid in full. See section *Involuntary Discontinuance of Service* for details.

If tampering or an illegal connection occurs when an account is not active, including immediately following involuntary discontinuance of service, the owner of the property shall be fined a penalty and held liable for such tampering and/or illegal connection. In addition to penalty, the property owner will be charged for the amount of any losses or damages sustained for each incident. Absent an active account, one will be established to bill such charges. See sections *Revert to Property Owner* and *Unauthorized Consumption on Inactive Location* for details.

If tampering or an illegal connection occurs to an unmetered hydrant, [fireline fire line](#), bypass meter, or City side service connection, the person and/or the representing company, at the City's discretion, will be charged an illegal connection.

If during new construction if any developer and/or contractor removes, relocates, or reinstalls a meter at another location, the account holder will be assessed an illegal connection fee for each occurrence of meter removal from the original location and reinstallation at a new location. Meters are serialized and billed to the address on record where installed by City staff; the action of moving meters by developers and their contractors to prevent delays in construction causes the subsequent new home owner to be billed the wrong consumption amount unfairly. The developer/contractor may also be assessed other penalties and charges for materials and the labor to identify and correct the relocation of the meters. The City of Cocoa reserves the right to prosecute all cases of tampering, utility theft and fraud to the fullest extent of the law.

**Lock Fee** – The City, at its discretion, may choose to immediately place a lock on any meter where service is disconnected to protect its water asset from unauthorized use or to prevent continued excessive water loss. The lock's intended use is to reduce the City's risk of water theft and subsequent loss of revenue from unauthorized use of service by any person. The lock is not intended to remove the property owner's responsibility to protect their water and sewer piping/utility system and any subsequent theft of metered water. See section *Account Holder Responsibility for Piping* for details.

**Tampering Fee** - When there is evidence of meter, [fireline fire line](#), line, lock, apparatus, meter assembly, etc. tampering, unauthorized self-restored services, or any unauthorized use of water or sewer service, a penalty, as set forth in the current Schedule of Rates, Fees, and Charges (Schedule B), will be applied to the person responsible for service at that particular location. If the account holder is a non-property owner, the account will immediately be processed for involuntary discontinuance of service and any subsequent tampering and theft of service due to unauthorized use of service will be billed to the property owner. Tamper fees shall be billed at increased increments as noted in the fee structure for each occurrence or incident; however, when the account is paid and service is authorized the tamper fee penalty will reset to the first tier rate. See section *Involuntary Discontinuance of Service* for details.

**Meter Removal Charge** – When there is evidence of two (2) or more successive tampering or, theft of service incidents causing unauthorized water usage, a meter removal fee will be billed to the property owner's account where the meter was removed as set forth in the current Schedule of Rates, Fees, and Charges (Schedule B).

**Illegal Connection Fee** – When it is discovered the meter has been by-passed, relocated, or absent from the intended location, or there is evidence of a non-metered connection, a penalty, as set forth in the current Schedule of Rates, Fees, and Charges (Schedule B), will be applied to the applicable account where the illegal connection was removed.



## Section 7 – Utility Billing for Service

### A. Monthly Utility Bill

Account holders will receive a monthly utility bill for services rendered. The bill can be presented on paper and mailed through the United States Post Office, or it can be presented electronic through e-billing, but not both. To subscribe for e-billing the account holder can visit <https://cocoafirstbilling.com>

Copies of current and historical bills and delinquency notices can be obtained by registering the account at <https://cocoafirstbilling.com>.

### B. Failure to Receive Utility Bill

Once a paper utility bill has been placed in the mail or dropped off at the US Post Office or, an e-bill is sent to the various internet service providers, the City is no longer responsible for that utility bill. It is the responsibility of the account holder to ensure that all information on the account, including telephone numbers, mailing address and e-mail address is accurate and current. Payment for that utility bill is due to the City even if the account holder does not receive it in the mail or through e-billing e-mail. All account holders who receive utility service with the City, regardless of receiving a bill, are required to remit payment for services received. Failure to receive a utility bill does not exclude any account from penalty or disconnection.

### C. Billing Cycle

Account holders are billed on a cyclical basis twelve times per year at approximately monthly intervals. The length of a billing cycle shall often vary month to month depending on variables that influence the ability to read the meter on the same day each month. The service period dates are determined by the date the meter was read the previous month to the date the meter is read the current month.

The initial and final utility bill for a new account holder will be prorated based on the number of days the account is active in the billing cycle and will include charges for all consumption billed at the applicable rate.

Bills are due 20 (twenty) days from the date of issuance. Failure to receive a bill will not avoid the necessity of payment. The bill is past due if payment is not received and posted to the account by the close of business on the due date. Due dates are not adjustable. Should the bill not be paid in time a late fee shall be assessed and billed on the next billing cycle.

The bill is considered past-due if payment is not received and applied to the account on the forty-fifth (45<sup>th</sup>) day from the billing date of issuance. A courtesy delinquency notice may be mailed, providing the account holder seven (7) additional days to remit immediate payment, for a total of fifty-two (52) days including weekends, holidays, and City closures. Delinquent accounts shall be scheduled for interruption of service as early as the fifty-second (52<sup>nd</sup>) day and subject to penalties if full payment is not received and posted to the account by the close of business. on the 52<sup>nd</sup> day from the billing date of the oldest, delinquent bill.

The account balance must be paid in full before service is reconnected. No second notice will be mailed for disconnection due to non-payment.

The City may attempt a call using an automated notification system to a phone number provided by the account holder alerting the customer as to the planned date of disconnection. It is the responsibility of the account holder to ensure that all information on the account, including telephone numbers and e-mail address, is accurate and current.

### D. Meter Reading

Every meter is read once a month unless conditions prevent an actual reading from being obtained and require the bill to be estimated. The bill shall reflect if it has been estimated. Some meters are read by visually inspecting them while others are read through radio frequency. All locations containing a meter will be read on a monthly basis regardless of the status of an account. Staff conducting meter readings will note any meter where readings are questionable or meters that appear to have stopped working. The account holder should maintain the area of the meter box serving the property in a manner that keeps it unobstructed by shrubs, grass, weeds, mulch, dirt, or other similar materials. Similarly, vehicles may not be parked over the water meter. The City of Cocoa will take all measures



necessary to ensure reading of the meter including towing of vehicles. If a failure to retrieve a reading is due to account holder (or their agent) obstruction or due to damage caused by an account holder (or agent), notice will be given to the account holder. If the account holder or agent fails to comply with the notice, a meter access fee will be applied to the account and any costs incurred shall be invoiced and applied to the account holder's account. Meters may not be read the same day each month. The actual date the meter was read for a particular account are shown at the top of each monthly utility bill under the service period.

