

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

**CHAPTER III  
DCDD UTILITY RULES**

**WATER, WASTEWATER, STORMWATER AND EFFLUENT REGULATIONS:  
ESTABLISHING RATES AND CHARGES FOR UTILITY SERVICE**

**EFFECTIVE AS OF NOVEMBER 12, 2021**

3.01 PURPOSE. The purpose of these Rules is to establish comprehensive regulations pertaining to water, wastewater and effluent utilities as well as stormwater facilities owned and operated by the District; providing for and establishing rates and charges for utility service, use or consumption by consumers within the District; providing provisions for extension of mains and services; providing definitions, including limitations and prohibited uses or practices; providing procedures for hearing disputes involving charges and disconnections; providing for adjustments; providing an effective date.

3.02 NECESSITY. To establish uniform and comprehensive regulations pertaining to water, wastewater and effluent utilities as well as stormwater facilities owned and operated by the District.

**PART I**

**GENERAL PROVISIONS AND DEFINITIONS APPLICABLE TO THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT  
WATER, WASTEWATER AND EFFLUENT SYSTEMS**

SECTION 1. The Dunes Community Development District does hereby establish uniform policies and comprehensive rates, charges, and service schedules for its water, wastewater and effluent utility system as well as stormwater facilities affecting all consumers thereof.

SECTION 2. CONTENTS

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

- SECTION 3. DEFINITIONS
- SECTION 4. GENERAL
- SECTION 5. CALCULATION OF EQUIVALENT IRRIGATION CONNECTIONS.
- SECTION 6. CALCULATION OF SYSTEM CAPACITY FEES
- SECTION 7. STANDBY (AVAILABILITY)
- SECTION 8. APPLICATION FOR SERVICE
- SECTION 9. DETERMINATION OF APPLICABLE RATE SCHEDULES
- SECTION 10. WITHHOLDING SERVICE
- SECTION 11. LIMITATIONS OF USE
- SECTION 12. UNAUTHORIZED CONNECTION OR USE
- SECTION 13. BILLING
- SECTION 14. DELINQUENT BILLS; LIENS IN FAVOR OR DISTRICT;  
PROCEDURES FOR CONTESTING CHARGES.
- SECTION 15. ADJUSTMENT OF BILLS; METER READINGS AND INSPECTIONS
- SECTION 16. ACCESS TO PREMISES
- SECTION 17. INSPECTIONS OF CONSUMER'S INSTALLATION
- SECTION 18. PROTECTION OF DISTRICT PROPERTY
- SECTION 19. CHANGES OF OCCUPANCY; TERMINATION OR TRANSFER OF  
SERVICE
- SECTION 20. RESUMPTION OF SERVICE
- SECTION 21. CONTINUITY OF SERVICE
- SECTION 22. MAINTENANCE AND STANDARDS
- SECTION 23. METERS
- SECTION 24. ALL WATER AND EFFLUENT THROUGH METER
- SECTION 25. METER TESTING

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

- SECTION 26. BACKFLOW PREVENTION DEVICE REQUIREMENT, TESTING, REPAIR AND REPLACEMENT
- SECTION 27. DAMAGING, TAMPERING WITH, ALTERING, FACILITIES OF UTILITY PLANT OR SYSTEM
- SECTION 28. PRIVATE FIRE SERVICE CONNECTION
- SECTION 29. TERMINATION OF SERVICE

**PART II - WATER, WASTEWATER AND EFFLUENT UTILITIES**

- SECTION 30. CONSERVATION SECTION
- SECTION 31. GENERAL; DECLARATION OF POLICY
- SECTION 32. EASEMENTS AND RIGHTS OF WAY
- SECTION 33. INSPECTION
- SECTION 34. TRANSFER OF CONTRIBUTED PROPERTY-BILLS OF SALE
- SECTION 35. IMPROVEMENTS AND EXTENSION TO EFFLUENT, WATER AND WASTEWATER SYSTEM AND UTILITY INSPECTION FEES
- SECTION 36. WASTEWATER SYSTEM PROHIBITIONS
- SECTION 37. MANAGEMENT OF FATS, OILS AND GREASES
- SECTION 38. REFUNDABLE ADVANCES
- SECTION 39. CUSTOMER PROPERTY REQUESTS.
- SECTION 40. AFTER HOURS REQUESTS
- SECTION 41. SEVERABILITY

**SCHEDULE "A"**

**SCHEDULE "B"**

**SCHEDULE "C"**

SECTION 3. DEFINITIONS: The following terms and phrases, when used herein, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

different meaning. Words used in the present terms shall include the future, and the singular number includes the plural, and the plural the singular.

3.1 STANDBY (AVAILABILITY) FEE: A fee established to defray the cost of the financing of the capital facilities for potable and irrigation water and effluent distribution lines and wastewater collection facilities.

3.2 BACKFLOW: The flow of water or other liquids, mixtures or substances under pressure into the distribution pipes of a potable water supply system from any source or sources other than its intended source.

3.3 BACKFLOW PREVENTION DEVICE: A backflow prevention device shall mean any effective device, method or construction used to prevent backflow into a potable water system.

3.4 BOARD OF SUPERVISORS: The governing board of the District, whose powers and authority are established by Chapter 190 of the Florida Statutes.

3.5 CONNECTION FEES: Those charges of the District required to be paid by a consumer or developer only in Phase I (Hammock Dunes), as a condition precedent to the interconnection of District's utility system with a consumer's property. Fees are as set forth in Section 4.f. of Schedule A herein.

3.6 SYSTEM CAPACITY FEES: Those charges of the District required to be paid by a consumer or developer in support of the District's capital facilities (distribution, collection, transmission and treatment systems) for its water, wastewater and effluent (reclaimed) irrigation water utilities. Fees are as set forth in Section 4.a. of Schedule A for each utility system per ERC, EIC or gallon of System Capacity required by the consumer or developer

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

as determined herein by the District.

3.7 CONSUMER: Any person, firm, association, corporation, governmental agency or similar organization supplied with the availability of water, wastewater, and effluent service by District which term shall also include developers and large users.

3.8 CONSUMER INSTALLATION: All pipes, fixtures, meters, appurtenances of any kind and nature used in connection with or forming a part of an installation for utilizing water, wastewater and effluent services for any purpose, located on the consumers' side of "point of delivery", whether such installation is owned outright by a consumer or by contract, lease or otherwise.

3.9 DEVELOPER: Any person, corporation, or other legally recognized entity who engages in the business of making improvements to or upon real property located within the District as owner or legally constituted agent for the owner of such real property.

3.10 DISTRICT: The District as defined in 3.18.

3.11 DISTRICT MANAGER: The manager of the District whose authority and responsibilities are established by Chapter 190 of the Florida Statutes and as may be prescribed by the Board of Supervisors.

3.12 EASEMENTS: Rights of ingress, egress, dedications, rights of way, conveyances or other property interests necessary or incidental to the installation, extension, repair, maintenance, construction or reconstruction of District's utility system or any components thereof, over or upon consumer's property.

3.13 EFFLUENT: As used in these rules effluent is reclaimed water that has received at least secondary treatment and is subject to reuse after flowing out of a wastewater treatment facility.

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

3.14 EQUIVALENT IRRIGATION CONNECTION (EIC): 850 gallons per day of effluent irrigation water (reclaimed water).

3.15 ENGINEER: The appointed head of the Engineering Department of the District or his authorized representatives or a consulting engineering firm retained by the District to perform some or all duties of the engineer.

3.16 EQUIVALENT RESIDENTIAL CONNECTION (ERC): 250 gallons per day (gpd) for potable water service and 225 gallons per day (gpd) for wastewater service.

3.17 FINANCE DIRECTOR: The appointed head of Finance of the District, or his authorized representative. The Finance Director may also be the District Manager or his/her designee.

3.18 DUNES COMMUNITY DEVELOPMENT DISTRICT: A political subdivision of the State of Florida, created pursuant to Chapter 190 of the Florida Statutes.

3.19 MAIN: Shall refer to pipe, conduit or other facility installed to convey water, wastewater or effluent service from individual laterals or to other mains.

3.20 MINIMUM MONTHLY CHARGE: As shown on the applicable rate schedule, the base rate charged per month for provision of utility services to all consumers receiving service, which excludes all commodity charges.

3.20 OFF SITE FACILITIES: Those components of water distribution, effluent, and wastewater collection facilities located outside consumer's "property".

3.22 ON SITE FACILITIES: Those components of water distribution, effluent, and wastewater collection facilities located upon consumer's "property".

3.23 POINT OF DELIVERY: The point where the District pipes are connected with the pipes of the consumer. Unless otherwise indicated, point of delivery for water and effluent service shall be at the discharge side of the water or effluent meter. Unless otherwise indicated

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

point of delivery for wastewater service shall be at the upstream connection of the clean-out which is placed at or about public right of way or utility easement. In the absence of a clean-out the point of delivery is at the wastewater lateral connection to the wastewater main of the District.

3.24 PROPERTY: The land or improvements upon land of which the consumer is owner or over which consumer has control either by contract or possessory interest sufficient to authorize consumer to make application for service, or adjacent right of way which services the land or site being developed. District may require proof of such interest prior to the furnishing of service by copy of instrument of conveyance, contract or appropriate verified statement contained in the application for service.

3.25 RATE SCHEDULE: The schedule or schedules of rates or charges for the particular classification of service.

3.26 SERVICE: Shall be construed to include, in addition to all water, wastewater and effluent utilities required by the consumer the readiness and ability on the part of the District to furnish water, wastewater and effluent services including effluent use for irrigation purposes to the consumer.

3.27 SERVICE OR LATERAL LINES: Those pipes of the District that connect to consumer's lines.

3.28 SETTLEMENT OF ACCOUNT: That point in time in which the customer has satisfied all outstanding fees and charges billed for utility service and has notified the District that he is no longer a resident, owner or user of the District's utility system

3.29 SYSTEM CONTRIBUTION: As used in Schedule A, "system contribution" for purposes of meter fee calculation shall be calculated by subtracting the actual costs of installing the meter (labor, parts, materials) from the 5/8" meter fee listed in Section 4.d. of Schedule A.