### E. Estimated Billing

The City continually strives to read every meter in the utility system every month. Occasionally, conditions exist that make it difficult to read a meter such as inclement weather, meter maintenance, condensation, flooded meter box, meter accessibility, etc. The City will make a reasonable attempt to secure an exact reading; however, it may be necessary for the City to estimate the water and sewer consumption for the month, using the account holder's monthly average. Any account that has been estimated will reflect such on the utility bill under the current reading column with the designation "EST" and the estimated read. Account holders with estimated bills are encouraged to obtain and send a correct reading to Customer Service at 321-433-8400 or [customerservice@cocoaf1.gov](mailto:customerservice@cocoaf1.gov). Once an exact reading is obtained, either by the account holder or City staff, on the next monthly utility bill the consumption will be corrected to reflect actual consumption from the previous reading and include any billing adjustments, if necessary.

### F. Calculating Consumption

The monthly base fees for water, sewer, and reclaimed water are assessed by meter size and are also known as readiness to serve charges, designed to collect revenues to cover some operating and maintenance expenses. These fees are billed to all active accounts and do not include the monthly consumption commodity charges.

The water commodity charges are based upon metered water consumption. The previous meter reading is subtracted from the current meter reading to determine the actual water consumption within the billing cycle. These charges are billed to the account holder rounding down to the thousands position within the meter reading and are billed on a per thousand-gallon basis. Sewer charges are billed equal to the amount of metered water use and may include a cap. The City has a tiered conservation rate structure designed to compel the water customer to implement cost effective water conservation measures and practices. A large portion of the charges, using tiers 2, 3, and 4, are based on the quantity of water the customer consumes, while balance is achieved in the City recovering its fixed costs when billed at the lowest, first tier.

If a meter is removed and a new meter is installed between billing cycles, the combined consumption recorded on both the old and new meters will be billed on the next regular billing cycle.

### G. Deposits

**Billed Deposits** – The City requires water and sewer deposits for any applicant wishing to establish service at any location, including [new meter install requests](#), [transfer of service](#), [bankruptcy account update](#), and accounts billed for unauthorized consumption, except as specified in section *Application of Deposit and Exemption Criteria*. Deposits may be collected at the time of service request or, ~~may be~~ billed on the account holder's first bill, with the exception of [requestors who have prior utility debt or for accounts that require](#) At-Risk Deposits; the applicant shall pay the deposit [in cash](#) prior to the connection or re-connection of service.

~~Calculated~~ commercial deposits will be reviewed and updated [as utility accounts are audited regularly](#). The calculation of a deposit may include 6-month historical consumption at same location, or account holder's previous location. If historical data is not available, the minimum deposit amount for the meter size will be billed and the deposit may be re-calculated and billed after data becomes available. During deposit review if the calculation results in a credit adjustment, the amount will remain on the account to apply to future bills. A refund check will not be issued for the difference.



Cancellation of automatic debit for utility bill payment, for any reason, may result in deposits being billed to the account.

Interest on any deposit held on an active billed account is credited to customer accounts annually. The interest rate is annually calculated by the bank's earned interest percentage and updated, if applicable, at the beginning of each fiscal year.

**At-Risk Deposits** - Any applicant with prior debt, or, any of the following circumstances shall pay the at-risk deposit amount prior to the connection or re-connection of service:

- where the account was involuntarily discontinued from utility service
- has filed bankruptcy in the past 12 months
- has a payment returned for service restoration after non-payment processing
- is applying for a temporary connection
- has had a meter removed/plugged/locked, or, has tampered with a connection
- has their commercial solid waste container removed/locked due to non-payment
- is attempting to activate service after an account has been sent to collections

**Refunds of Deposits** - Residential accounts shall have their deposits refunded to the account after twelve (12) consecutive months of good credit, or until services are requested for disconnection, or involuntarily terminated by the City, or until the account holder completes an Automatic Debit (ACH) Agreement and maintains twelve (12) successful and continuous, automatic bank draft. Good credit is defined as not having been disconnected for non-payment, or not having had two or more returned payments within 12 consecutive months, or not having had two or more delinquency notices within 12 consecutive months, or not having any account be sent thorough debt collection (i.e. collections, lien, etc.). Active accounts where a credit balance results from a deposit(s) refund, the credit will remain on the account to apply to future bills.

Commercial accounts, multi-unit residential dwelling accounts and at-risk solid waste only accounts, utility deposits will remain on the account until services are requested for disconnection and/or involuntarily terminated by the City.

When services are requested for disconnection or are terminated by the City, any deposit on account will be applied to any balance due, including the final bill, and/or transferred to any active account for the same account holder prior to deposits being refunded. Account refund checks will be issued for refunds \$1.00 or more to the same name as the account holder and mailed to the last known address unless another address is provided. Any refunds less than \$1.00 will not be issued.

**Transfer of Deposits** - Residential deposits held in the same name of the account's contracting party are transferrable from one service location to another service location as long as there is no outstanding debt. Fourteen (14) days shall be provided to the contacting party where service will be connected at both locations upon which the deposit will be transferred to the new service location and the previous service location will be terminated.

Commercial deposits included in the sale of the property are transferrable from the current account holder to the new account holder upon receipt of a notarized letter, or notarized [Relinquishing Deposits Authorization](#) from the original depositor, or a copy of the recorded property bill of sale showing inclusion of the deposit in the terms and conditions.

**Future Deposits** - Any account holder who does not already have a deposit on the account, ~~and~~ whose service is processed for non-payment, has two or more returned payments within 12 consecutive months, has two or more delinquency notices issued within 12 consecutive months, or whose automatic debit is prematurely cancelled will be required to pay a deposit and maintain good credit as defined in the above paragraphs, regardless if they were previously exempt. A customer having multiple active accounts will be subject to deposits billed on all of the accounts if good credit is not maintained on any one of the accounts or combination of accounts (as in the case of two returned payments). Alternatively, the account holder can avoid paying these deposits by completing an Automatic Debit (ACH) Agreement and maintain successful and continuous, automatic bank draft for twelve (12) consecutive months.



## H. Payment Options and Application of Payments

The City of Cocoa accepts cash, checks (personal, certified, and e-check), money orders, electronic bank payments, and VISA, Mastercard, Discover, or AMEX credit card payments. Unpaid accounts are subject to delinquency processing and late fees until payment is received by the City and posted to the utility account. Any person can voluntarily make a payment on any account for which they are not the account holder of. Any payment presented to the City by any person for any outstanding receivable, service or fee on an account shall not be voluntarily returned by the City. No cash change will be given for checks written for an amount greater than the account balance; any overpayment will be credited to the account holder's account. Payments will be processed and deposited when received. The account holder may request a refund on any credit balance if credit balance is due to scrivener error; however, if the account holder routinely and continuously overpays on the account the credit balance will not be refunded until the account is terminated or the credit balance is exhausted. Accounts with engineering pre-paid services or deposits, resulting in idle credit balances due to customer requirements not being fulfilled, will be refunded after three (3) years of inactivity and/or as deemed by the Utility Director and/or designee. A refund could take up to 4 weeks to process once any payments have cleared our bank. Due to processing charges, individual credit card transactions cannot exceed \$15,000 per transaction; however, a customer can make multiple transaction payments in a day. A Convenience Fee will apply when paying a utility bill online, over the phone, and in person in the lobby or at the kiosk when paying by credit/debit card or e-check. Payments processed after 1:00 PM will post to the account next business day. See section *Utility Administrative Fees & Charges* for more details.