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

3.30 TERMS “SHALL” AND “MAY”: As used herein, the word “may” is permissive, and the word “shall” is mandatory.

3.31 UTILITY SYSTEM: As used herein, refers to the District’s water production and distribution, wastewater collection, treatment and transmission systems, effluent filtration, storage and distribution systems and any component parts thereof.

3.32 STORMWATER SYSTEM: As used herein, refers to the District’s stormwater collection, conveyance, storage, treatment and disposal system and any component parts thereof.

SECTION 4. GENERAL:

4.1 It is the policy of the District and the requirements of this rule that there is not permitted the individual installation and use of any private wells or septic tanks without the express written consent of the District.

4.2 Consumer is advised that as part of the District’s utility system there may be a separate effluent distribution line. To the extent permitted by law and consistent with the public health, each consumer is required to utilize the District’s utility system including the effluent distribution facilities and to take proper caution to ensure that there is not permitted a cross connect between the effluent lines and the potable water service line. The availability of effluent may vary from time to time based on a number of factors. Nothing herein shall be construed to require the District to provide effluent for irrigation purposes. Potable water irrigation is available only where effluent is not. Prior to the connection of the effluent and potable service lines to each residential or commercial consumer the Utility Manager shall be notified 24 hours prior to such connection so that an inspection can be made. No connection shall be made without inspection and approval by the District Manager or his Designee. In accordance with the District’s Cross Connection Control Program and Department of Environmental Protection



**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

Standards, the installation and use of backflow prevention devices may be required. The District shall be responsible for installation of Residential Backflow Preventors only as is necessary. Charges for installation shall be imposed in accordance with Section 9 of these rules.

These regulations apply without modification or change to each and every consumer to whom the District renders service. Nothing contained in this Rule prohibits the District from entering into agreements with developers to provide for the orderly and timely provision of service.

SECTION 5. CALCULATION OF EQUIVALENT IRRIGATION CONNECTIONS: For all new connections platted single family lots, subdivisions served by a master effluent meter, multi-story, common or commercial areas Equivalent Irrigation Connections (EIC) shall be calculated by measuring the surface area to be irrigated, calculating the total flow for the irrigated area based upon an application rate of 0.78” per week, and dividing by 850 gallons per day (gpd).

SECTION 6. CALCULATION OF SYSTEM CAPACITY FEES: The District requires that all Consumers or Developers pay a System Capacity Fee based on a pro rata share of the cost of the District’s water, wastewater and reclaimed irrigation water infrastructure utilized to serve Consumer or Developer's existing or future facilities. System Capacity Fees are based upon the estimated daily flow of the Consumer’s existing or proposed installations. System Capacity Fees are computed by multiplying the charges per ERC, EIC or gallon set forth in the applicable rate schedule by the estimated daily flow determined by the District according to: (i) the District’s review of the consumer's engineering design information; (ii) the reasonable estimated usage based on standards set forth in the Florida Administrative Code Rule 64E-6.008

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

which is herein adopted by reference and made a part of the District's Rules; or (iii) other capacity criteria or standards the District has adopted which are shown in Section 4.a. of Schedule A. System Capacity Fees are payable upon request for approval of a Florida Department of Environmental Protection permit or a building permit. At no time will service commence to a property prior to payment in full of all System Capacity Fees.

The District reserves the right to audit the actual water, reclaimed irrigation water and wastewater flows of Consumers or Developers as it deems appropriate. If the audit determines that the actual water, wastewater or reclaimed water flows exceed by fifty percent (50%) the previously purchased system capacity in two or more months in any twelve (12) month period, then additional System Capacity Fees shall be charged by the District. The additional System Capacity Fees shall be based on the number of ERCs, EICs or gallons per day by which the actual flow exceeds the purchased system capacity, based on the System Capacity Fees then in effect. Any additional System Capacity Fees assessed shall be due and payable no later than sixty (60) days after notification by the District. Failure to pay any additional System Capacity Fees shall result in suspension of service until paid. Actual flow shall be determined by a comparison of metered usage for the highest thirty day period during the audit period with the amount of original purchased system capacity. The actual flow measurement shall not include customer identified nonrecurring usage which may result from operational problems, such as service line breaks or meter inaccuracy, or atypical usage, such as pool filling or new lawn watering.

SECTION 7. STANDBY (AVAILABILITY): Prior to the application for service each lot, tract and parcel even though not connected to the utility system will be charged appropriate standby fees in accordance with Section 9 of these rules. For tracts and parcels not subdivided, the subject property will be billed at the appropriate rate multiplied by the acreage. Fractions of

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

acres will be rounded up to the next higher whole number. For all properties that are subdivided it shall be the responsibility of the Owner to notify the DCDD of Plat changes. Bills for standby fees shall be remitted in accordance with Section 13.

Commencing October 1, 1995, as units and property move from standby categorization to active status, standby units will be subtracted from the pool of standby units on the single family lot and acreage equivalency calculations detailed in Section 5.

Standby fees shall be modified and apply to consumers or property served under the terms and conditions in Section 9, relating to areas where utility property has been donated to the District pursuant to an agreement, as provided in these Rules.