**Payment by Mail:** Check and money order payments can be mailed to City of Cocoa | P.O. Box 1270 | Cocoa, FL 32923-1270. A lockbox provider processes the City's payments each business day as they are received. Please remit payment with the payment stub in the envelope provided in the monthly utility bill. Please do not mail payments to Cocoa City Hall directly as mailed payments will be forwarded to the lockbox provider for processing, resulting in an additional delay in payment being applied to the account. The only payments processed at City Hall are those made through the drop-box, at the kiosk, or in person.

**Payment by Phone:** An automated, Interactive Voice Response (IVR) system is available 24 hours a day, 7 days a week to accept utility payments by calling 321-433-8400. If a customer prefers to speak to a live agent, they can call the online bill pay provider, [First Billing](#), at 1-855-270-3592 during business hours and a payment agent will take the payment over the phone. A convenience fee will apply when paying by credit/debit card or e-check.

**Payment in Person:** Utility Customers may come into Cocoa City Hall located at 65 Stone Street in Cocoa Monday through Friday during regular business hours (excluding City closures). A convenience fee will apply if paying by credit/debit card.

**Payment Online through City of Cocoa's Bill-Pay Portal:** An online utility billing portal is available for convenient and quick access to utility billing information and payments through the online bill pay service provider, First Billing Services (Paya), by credit/debit or e-check. Comprehensive, current account information, billing history, and payment history is also available online, to include downloading copies of utility bills, making a credit/debit card or e-check payment, and setting up auto-pay [or e-billing](#). Customers can access the online payment portal at <https://cocoafl.firstbilling.com>. A convenience fee will apply when paying by credit/debit card or e-check.

**Payment Online through Your Bank's Bill-Pay:** Most financial institutions offer online bill-pay to send payments for you; however, several financial institutions do not send the payment electronically. Rather, some financial institutions print a paper check and remit the payment through the mail *after* the funds are deducted from the bank account, resulting in a delay of payment processing. To avoid adding further delay or a late penalty, please ensure the bank's bill-pay profile includes the correct utility account number and the mailing address for the City's lockbox payment processing center at City of Cocoa | P.O. Box 1270 | Cocoa, FL 32923-1270. If utility service is transferred to a new location, please update the bill-pay profile with the new account number. Schedule bill-pay to allow enough time for the bank to prepare and send the payment as well as the City's lockbox provider to process it before the due date. Payments are applied to utility accounts when they are received, not when they are withdrawn from your bank account.



**Payment Drop-Box:** A drop-box, available 24 hours a day, is located on the south side entrance of Cocoa City Hall for check and money order payments only. No cash payments shall be placed in the drop-box. Any payments placed in the drop-box after 7:30 a.m. will be posted the next business day, thus, penalties may be applied in accordance with this policy.

**Payment Kiosk:** A kiosk, available 24 hours a day, is located on the south side entrance of Cocoa City Hall for check, cash, or credit card payments. A convenience fee will apply if paying by credit card. For cash payments, the kiosk does not provide coin change or paper bill change in denominations higher than \$1 or \$5 bills. [If for any reason funds are not available to provide change, the payment overage will be applied to the account.](#) The kiosk will round a payment up to the next whole dollar and apply the full amount to the customer's account, in some cases applying a minimal credit balance to the account until the next bill is released. The kiosk payment will generally post to the account immediately unless there is planned or unplanned system outage, where the payments will post next business day, thus, penalties may be applied in accordance with this policy.

**Automated Clearing House (ACH) Debit from Bank:** Account holders can have their bill drafted directly from their bank account each billing cycle. Bank drafts for utility billing are processed on the 14th day after the billing date. A completed [Automatic Debit \(ACH\) Agreement](#) form along with a voided check is required to sign up for this service. If an account holder wishes to be removed from the bank draft process, the account holder must complete the Automatic Debit (ACH) Agreement form. If the current bank draft has already processed, the cancellation will not be effective until the next billing cycle. An account holder having multiple accounts activated at different service locations under the same customer identification number and also enroll in automatic bank draft will have the automatic bank draft applied to all accounts under the same customer identification. **It is the account holder's responsibility to inform staff that they do not wish to have it applied to all accounts under a single customer identification.**

**Auto-Pay from Credit/Debit Card or E-Check:** Account holders can have their bill drafted directly from their debit/credit card each billing cycle. To enroll please visit the online bill pay portal at <https://cocoaf1.firstbilling.com>. A convenience fee will apply when paying by credit/debit card or e-check. Returned debits will be handled in the same manner as returned checks. When new or replaced debit/credit cards are issued by the card issuer, often the card's expiration date, account numbers, and security code may change resulting in declined payments by the card issuer if not updated in our bill pay portal. The tokenization process for saved payment methods used by the payment processor may expire and require [deletion and](#) re-entry of payment information. Please remember to update auto-pay with a new card or checking account information. **It is the account holder's responsibility to review and update any automated payment information.**

**Partial Payments:** In the event an account holder does not pay the total amount due on an account, City staff will post the partial payment made to the appropriate account. The account balance due must be paid in full to avoid disconnection of service. **At no point will staff return or refuse a payment to an account, unless the refusal of payment method is otherwise described in this policy.** Partial payment of balances due on an account holder's account shall be applied to the oldest account receivable first.

**Returned Payments:** If a customer's payment is returned to the City as unpaid due to insufficient funds, closed account, incorrect account number, bank error, chargeback, or for any other reason, the City will send a letter advising the account holder of the returned payment. The customer has ten (10) days from the date of the letter to substitute the payment with cash or a money order. All penalty fees and delinquency processing procedures will apply including bank errors. Returned credit card transactions, e-checks, checks, and bank drafts will all be handled in the same manner. A returned payment fee will be applied to the account and it is the customer's responsibility to recover the returned payment fee from his/her banking institution. If a returned payment paid the balances of multiple utility accounts of the same customer of record, a single returned payment fee will be assessed to the customer at the value of the returned payment. However, each utility account will be subject to any penalty fees should a return payment put the account in default, late, and/or delinquent. See section *Returned Payment Fee* for details.

For any payment that is presented to the City to prevent or restore services from delinquency processing, to pay large past due balances in order to transfer service, or to prevent or restore a meter removal and are subsequently returned for any reason, the City reserves the right to immediately disconnect, lock, remove, and/or terminate the utility service without notification to the account holder, waiving the 10-day grace period. At-risk deposits will be



applied to the account and ~~the required payment must be in the form of the account holder the required payment must be~~ ~~will be required to pay in the form of~~ cash or money order to restore service. The account may also be placed in a cash ~~only~~ ~~money order~~ payment status for up to a 12-month period. See section *Involuntary Discontinuance of Service* for details.

Refusal to accept methods of payment: All checks must be made payable to the City of Cocoa. Third-party checks are not an acceptable form of payment to the City. A check that is incorrectly filled out does not reflect payment and may be returned to the customer. The City of Cocoa reserves the right to verify funds on any check presented for payment on account before or after accepting such payment. If a customer's banking institution denies the City the ability to verify funds, checks presented for payment may be denied.

The City reserves the right to refuse personal checks and/or credit cards from customers who have had two (2) or more returned payments applied to an account within a twelve (12) month period, thus requiring ~~ing~~ ~~payments to be in the form of the account~~ cash ~~or money order only payments for~~ ~~for a~~ one (1) year from the date of the last payment return.

Any currency payment suspected of being counterfeit and initially accepted by the City will be noted on the payee's account as a possible counterfeit bill. If that bill is returned by the depositing bank as counterfeit (FL Statutes 831.09), a returned payment in the amount of the counterfeit currency will post to the noted account. Counterfeit bills presented to the City for payment will not be returned to the payee.

Payments made with a third-party payment processor not directly affiliated with ~~t~~he City of Cocoa may delay receipt of payment. Any balance due will not be considered paid until funds are received and post to the account.

It is the account holder's responsibility to make arrangements to ensure that a satisfactory payment will reach the City before the due date. All penalty fees and delinquency processing procedures will apply if a satisfactory payment is not received by the City.

**I. Cash Only Accounts**

Accounts will convert to a cash or money order only status upon two returned payments within twelve (12) consecutive months, any tampering/self-restoration of service absent payment after delinquency processing, upon one returned payment for service restoration for/or to prevent delinquency processing, and when any meter is ~~removed~~ ~~removed~~, or service line is plugged. This status shall remain in effect until the account remains in a good credit status for 12 consecutive months. If the account holder completes an Automatic Debit Agreement with the City, and, maintains successful, automatic bank draft for the life of the account, the cash only status shall be removed.

**J. Account Holder Contact Information**

It is the responsibility of the property owner, account holder, or authorized designee to advise the City to whom and to what address bills are to be sent (e.g. new owner or renter). **Failure to receive a bill sent by mail or e-mail will not excuse late payment or non-payment of bills.** Periodically, the City of Cocoa may request Account Holders to provide updated contact information including a valid photo ID for verification purposes. Only an account holder or authorized representative can request changes to billing information and statuses. If the account holder's identity can be verified (i.e. last 4 digits of social security or driver's license information, etc.), the account holder or authorized representative may request changes by phone. Otherwise, the account holder will be required to complete the [Account Holder Contact Update](#) form, provide a valid photo ID and submit their information electronically or in person. There is no charge for such changes. **The City reserves the right to require notarization when an account holder cannot appear in person.**

**K. Transfer of Existing Account Holder to New Contracted Location**

If an existing City of Cocoa account holder moves from one location serviced by the City to another location serviced by the City, consumption charges will be billed based upon actual final meter readings at the old location and initial meter readings at the new location. Account holders may transfer service from one location to another as long as there are no account balances that are past due. The remaining amount owed and any fees from a previous service may be transferred to the new account.



If the account holder has an account that is past due, the account holder will have to pay that amount before the account can be transferred. The deposit from the previous account may be transferred and an additional deposit may be required in conjunction with the regulations of this policy.

Utility account holders requesting to transfer their service from one City of Cocoa location to another must follow the application for utility services process, including payment of a service initiation fee. The account holder may also be required to update the deposit at this time. The account holder is still responsible for any outstanding balances at the previous address. Failure to pay such balances will result in involuntary disconnection at the new address.

#### L. Unauthorized Consumption on Inactive Location

When utility services are provided to a location or property that does not have approved service contracted or established, whether inactive service or voluntarily/involuntary terminated service (i.e. vacant, abandoned property, construction lots, involuntarily terminated for delinquency, rental, squatters, etc.), a utility account shall be activated in the name of the property owner as reflected in the records of the Brevard County Property Appraiser for any unauthorized consumption and utility services. ~~A.~~The City of Cocoa shall be responsible to look no further than the property appraiser's office for property owner information. The account shall be billed the higher same day service initiation fee and applicable deposits to recover the administrative expense of processing the account and any work orders or communication sent to the property owner. See section *Revert to Property Owner* for details.

**Rental Property:** Property owners with rental property shall be responsible for paying any rates, fees, and charges accrued for any unauthorized service supplied, metered or unmetered, to the property effective the date tenant utility services are discontinued, either voluntarily or involuntarily, in the tenant's name and/or until a prospective tenant contracts service. Any prior [owner](#) debt and outstanding account balances [at any location](#) must be paid in full before service can be connected. See section *Prior Utility Debts* for details.

#### M. Regional Utility Billing

The City of Cocoa is the contracted billing agent for many other services of several surrounding municipalities. Utility services for Brevard County; the Cities of Rockledge, Cape Canaveral, Titusville and Cocoa Beach; the residential entities Sun Lake and Colony Park are also billed on the Cocoa regional utility bill. The service description on the utility bill clarifies which municipality or entity the service is being provided by and billed for. Payments for these services are collected by the City of Cocoa through the payment of the utility bill. The revenue collected for the services that are contracted for billing, is then reconciled and remitted to the respective municipality or entity each month. For more information on these services and their rates or fees please contact the respective service provider.

## Section 8 – Discontinuing Utility Service

### A. Termination of Service

**Requesting Discontinuance of Service:** Any account holder requesting discontinuance of service will inform City staff of the location of disconnection, date service is to be disconnected, and the forwarding mailing address for the final bill. Due to privacy issues, the account holder or authorized party must be the one to request the termination of ~~service--service~~. Failure to request termination of service or an account at a property, regardless if an account has been established at another property, does not release the responsibility of the account holder of any balance due. Property Owners requesting to terminate utility service at any rental dwelling shall be required to complete a Property Owner Request to Terminate Utility Service form and provide photo ID prior to the termination of service.

In the event that the account holder has become incapacitated or deceased, legal documentation must be provided that the person requesting termination of service is an authorized representative of the account holder. See section *Estate Account and Deceased Account Holder* for details.

**Disconnection Scheduling:** Under normal conditions, disconnection from the City's utility system will be fulfilled the next available business day. During periods of a high volume of requests work will be scheduled at the next availability.



**Closing of a Utility Account:** Within 15 days after termination of utility service, the account will be closed. All charges, fees and credits (including deposits, refunds, and adjustments) are then applied against the amounts owed the City.

**Final Bill:** An account holder's final bill will be mailed in a timely manner to encourage collection and customer understanding. The final bill will include all consumption used up to the time of service disconnection and any other charges or amounts due. Any balance owed to the City will remain due until paid. All legal means of collection for a delinquent account in arrears will be taken.

**Credit Balance:** A credit refund will be applied to a closed account with a credit balance after final billing. Any credit refund shall first be transferred to another account the account holder is financially responsible for, or a new account where service was recently transferred to. After application of either of the aforementioned, a check for the remaining credit will be issued to the account holder and sent to the last known address on record if the credit balance is greater than \$1.00. If the credit balance is less than or equal to a \$1.00 the amount will be written off and no refund will be provided. Any overpayment, made from the kiosk or otherwise, that provided for a credit balance less than the average monthly bill will not be refunded, rather, it will be applied to the next monthly bill. Refund checks will only be issued in the name of the account holder.