SECTION 8. APPLICATION FOR SERVICE: Service shall be furnished only upon signed application accepted by District and the conditions of such application are binding upon the consumer as well as upon the District. To obtain service, application shall be made at the District in the place or places designated by the District Manager. Applications are accepted by the District with the understanding that there is no obligation on the part of the District to render service other than that which is then available from its existing utility system and consistent with the agreements between the District and Northshore Hammock, L.P., dated February 12, 1999; between the District and Lowe Ocean Hammock, L.P., dated February 12, 1999 and H.D. Associates, L.P., dated October 16, 2002. The applicant will then be billed monthly in accordance with Section 9 of these rules. The applicant shall furnish to the District at the time of making application the name of the applicant, the ownership or other interest in or to the property or location and the legal description or street address at which service is to be rendered.

Application for service required by firms, partnerships, associations, corporations and others, shall be tendered only by duly authorized parties. When service is rendered under

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

agreement or agreements entered into between the District and an agent of the principal, the use of such service by the principal shall constitute full and complete ratification by the principal of the agreement or agreements entered into between the District and an agent of the principal under which such service is rendered.

At the time of application for service the applicant shall pay the appropriate fees, rates and charges in accordance with Section 9 of these rules for the connection fees, and meter fees. At that time, the District will deduct the amount of the newly activated units as determined under Section 5 from the number of standby units determined in Section 7. If a project is constructed in phases, applicant will be required to pay for the number of units or in the case of commercial or industrial, the equivalent residential and irrigation connections based upon meter size and/or unit or acreage equivalencies for each phase. Other appropriate charges as identified in accordance with Section 8 of these rules will apply to the remainder of the property. Prior to the initiation of construction on subsequent phases, applicant is required to pay the required fees and charges in accordance with the provisions of this paragraph.

SECTION 9. DETERMINATION OF APPLICABLE RATE SCHEDULES. Effective October 1, 2000, the District will operate under three (3) rate schedules. Rate schedule "A" shall be applicable to and binding upon all property within the District to which water, wastewater and effluent irrigation service has been made available, as determined by the District, except for situations described in the following paragraph. Golf course effluent irrigation rates, charges and fees shall be determined under rate schedules "A", "B" and "C" as applicable.

Effective April 9, 1999 and October 16, 2002, and in accordance with section 4 of these rules, the District has entered into agreements with developers of certain areas within its boundaries whereby the developers have agreed to provide funding to the District with which the

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

District's utility plant can be expanded and service made available to these areas. Because of the donation of funds and/or facilities to serve those areas, it is appropriate to establish this new class of consumer and apply a different standby fee and eliminate the connection fees for those areas. For those areas, the rate schedule "B" shall apply. All other terms and conditions contained in these rules shall apply to the rendering of service to these areas.

AMENDMENTS TO RATE SCHEDULE: Rate schedules are attached hereto as an exhibit, being identified as: Schedule "A", Water, Wastewater and Effluent Rates and Charges; Schedule "B" Water, Wastewater and Effluent Rates and Charges for Contributed Property and Schedule "C" Special Rate Structure. These rate schedules may be amended from time to time by the Board of Supervisors in accordance with Chapter 190, F.S., and the contractual agreements of the District.

SECTION 10. WITHHOLDING SERVICE: The District may withhold service to a consumer who makes application for service at or upon a location for which prior service, including standby charges, has not been paid in full to the date of such application. It shall be the responsibility of the consumer to make inquiry as to the delinquent status of the account and bring said account current as a condition precedent to continuation of service. The District shall maintain current records of outstanding accounts and shall make such information available to the public at its offices during normal business hours. Service may also be withheld for service installations which are not complete or are not in compliance with District requirements. Nothing herein shall prevent the District from taking any legal recourse against any delinquent account in accordance with Chapter 190 F.S.

SECTION 11. LIMITATIONS OF USE: Utility service purchased from the District shall

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

be used by the consumer only for the purpose specified in the application for service. The consumer shall not sell or otherwise dispose of such utility service supplied by the District. All utility service furnished by the District to the consumer shall be through District meters and may not be re-metered by the consumer for the purpose of selling or otherwise disposing of such service without the written consent of the District. In no case shall a consumer, except with the written consent of the District, extend water, wastewater or effluent lines across a street, alley, lane, court, property line, avenue, or other public thoroughfare or right of way in order to furnish utility service for adjacent property.

SECTION 12. UNAUTHORIZED CONNECTION OR USE: No person or entity, without prior written consent of the District shall tap or in any manner make connection to or discharge into any pipe, main, fire hydrant, service connection, sewer manhole, storm drain, or sewer lateral belonging to the District water, wastewater effluent or stormwater system for the purpose of taking or using water from the system or from discharging into the wastewater or stormwater system, or for any other purpose. Connections to the District's water, wastewater, effluent or stormwater system for any purpose whatsoever are to be made only as authorized by the District. In the case of any unauthorized use, interconnection, extension, re-metering, sale or disposition of utility service, consumer's utility service shall be subject to discontinuance until (1) such unauthorized use or disposition is discontinued, (2) full payment is made for such service, based on appropriate consumer classification and rate schedules and (3) reimbursement in full made to the District for any extra expenses incurred by District as the result of such unauthorized use, including administrative costs, testing, inspections, all attorney fees and costs for trial or appeal. Further, the District shall impose a charge of \$250.00 per day or per incident for the first instance and \$500.00 per day or per incident for any subsequent instances of unauthorized use, interconnection, extension, re-metering, sale or disposition of utility service

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

against any person or entity making such an unauthorized use, interconnection, extension, re-metering, sale or disposition of utility service or Utility Service Agreement. The District shall provide notice to the offending entity of the total amount of such fine in writing and may use any and all means permitted by the Rules of Procedure of the District, Florida law or as otherwise for the collection and enforcement of such fine. In addition, unauthorized use may result in appropriate criminal prosecution by District.