## **B. Revert to Property Owner**

Upon any discontinuance of service, voluntarily or involuntarily, by any tenant or occupant other than the property owner, the utility billing reverts back to the property owner as the account holder. The account will remain inactive until or unless the property owner or prospective tenant contracts for service, or until there is unauthorized consumption at the location. See *sections Unauthorized Consumption on Inactive Location and Tampering and Theft of Service Fees and Charges* for details.

## **C. Customer's Rights**

**Appeals Process for Disputed Bills:** If an account holder believes the City has made an error in calculating a utility bill, or otherwise disputes the obligation to pay the bill, the account holder or the account holder's authorized representative may discuss the matter with a Customer Service Representative. When disputing a bill, the customer shall:

- First contact the Customer Service office for clarification.
- If the customer, after contacting a Customer Service Representative, still disputes the bill, the customer has the right to appeal to the Senior Customer Service Representative.
- If the customer, after contacting the Senior Customer Service Representative, still disputes the bill, the customer has the right to appeal to the Customer Service Supervisor.
- If the customer, after contacting the Customer Service Supervisor, still disputes the bill, the customer has the right to file a written appeal to the Utility Customer Service Manager. This appeal should include the reason for the dispute and any evidence proving the inaccuracy of the bill.
- If the customer, after contacting the Utility Customer Service Manager, still disputes the bill, the customer has the right to file a written appeal to the Deputy Finance Director. This appeal should include the reason for the dispute and any evidence proving the inaccuracy of the bill.
- If the customer, after contacting the Deputy Finance Director, still disputes the bill, the customer has the right to file a written appeal to the Finance Director. The Finance Director may defer to the Utilities Director for guidance involving technical specifications regarding the utility system, if necessary. This appeal should include the reason for the dispute and any evidence proving the inaccuracy of the bill.
- If the customer, after contacting the Finance Director, still disputes the bill, the customer has the right to file a written appeal to the City Manager. This appeal should include the reason for the dispute and any evidence proving the inaccuracy of the bill. The City Manager and/or the Assistant City Manager will review the appeal and send a written reply within a reasonable amount of time to the address shown in the utility billing system, noting the decision regarding the appeal and any substantiation for the decision and direction on any further course of action that the customer may take.
- The account of any disapproved appeal shall be assessed penalty, if due, at the time the appeal process is closed.



Extensions & Payment Plan Agreements: After an account holder has established six months' worth of history with the City (including billing and payment of such), the account holder may be eligible for one extension and one payment plan per 12-month period. A payment plan or extension may also be granted on a new account [for deposit amounts](#) without ~~established~~ [an established](#) history at the discretion of management. Past due bills, prior debt that was sent to collections, accounts with a property lien, or any amount in a write-off status are not eligible for a payment plan agreement.

In order to receive an extension, the account holder must appear in person to the Customer Service Division, provide identification, and sign a [Utility Bill Extension Agreement](#) form. A payment extension may be granted for up to a two-week period; however, due to unforeseen and unusual circumstances, management may grant more than one payment extension per year and/or for a longer term.

In order to receive a payment plan, the account holder must appear in person to the Customer Service Division, provide identification, and sign a [Utility Bill Payment Plan Agreement](#). A payment plan may be granted for up to a six-month period; however, due to unforeseen and unusual circumstances, management may grant more than one payment plan per year and/or for a longer term. The extended amount shall be paid along with the current amount billed and [is due](#) each month. If the payment plan ~~and schedule~~ agreement is not adhered to, the account holder ~~may will~~ be ~~charged a delinquency fee and~~ placed on a list [for immediate service disconnection. to have services disconnected immediately and without notice to the account holder.](#) ~~The account holder will receive auto-generated delinquency notices for the full account balance for the duration of the agreement. 's account shall be documented with any payment plan which may be granted.~~

Extensions or payment plan agreements are not automatic; they are a privilege and will be granted only with proof of extreme hardship and after review of account and payment history. No extensions or payment plans will be approved on or after the date of service disconnection for non-payment; exceptions may be considered by management but are not guaranteed. [Failing to honor a payment plan agreement or extension, or, if tampering, an illegal connection, or self-restoration without payment has occurred will prohibit the account holder from receiving further payment arrangements.](#)

Misapplied payments: On rare occasion, financial institutions may process a check or electronic payment incorrectly leaving a discrepancy between the customer's utility account and bank statement. If a customer believes the payment amount applied to the account balance is incorrect, the customer must provide the City with a copy of the front and back of the cancelled check, credit card statement, or a cash receipt showing the amount the customer believes to be correct. A payment extension may be granted if time is needed to produce the document and a billing adjustment will be made upon verification.

Exceptions: Under special circumstances, the City may choose not to interrupt service or reconnect service as part of the delinquency processing, if the City has prior written notice from a medical facility, when the services are provided to a critically ill person or a person on life support equipment and the services are needed to preserve life. Consideration will be provided on a case-by-case basis and only if the verified current account holder or property owner provides written notice from a medical facility, executes and fulfills a written payment plan (if required), and is not processed for delinquency again.

**D. Involuntary Discontinuance of Service**

The City may discontinue utility service for any one of the following reasons:

- Failure of the account holder to pay balances due for utility or commercial solid waste service as required in these policies.
- Any account in a delinquent status and remains disconnected from service for two (2) consecutive billing cycles.
- Upon discovery of tampering including ~~un~~authorized meter connection, by-passing the meter, or altering its function. The account holder is held responsible for any meter tampering. In the absence of an account holder, the owner of the property for which services are provided shall be assessed all charges and penalties.
- Failure of the account holder to permit municipal employees and its contractors' access to their meters at all reasonable hours. Locked gates, loose dogs, parking [vehicles/cars](#) over meters, etc., are considered to be a denial of access and is grounds for discontinuance of service.



- Use of service for unlawful reasons.
- Discovery of a condition which is determined to be hazardous or unsafe.
- Violation of any of the City's other utility service policies and procedures, ordinances, or state or federal law.

The City may notify the Health Department, Code Enforcement, and other municipal offices of the termination of service.

#### **E. Reconnections**

When it becomes necessary for the City to discontinue services for any of the reasons listed in this policy, service will be restored after required documents are provided and payment of (1) all pending charges, past due and current bills due to the City, (2) any deposit as required, (3) any material and labor cost incurred by the City, according to the Schedule of Rates, Fees, and Charges (Schedule B), (4) all fees and charges required by this policy, and (5) any discovery of prior debt, is received.



## Section 9 – Utility Operational Policies

### A. Meter Calibration Testing

Account holders may request that the City test their water meter for accuracy at the rate set forth in the Schedule of Rates, Fees, and Charges (Schedule B). This request must come from the account holder in a written form by submitting a completed [Consent to Verify Meter Calibration](#) form and submitting payment of the applicable meter testing fee. As soon as reasonably practical after receiving the request for meter testing, the Water Field Operations shall test the water meter for accuracy. The accuracy limits for testing are 98.5% to 101.5% as recommended by the American Water Works Association.