SECTION 13. BILLING: Bills for service shall be rendered monthly or periodically at intervals not to exceed ninety (90) days at the direction of the Board of Supervisors and shall be due when rendered. A bill shall be deemed rendered when mailed United States mail, postage prepaid, or when delivered to the consumer's address shown on the application for service. No partial payment of any bill rendered will be accepted by District unless authorized by the District Manager, in writing indicating the reason therefore, such as a contested billing, consumption, or hardship. It is the Customer's responsibility to keep the Billing Address current as well as any contact information. The District assumes no responsibility in notifying the Customer beyond sending letters to the address on the application for service or Utility Service Agreement or update thereof.

SECTION 14. DELINQUENT BILLS; LIENS IN FAVOR OF DISTRICT;  
PROCEDURES FOR CONTESTING CHARGES: Delinquent utility fees and charges, including charges for effluent and standby charges, shall be deemed liens upon the real property or premises as provided by law, and may be foreclosed as provided by law. All statements and billings for utility services shall be due upon the due date. As a result, the period of delinquency for past due accounts will run from the date statements and billings are rendered. All utility bills shall be paid when rendered to avoid discontinuance of service and the imposition of late

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

payment be added to accounts which have an unpaid balance as of the posted due date indicated on the monthly bill. Water service may be discontinued, if an account remains unpaid fifteen (15) days after the posted due date. Written notice will be given a minimum of five (5) days prior to discontinuance. Any consumer contesting any statement or billing shall first present same to the District utility department with a statement of explanation or contest in writing not more than 30 days after the disputed statement or billing is rendered. If the matter is not then resolved, the utility department shall, within fourteen (14) days of receiving the consumer complaint, forward the billing and written statement to the District Manager. If the matter is not then resolved, the District Manager shall, within seven (7) days of receiving the consumer complaint, notify the consumer in writing that the matter will be heard before a panel consisting of the District Manager or his designee, and a representative of the District staff. Notice shall be given to the aggrieved consumer at least seven (7) days prior to the scheduled hearing by mailing said notice to the address which appears on the consumer's utility billing, or by personal service by leaving a copy of said notice at such address either by delivery to any person upon the premises, by posting in a conspicuous place on or about the main entrance. Refusal by any consumer to accept service of notice thereof shall be noted upon the notice when returned, and shall be deemed a waiver by the consumer of the opportunity for hearing provided herein, in which case the determination of the District Manager shall be final. The hearing shall be conducted during normal business hours at District Offices, or the panel and the aggrieved consumer may agree to a time which is mutually convenient to all. If during the hearing process an adjustment to the billing is made, a refund to the consumer shall be rendered either by check or as a credit to the consumer's active account within fourteen (14) days as determined by the District Manager. If, after this hearing, the matter is not resolved, then the consumer may request an appearance before the Board of Supervisors, in which event all documents, transcripts,



**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

findings, and statements shall be transmitted forthwith to the District Manager for further disposition. If the matter is not resolved, then the matter shall proceed to the Board of Supervisors. It shall be the duty of the District Manager to notify the consumer of the public hearing at which the consumer is to appear before the Board of Supervisors, by mail or delivery of notice as provided in this Section. The decision of the Board of Supervisors shall be final.

SECTION 15. ADJUSTMENT OF BILLS; METER READINGS AND INSPECTIONS:

When a consumer is determined by District to have been overcharged or undercharged as a result of incorrect meter reading, defective metering, incorrect application of rate schedule fees and charges, or mistake in billing, the amount so determined may be credited or billed to the consumer, as the case may be. The adjustment shall be accomplished over a period not to exceed ninety (90) days, unless otherwise directed by the District Manager and so noted on the account. District may read and inspect meters periodically to determine their condition and accuracy and as a basis for periodic billings. If a consumer requests an inspection or re-reading of a meter more frequently than once per every six months, the District may impose a service charge therefore in accordance with Section 9 of these rules.

SECTION 16. ACCESS TO PREMISES: As a condition to providing service, the consumer shall grant to District or its authorized agents or employees access to consumer's property during all reasonable hours and, in the event of an emergency, at any time, for the purposes of reading meters or maintaining, inspecting, repairing, installing or removing District's property, and for any other purposes incident. to performance under or termination of any agreement with a consumer or such consumer's predecessor in interest or use of the facilities or services made accessible to the District by the consumer or to be relocated by the District.