Should testing reveal that the meter is over-registering consumption (indicating more flow than is actually passing through it) greater than one hundred one and one-half percent (101.5%), then the account holder shall not be responsible for that portion of the bill equivalent to the percentage of error of the meter and the amount shall be adjusted from the account holder's bill for the preceding 12 months of billing, if applicable. The percentage of error is calculated by subtracting the 101.5% accuracy limit from the weighted meter test results. The meter shall be removed from service and replaced at no additional cost to the account holder and the meter testing fee refunded to the account.

Should testing reveal that the meter is under-registering (indicating less flow than is actually passing through it) less than ninety-eight and one-half percent (98.5%), then the account holder shall not be responsible for any unrecorded flow indicated by the percentage of error of the meter. The percentage of error is calculated by subtracting the weighted meter test results from the lower 98.5% accuracy limit. The meter may be removed from service and replaced at no additional cost to the account holder and the meter testing fee shall be refunded to the account. Note: the removal of the meter from service is at the discretion of the City of Cocoa as unregistered water consumption is a loss of revenue to the City of Cocoa and subsequently affects all rate payers.

If a meter test reveals accuracy equal to or within the defined accuracy limits of 98.5% to 101.5%, then the meter shall be placed back in service on the same account and the meter testing fee shall not be refunded to the account holder.

### B. Water Quality Complaints

Concerns of the quality of water can be submitted either by phone or in writing by completing the [Utility Water Customer Contact Complaint](#) form and submitting it to the Customer Service Division by e-mail or fax. The complaint will be forwarded to the Water Quality Lab for review and response.

### C. Damage to Plants and Shrubs

The City is not responsible for damage to plants and shrubs which may be dug up or cut/trimmed in the course of accessing the meter, work on the underground piping system or other apparatus located beyond an account holder's property line or within a utility easement. A reasonable effort will be made to minimize or repair any resulting damage. The account holder is responsible for ensuring that the water meter is not obstructed by plantings, mulch, grass, or any other means. If the City must, in the opinion of the Utilities Director, relocate a meter due to obstruction, the owner of the property will be charged for labor and materials to complete any necessary work.

### D. Damage to City Equipment

Any damage caused by the account holder, property owner, or their agent(s) to the City's equipment or property serving an account holder shall be the responsibility of the account holder [and must be reported to the City](#). The City shall make necessary repairs and charge the account holder for materials and labor for said repairs. Such damage includes, but is not limited to, damage from mowing, vehicles, landscaping, remodeling, during any phase of construction, or excavation.

### E. Account Holder Name Change

A name can be changed on an existing account in the event of divorce, marriage, or legal name change. The account holder must complete the Account Holder Contact Update form, present supporting documentation and a valid form



of government issued identification with photo. Ex. Valid driver's license, passport, alien registration card, or state issued photo ID (identification will be scanned into the City's records system for attachment to the applicant's account for identification purposes). In the unfortunate case of death see section *Deceased Account Holder and Estate Account* for details.

Existing accounts shall not be transferred into the name of another person that has not contracted service on the exception that the current account holder is deceased. See section *Deceased Account Holder and Estate Account* for details.

#### **F. Deceased Account Holder and Estate Account**

The City of Cocoa does not permit a utility account to remain active in a deceased person's name. Legal documents and government issued photo ID will be required for an authorized person to establish or, continue service in an estate name, deposits may apply.

Property titled with joint ownership: Upon death of an account holder who is the property owner, a surviving co-owner of the property, as filed with the Brevard County Property Appraiser's Office, must request to transfer the service into their name.

Property titled with one owner: Upon death of an account holder, the sole property owner, a surviving family member may request to transfer the account into the ownership of an estate for the decedent. The City may request legal documentation from the executor or the person responsible for administering an estate. The account will then be established in the estate's name. It is the responsibility of the executor or other person administering the estate to notify the City of any changes in account status. As a courtesy, the City of Cocoa may allow an account to remain in the name of the estate for a period up to six (6) months from the date of transfer. It is the responsibility of the executor or administrator of the estate to either disconnect the account or service must be contracted by an authorized person prior to this date.

If the City of Cocoa receives notice or determines that an account holder (property owner) is deceased, notification of account closure will be mailed to the address on record. The letter will set forth a date, a minimum of two (2) weeks from the date of notification or a maximum of six (6) months from the date of death, whichever is greater in time, in which an Application must be completed and received in accordance with this policy in order to continue services at the location of the deceased account holder.

The estate account shall terminate after six (6) months, or the surviving family member may elect to pre-pay a deposit in the amount equivalent of four (4) months of average bills to maintain an active account in the name of the estate as well as contract service as a responsible person for the account. In either case of an estate account being established, if an Application has not been processed to transfer ownership of the account by the advertised time, services may be disconnected without further notice.

**Rental property with tenant:** If the City of Cocoa receives notice or determines that an account holder (tenant) of a rental property is deceased, notification of account termination will be sent to the service address. The letter will set forth a date, a minimum of two (2) weeks from the date of notification in which an Application must be ~~completed~~ [completed and received](#) in accordance with this policy in order to continue service at the location of the deceased tenant. An updated lease from the property owner will be required. Failure to provide necessary documents may result in account termination and any unauthorized consumption will be billed to the property owner. See section *Unauthorized Consumption on Inactive Location*.

#### **G. Utility Billing Adjustments**

At any time a billing adjustment is requested, the balance of the account must be paid in accordance with this policy in order to avoid penalty. If an adjustment request is approved, the adjustment will be made to the account and may show as a credit on the next regular monthly bill.

**Overcharge or Undercharge Error:** If the City has overcharged or undercharged an active account holder for service, the City will correct this error subject to the following procedures:



1. If the City has overcharged an active account holder for a service, the City will credit the account holder's account, without interest, the excess amount on the next monthly bill. When the overcharge is more than \$1,000 a reasonable attempt to notify the account holder will be made in addition to the monthly bill. Account holders may request a refund if the account balance was previously paid in full. Credit to an account holder's account is subject to the following limitations:
  - a. If the account holder should not have been billed the service and the time period over which the overcharge occurred can be determined, the City will credit or refund the excess amount charged the account for that entire interval, provided that such time period shall not exceed the statute of limitations as set forth in the Florida State Statutes.
  - b. If the account holder should have been billed the service and the inaccurate rate was applied, the City shall refund the excess amount charged not to exceed the preceding 12 billing cycles.
  - c. If the exact amount of excess charge cannot be determined, the City should take into consideration all information and account history in order to determine the amount due as accurately as possible, not to exceed the preceding 12 billing cycles.
  - d. If an overcharged account holder owes a past due balance to the City, the City may deduct that past due amount from any refund or credit due the account holder.
2. If the City has overcharged an account holder for services and it is discovered after the account has been terminated and/or made inactive, the account holder forfeits any right to a refund upon the termination and/or inactivation of the account.
3. If the City has undercharged an account holder for service during any of the previous 12 billing cycles, the City will collect the additional amount due to the City by placing the charges on the next monthly bill. When the undercharge is more than \$1,000 a reasonable attempt to notify the account holder will be made in addition to the monthly bill. A payment plan or other payment options may be extended to an account holder. If an account holder does not contact the City in order to make payment arrangement for such amount by the bill due date, the account may be disconnected for non-payment in accordance with this policy.
4. If the City has final billed a terminated or inactive account in error, the City has the right to correct the error and issue an additional bill to the terminated or inactive account.
5. If an undercharge has occurred because of tampering or bypassing a meter or because of other fraudulent or willfully misleading action of the customer, the City shall collect the entire undercharged amount in a lump sum and seek such other rights and remedies as are permitted by law.