SECTION 17. INSPECTIONS OF CONSUMER'S INSTALLATION: District reserves

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

the right to inspect and approve any consumer installation prior to providing service and from time to time thereafter to ensure compliance with applicable laws, Rules of the District, and regulations affecting such installation. No changes to any consumer installation which will materially affect proper operation of District utility system shall be made by a consumer without express written consent of the District Engineer and approval of the District Manager. Consumer shall be responsible for the cost of making changes or repairs resulting from any unauthorized alteration, and the District may require payment or reimbursement therefore as a condition to continued service.

SECTION 18. PROTECTION OF DISTRICT PROPERTY: In the event of any damage to District property located upon consumer's property which arises out of any act of consumer or agents, employees or independent contractors upon the premises, the cost of repairs or replacement shall be the responsibility of the consumer, and full payment or reimbursement to District therefore may be imposed by District for the continuation of service.

SECTION 19. CHANGE OF OCCUPANCY; TERMINATION OR TRANSFER OF SERVICE: It shall be the obligation of the consumer to notify the District of change of occupancy or ownership of property as it relates to standby or connection fees or other circumstances for which termination or transfer of service is requested. The consumer shall be responsible for all service charges incurred to the date upon which written or personal notification is received by District, after which District shall have a reasonable time not to exceed seventy-two (72) hours in which to discontinue service. As a convenience to consumers, District will accept telephone notice to discontinue or transfer service, provided written notice is given to District within seventy-two (72) hours thereafter. If no written notice is received within seventy-two (72) hours, the District is not required to discontinue service.

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

SECTION 20. RESUMPTION OF SERVICE: After termination or discontinuance of service as provided herein, the District may require as a condition precedent to service resumption payment in full or adequate security in the form of security deposits to cover all costs reasonably incurred by District as the result of such termination or discontinuance, including any re-connection fees, meter installation or removal and re-installation costs, inspection costs, or other costs incident thereto in accordance with District's schedule of fees and costs for such services then in effect.

SECTION 21. CONTINUITY OF SERVICE: The District will at all times use reasonable diligence to provide continuous service, and having used reasonable diligence, shall not be liable to the consumer for failure or interruption of continuous service. The District shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accident, litigations, breakdowns, shutdowns for repairs or adjustments, acts of sabotage, terrorism (domestic or foreign) enemies of the United States, wars, governmental interference, acts of God or other causes beyond its control.

SECTION 22. MAINTENANCE AND STANDARDS: All pipes, conduits or other component parts of service installed in or upon the premises of a utility or stormwater system consumer shall conform to District standards of type, quality, quantity and regulations regarding installation. Consumer shall be responsible for maintaining all on site facilities in proper repair, and shall not alter or modify any interconnection of service without first notifying District and securing approval therefore in writing or by permission from an authorized representative of District's utility department. Unauthorized alteration or modification of any on site utility service interconnection may result in immediate termination of the affected service and repair or restoration by District or at its direction at the consumer's costs.

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

SECTION 23. METERS: Each consumer of the District receiving water or effluent service must have a water meter and an effluent meter which measure flow and which the ultimate basis for water and effluent charges. All water and effluent meters shall be furnished by, installed by and remain the property of the District and shall be accessible to and subject to its control. Meters are not transferable to another residence or business site. The consumer shall provide meter space to the District at a suitable and readily accessible location and when the District considers it advisable, within the premises to be served, adequate and proper space for the installation of meters and other similar devices.

Before a meter is installed, all applicable meter fees, connection fees and any other applicable fees and charges must be paid.

The meters to be furnished by the District shall be sized to be compatible with the existing line and main sizes according to District standards and specifications at the consumer's expense. The consumer shall be required to provide a proper service connection and service line in accordance with the District standards and specifications. Meter sizes, other than those originally specified or intended, shall be as approved by the District Engineer and the District Manager.

SECTION 24. ALL WATER AND EFFLUENT THROUGH METER: That portion of the consumer's installation for water and effluent services shall be arranged so that all water and effluent service shall pass through the meters. No person shall make or cause to be made any connection with any main, service pipe, or other pipes, appliances or appurtenance used for or in connection with the District's water and effluent systems in such manner as to cause to be supplied water or effluent from such plant to any faucet or other outlet whatsoever without such water or effluent passing through a meter provided by the District and used for measuring and

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

registering the quantity of water or effluent passing through the same, or make or cause to be made, without the consent of the District, any connection with any such plant or any main, pipe service pipe or other instrument or appliance connected with such plant in such manner as to take or use, without the consent of the District, any water or effluent.

SECTION 25. METER TESTING: The District reserves the right to remove the meter and check, repair, or replace it at any time at no cost to the consumer. Should a consumer desire his meter to be checked at any time, he may have this work done by submitting a written request accompanied by a fee in accordance with the rate schedules of the District in effect at the time of such testing. Should the meter be tested and found to be registering over two (2%) percent more than is actually used, the last three months service bill will be adjusted accordingly, the meter will be repaired or replaced, and the fee returned. In any other case, the amount of the fee shall be retained by the District to defray the cost of testing.