**Swimming Pools:** Swimming pools may be filled once a year without the account holder having to pay a sewer usage charge on the water used to fill the pool. In order for an adjustment to be granted, the account holder (or the account holder's representative) must submit a [High Consumption Credit Application](#) request for the adjustment within 60 days of the date of the bill for which an adjustment is requested. Sewer consumption will then be calculated to the account holder's previous 6-month average and an adjustment will be made to the bill which includes the dates of usage. All water used to fill a pool will be metered and billed to the account holder.

**Excessive Use:** Excessive use is defined as metered water and/or sewer flow at least 50% greater than the account holder's average monthly consumption amount. Average monthly consumption is based on the six (6) month average prior to the month showing excessive use.

There are a variety of circumstances which may cause an account holder to have a water bill more than their average range for monthly water consumption. These can include, but are not limited to, plumbing leak, faulty toilet, faulty hot water tank, hose bib left on, excessive irrigation, water theft, etc. Often circumstances are intermittent or isolated occurrences where symptoms of water loss may start and stop within the billing cycle, making it very difficult for the account holder to identify the source or cause. The City of Cocoa briefly visits and reads each meter only once a month, often after this unexplained water loss has occurred. At the customer's request, City staff can identify if water is actively flowing through a meter and/or if a leak at the meter connection is actively occurring; however, City staff cannot identify where or how water is/was being used or lost. An [Excessive Water Consumption Checklist](#) is available to aid an account holder in identifying the cause of excessive use. It is the account holder's responsibility to regularly monitor their consumption, identify the source/cause of water loss, and correct the problem causing the excessive consumption as soon as it is discovered. Any billing adjustment is a courtesy to assist the account holder



with an extraordinarily high bill. The City is not responsible for the account holder's piping or plumbing beyond the meter/meter connection. See section *Account Holder Responsibility for Piping* for details.

Utility account holders may apply for an adjustment when verified excessive use has occurred. A [High Consumption Water-Sewer Credit Application](#) form should be completed by the account holder and submitted to Customer Service for review within 12 months of the excessive use event. The customer must provide information describing the situation or circumstances that resulted in the loss of water. This should include the cause of the water loss if known, when the problem was discovered, and what action was taken to stop the loss of water. Any documentation verifying the cause of the excessive use should be attached to the form (e.g. plumber's invoice, receipts for purchase of repair equipment, photos of repairs). Water used during construction or remodeling of a property is excluded from an adjustment if water loss is unknown or unexplained. If an adjustment is granted, a High Consumption Application Processing fee will be applied to the account. If the request does not meet the eligibility requirements and the adjustment request is denied, no fee will be applied. See section *Utility Administrative Fees & Charges* for details.

At any time a billing adjustment is requested, the balance of the account must be paid or be on an approved and current payment plan in accordance with this policy in order to avoid [penalty/penalties](#) and/or disruption of service. If an adjustment request is approved, the adjustment will be applied to the account and may show as a credit on the next regular monthly bill.

City staff shall first verify the meter reading to ensure accuracy of the bill. Upon verification of the meter reading and verification that the consumption amount is 50% greater than the account holder's average monthly consumption, the adjustment request may be considered and is subject to the following eligibility criteria:

1. In the event excessive use occurs within the first six (6) billing cycles of a new account, the account holder's average monthly consumption shall be calculated using one of the following methods:
  - a. based off of the active number of billing cycles, excluding the first, if available.
  - b. based on a daily average usage, if available, multiplied by 30 days with the daily average being determined after repairs have been made
  - c. based on the previous account holder's monthly average usage, if available.
  - d. If none of the above are available, it shall be determined after the account holder establishes a monthly average, after repairs have been made.
2. The calculated water credit must be equal to or exceed \$50.00 for the billing period in question and shall be calculated as follows:
  - a. *Potable water:*
    - i. Charges for consumption used at/below the monthly average shall be calculated according to the current rate structure for the period.
    - ii. Charges for consumption used over the monthly average shall be re-calculated at the Wholesale Tier 1 rate equal to the expense that the City incurs for treatment and delivery of water service for the period.
    - iii. **Bill minus** base rate **minus** calculated monthly average consumption **minus** re-calculated consumption over monthly average = credit.
  - b. *Reclaimed water:*
    - i. (Billed gallons minus base rate gallons)/base rate gallons = consumption factor.
    - ii. Consumption factor multiplied by base rate = adjusted billing
    - iii. Bill minus adjusted billing minus base rate = credit
    - iv. Bill minus credit = new adjusted bill amount.  
 Note: Account holders served by a reclaimed water utility other than the City of Cocoa must contact the governing reclaimed water utility body to determine their policy on adjustment.
3. The following items do not qualify for a water credit:
  - a. Pool fills, including those necessitated by pool repairs/resurfacing.
  - b. Landscape/beautification.
  - c. Any meter that has been tampered with including ~~an unauthorized~~ meter connection, by-passing the meter, or altering its function, does not qualify.
  - d. Unexplained water loss during the construction phase or remodeling.



- e. Recreational use such as a water slide, etc.
4. Sewer consumption may be adjusted to the account holder's previous 6-month average if the excess water did not go through the sewer system. Note: Account holders served by a sewer utility other than the City of Cocoa must contact the governing sewer utility body to determine their policy on adjustments.
5. A billing adjustment shall be allowed for no more than two consecutive months of excessive usage that has occurred in the previous 12 months, on an account. All commercial accounts will be limited to a maximum of two (2) excessive use billing adjustments within five (5) consecutive years since the first adjustment. All residential and government accounts will not be limited to a maximum; however, each instance shall be reviewed by City staff to determine the validity of the request. Excessive, repetitive leaks or plumbing that isn't corrected will not be eligible for excessive use adjustments.
6. In the event the City of Cocoa, surrounding municipalities, to include areas of Brevard County serviced by the City of Cocoa water utility declares a state of emergency due to a natural disaster event, such as a hurricane, the eligibility criteria for a high consumption water credit shall be amended for the billing cycle that includes the date(s) of the event and one additional billing cycle post event for a maximum of two billing cycles. All other conditions and eligibility criteria shall remain in effect with the exceptions as follows:
  - a. The calculated credit does not have to exceed \$50.00.
  - b. An approved high consumption adjustment will not count towards the lifetime maximum for any account holder, regardless of account type.
  - c. The High Consumption Credit Processing Fee shall be waived.
7. In the event excessive use is the result of theft, where an official police report has been filed, the eligibility criteria for a high consumption water credit shall be amended for the billing cycle that includes the date of the incident and one additional billing cycle, pre or post incident, for a maximum of two billing cycles. All other conditions and eligibility criteria shall remain in effect with the exceptions as follows:
  - a. A copy of the official police report must be provided.
  - b. The High Consumption Credit Processing Fee shall be waived.
  - c. The calculated credit does not have to exceed \$50.00
  - d. An approved high consumption adjustment will not count towards the lifetime maximum for any account holder, however, loss due to reported theft will be limited to two (2) adjustments per (5) consecutive years, regardless of account type.