SECTION 26. BACKFLOW PREVENTION DEVICE REQUIREMENT, TESTING, REPAIR AND REPLACEMENT: The Florida Administrative Code requires Public Water Systems to maintain a Cross Connection Control (CCC) Plan. The purpose of the CCC Plan is to prevent backflow through cross-connections of the various types of customer connections with the Dunes CDD Public Water System. All potable water service connections served by the District must be equipped with a properly configured and functioning backflow prevention device. All non-single family residential account customers within the District are responsible for installation, testing and repair of the backflow prevention device connected to the public water system.

An annual test of each testable backflow prevention device is required and shall be performed by a state-certified backflow prevention device tester. The District shall perform or have performed

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

backflow device testing annually and shall charge the customer for applicable services as referenced in Schedule A - Water, Wastewater and Effluent Rates and Charges.

A copy of the annual device test report shall be provided to the customer. When device testing results indicate failure of the test criteria, the District shall provide a written notice to the customer indicating a failed test result was realized. The customer shall be provided ten (10) working days from the date of written notification to repair or replace the device and provide copy of passing test result performed by certified device tester to the District. Should the District fail to receive the certified passing test result within the allotted time, the District shall perform, or have performed by state certified fire device testing and repair company, the necessary device repairs or replacement and re-test activities and charge the billing account on file for all related costs. Failure to comply with the provisions of this notice may result in termination of service.

SECTION 27. DAMAGING, TAMPERING WITH, ALTERING, FACILITIES OF UTILITY PLANT OR SYSTEM INCLUDING THE STORMWATER SYSTEM: No person shall: damage or knowingly cause to be damaged or take any action which reasonably could be expected to damage any meter or water, wastewater or effluent facilities connected with or belonging to a District water, wastewater or effluent system, or stormwater system, or tamper or meddle with any meter or other appliance or any part of such system in such manner as to cause loss or damage to the District; prevent any meter installed for registering water or effluent from registering the quantity which otherwise would pass through the same; alter the index or break the seal of any such meter; in any way hinder or interfere with the proper action of just registration of any such meter; fraudulently use, waste or suffer the loss of water or effluent passing through any such meter, pipe or fitting, or other appliance or appurtenance connection with or belonging to such system after such meter, pipe, fitting, appliance or appurtenance has

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

been tampered with, injured or altered. No person shall operate or tamper with any hydrant belonging to the District. Any such damage, tampering with, operating, or tampering with the Facilities of the District will result in the individual or entity being prosecuted to the full extent of the law.

SECTION 28. PRIVATE FIRE SERVICE CONNECTION: A private fire service connection is to be used for fire purposes only and is to have no connection whatsoever with any service lines or outlet that may be used for other than fire purposes. There shall be a backflow preventer installed by the consumer at his expense in each such connection, as authorized by the District.

The consumer shall not draw any water whatsoever through this connection for any purpose except the extinguishing of fires, or for periodic tests of the fire system, which tests shall be made in the presence of a representative of the District. Any authorized representative of the District shall have free access to the building at any reasonable time for the purpose of inspecting any of the equipment.

The consumer shall set in this connection at the point of delivery, a District approved double detector check valve assembly with a by-pass on which shall be set a meter, installed and approved by District at consumer's expense, the purpose of which shall be to indicate whether or not water is being used through this connection and for the further purpose of showing any leakage, if same exists. All meters shall become the property of the District.

Any private fire service connection that incorporates extraneous usages (e.g. fire pump packing flushing, accessible hose or fire line connection, unsecured service outlet, ETC.) shall require review and approval by the District prior to installation. Private fire service connection that incorporates such extraneous usages or potable water service shall be subject to the charges

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

set forth in Schedule A Water, Wastewater and Effluent Rates and Charges.

Violation by the consumer of any of the regulations in this section shall justify the District to disconnect said pipe or pipes, or stop the flow of water through same.

The right is reserved by the District to shut off the supply at any time in case of accident, or to make alterations, extensions, connections, or repairs and if possible, the District agrees to provide notice of scheduled service interruption.

The District does not make any guarantee as to a certain pressure in the pipe or in the main supplying same, and shall not be, under any circumstances held liable for loss or damage to the owner for a deficiency or failure in the supply of water, whether occasioned by shutting off of water in case of accident or alteration, extensions, connections or repairs, or for any cause whatsoever.

When fire line valves or connections are used in case of fire or for any other reason whatsoever, the consumer shall immediately notify the District and the District shall forthwith reseal the used valves or connections.

SECTION 29. TERMINATION OF SERVICE: All utility service shall be pursuant to proper permit or application, which procedure accords the District the opportunity to provide for orderly expansion of facilities and regulation thereof in a manner calculated to ensure continuous service to all consumers. Inherent in this obligation is the governmental prerogative of necessity to terminate consumption which is adverse to the continuous, orderly and uninterrupted operation and maintenance of its utility service. Accordingly, the District reserves the right by unilateral act in its sole discretion to refuse service, or to terminate service temporarily, or to discontinue service in all instances when conditions exist which would constitute an emergency of public concern, or when the providing of any service would constitute a threat to the safety,



**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

health or welfare of consumers generally or a significant portion of the consumer population.