Any deviation from current City policies and/or procedures by City staff that causes an unnecessary, prolonged, or excessive water leak, resulting in high metered consumption, may be considered for an additional adjustment authorized by City management reviewed on a case by case basis. The adjustment will only be applicable to the amount of water lost within the timeframe the City deviated from policy/procedure.

**Stuck Meter:** Often the symptom of a stuck meter is a few months of no water consumption recorded on an active account. In the event the City believes a meter may be malfunctioning or stuck and under registering water consumption a maintenance crew may be sent to test and/or evaluate the meter and the customer contacted for a status on occupancy. If the meter is determined by City staff to be stuck it will be replaced and the account holder will be billed their average monthly consumption charges for any or all the 12 preceding months they were previously billed zero or no consumption. The City makes every reasonable attempt to detect a stuck meter as soon as possible; however, it can be difficult for the City to determine if the zero or no consumption is due to vacancy or meter malfunction. A commercial property may have a compound meter installed. A compound meter is comprised of two separate meters, the larger meter (TGAL) measures the high flow while the smaller meter (CGAL) registers the low flow. Each meter registers or records only the water that passed through each of them individually; however, for purposes of bill calculation the consumption recorded from each meter is added together and amounts to the total consumption each month. At times one of the meter registers on a compound meter may stop recording consumption while the other is still working and measuring the portion of the consumption that passed through the functioning register. For example, if the low flow meter register stops registering consumption any low flow water passing through the meter will be unregistered while any high flow water passing through the high flow meter is recorded. This scenario will cause the consumption to be billed from only one of the registers, and at time may appear to be a reduction in the customer's average consumption. Alternatively, when the stuck meter is repaired the register will



begin again recording consumption that may appear to be high consumption when it's really normal consumption within the customer's average prior to one of the compound meters becoming stuck. Therefore, the City depends on the customer to inform the Customer Service Division if he/she is billed zero or a reduced amount of consumption on an active account when they believe they should be billed otherwise for water use.

Mismatched meter body and register sizes: When the wrong size register and/or meter body are paired together the consumption reported by the register will be incorrect and could cause an underbilling or an overbilling of consumption. The City will correct any overbilling within the past 12 months; however, the City will not correct any underbilling to the customer's benefit.

## H. Utility Debt Collection

The City is authorized to collect delinquent utility fees as promulgated in the City of Cocoa Code of Ordinances Section 22-18. Any balance owed to the City will remain due until paid. All legal means of collection for a delinquent account in arrears will be taken.

Utility Collections: In the event an account holder has an outstanding balance on another account, the outstanding balance will be transferred to the current account. All delinquency procedures and service charges will apply. Per City of Cocoa Ordinance Section 22-18, the City shall be entitled to recover all costs, including but not limited to, reasonable attorney's fees and/or collection service charges, incurred in collecting delinquent utility fees and charges.

Any fee or charge due to the City which is not paid may be recovered by referring the account to a third-party collection agency and/or bringing an action at law. In addition to any other remedies or penalties provided in this section, failure of any user of the City's utility system to pay said charges promptly when due shall subject such user to discontinuance of such service. The City Manager or the City Manager's designee is hereby empowered and directed to enforce this provision as to any and all delinquent users.

In accordance with the Telephone Consumer Protection Act (TCPA), the account holder agrees, in order for the City to service a utility account or to collect any amounts you may owe, the City may contact the customer by telephone at any telephone number associated with your account, including wireless telephone numbers, which could result in charges. We may also contact the customer by sending text messages or emails, using any email address provided to the City. Methods of contact may include using pre-recorded or artificial voice messages and/or the use of an automatic dialing device, as applicable. By contracting service, the account holder agrees that the City of Cocoa may contact him/her as described above.

Utility Liens: All past due and outstanding utilities rates, fees, and charges assessed shall be a lien upon the property with which such rates, fees, and charges are associated, in accordance with Florida Statute Chapter 153.67 and 159.17. The owner of every building, premise, lot, or house shall be obligated to pay the fee for all services provided to his/her premises, which obligation may be enforced by the City by action of law or suit to enforce the lien in the same manner as the foreclosure of mortgages. In the event of such action, the City shall be entitled to recover all court costs and reasonable attorney fees for such collection. In the case that a tenant in possession of any premises or building shall pay said charges, it shall relieve the ~~land owner~~landowner from such obligation and lien; but the City shall not be required to seek payment from any person whatsoever other than the owner for the payment of such charges.

Utility lien search requests may be submitted online through the City's municipal lien search vendor, Orange Lien Data, at <https://order.orangeliens.com/>. ~~https://order.orangeliens.com/index/login.html~~. Lien search fees shall be payable, at the time of request, to Orange Lien for each request. Utility lien search reports may include tenant and property owner current and past due amounts owed to the City. It is the responsibility of the recipient of the report to verify property owner debt owed to the City.

## I. Internal Audits and Evaluations

Processes, policies, and procedures shall be reviewed internally and this document updated to address any additional changes in current practices that may be found.



### J. Solid Waste Only Accounts

In some cases, the City has established a solid waste/garbage only account for the purpose of billing commercial garbage to a tenant or property owner that does not have an active water account. This practice of establishing 'garbage only' accounts has been discontinued; however, existing accounts will be grandfathered in. Any future requests for commercial solid waste service shall be applied to an active water account or billed to the property owner of record. For existing garbage only accounts that are grandfathered in prior to this change, should the account be involuntarily discontinued for service the commercial container shall be removed from the property and the account will be terminated. In order to re-establish commercial solid waste service at the property, all outstanding charges must be paid to include an at-risk deposit and the solid waste service will be added to an existing water account. The account shall also be subject to a delinquency processing fee. See section *Involuntary Discontinuance of Service, Deposits, and Reconnections* for details

### K. Bee Removal

The City makes every effort to remove live bees from the water meter boxes when reported; however, this action could take several months and several trips to the meter box. Should the customer take it upon themselves to have the bees removed, the City will not reimburse the customer.



**Section 7 – Appendix**

*Schedule A – Utility Rates, Fees, and Charges*

*Schedule B – Miscellaneous Rates, Fees, and Charges*

*Schedule C – Solid Waste Rates, Fees, and Charges*