When discontinuance or termination of service can be remedied by an act of the consumer, District shall provide notice of remedial action to the consumer in order that service may be continued uninterrupted. The consumer shall complete remedial action within ten (10) working days after notice is provided. Acts considered to be remedial by the consumer, and for which service may be temporarily terminated, discontinued or interrupted are the following:

- (a) Failure to pay for service as described in Section 14.
- (b) Failure of consumer to meet provisions of agreements with the District.
- (c) Failure to correct deficiencies in piping or other components upon consumer's property after reasonable notice thereof.
- (d) Use of service for any other property or purpose than described in the permit or application.
- (e) When requested by consumer, in which case resumption of service shall be accomplished in accordance with District policy as herein provided.

The District reserves the right by unilateral act in its sole discretion to refuse service, terminate service temporarily, or to discontinue service without notice under the following circumstances:

- (a) Causing, or allowing to exist, a hazardous condition with respect to the location, use of, or access to any utility service or component.
- (b) Alteration or modification of any transmission or metering component or device used in providing any utility service to the consumer. Any such unauthorized use, if fraudulent, may result in criminal prosecution and may result in restitution of revenue lost to the District as a condition to restoration of service, including costs of repair or restoration of any meters or

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

components to normal service condition, as shall be determined by District.

(c) Total or partial destruction of, or abandonment of, any structure, including any vacancy for a duration which, in District's opinion, may create a hazardous or unsafe condition or constitute a nuisance.

PART II WATER, WASTEWATER AND EFFLUENT UTILITIES

SECTION 30. CONSERVATION:

A. Daily Operations: As a provider of irrigation services, the District encourages the conservative and judicious use of water for irrigation purposes within the District. The following water conservation measures shall be in effect at all times:

1. Use of irrigation water is prohibited between the hours of 10:00 a.m. and 4:00 p.m., Saturday through Thursday, and is prohibited entirely on Fridays.
2. Residential Customers: On days other than Fridays, residential customers whose addresses end in even numbers (e.g., 634 Dunes Drive) may irrigate during permitted hours on Tuesdays, Thursdays and Sundays. On days other than Fridays, residential customers whose addresses end in odd numbers (e.g., 635 Dunes Drive) may irrigate during permitted hours on Mondays, Wednesdays and Saturdays.
3. Common Area Customers shall present a conservation plan to the Board for consideration and approval to address the specific circumstances of the common areas.
4. Golf Course Customers: Golf Course customers shall be limited to an

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

average 500,000 gpd of irrigation during the time when conservation measures are in effect.

5. Irrigation of newly planted turf, sod or landscaping is exempt from the requirements of this rule, provided that notice of such use is provided in writing to the District prior to planting. Such exemption shall remain in effect for a period of thirty days. Each account shall be entitled to one exemption per calendar year except by affirmative vote of the Board of Supervisors.

Any and all utility customers whose irrigation usage exceeds the limits included in this section may be charged double commodity rates (i.e., the commodity rate then in effect shall be multiplied by two) for the overage. Failure to abide by conservation measures imposed by this rule may result in discontinuance of irrigation service in the sole discretion of the District.

B. Emergency Operations: When the District's supply of irrigation water becomes critically low and/or the District's ability to produce irrigation water is reduced, the District Manager, in consultation with the District Engineer, may determine that the District implement the following emergency water conservation measures:

1. Residential Customers' irrigation shall be limited to two days per week, during the hours permitted under A.1 above;
2. Golf Course Customers' irrigation shall be limited to a specified volume per week. The specified volume shall be determined at the time emergency operations are instituted.

The District will operate under these emergency measures until the District Manager, in consultation with the District Engineer, determine that the District's irrigation storage levels have become acceptable and/or the District's ability to produce irrigation water has returned to

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

normal levels.

Utility customers will be provided notice of implementation of emergency operations as soon as possible upon a determination of necessity by the District. Advance notice is not required. Notice may be provided by posting signs, mailing notice to customers, various forms of electronic communication, or any other manner deemed reasonable by the District Manager.

In order to provide for local implementation of the water conservation rule for landscape irrigation of the St. Johns River Water Management District, the District hereby adopts the St. Johns River Water Management District Rule 40C-2.042(2)(a) and (b), F.A.C. with the following exceptions:

40C-2.042 (2)(a)1. g. – Delete this section.

Violation of any provision of this rule shall be subject to the following penalties:

First violation	Written Warning
Second violation	\$50.00
Subsequent violation	Fine not to exceed \$500

Each day in violation of this Ordinance shall constitute a separate offense. Failure to abide by conservation measures imposed by this rule may result in discontinuance of irrigation service in the sole discretion of the District. In addition, the District may take any other appropriate legal action, including, but not limited to, injunctive action to enforce the provisions of this Article.

SECTION 31. GENERAL; DECLARATION OF POLICY: The District owns, operates and maintains water, wastewater and effluent systems which serve residents within the District.

New development may require the extension of mains to provide service, as well as expansion of

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

facilities to accommodate new development. In some instances, the District in anticipation of expansion of its systems due to growth and development has already provided mains for service thereof. The cost of providing extensions, notifications, and expansions of facilities is to be borne by property owners, builders or developers within the District's area to defray the costs of these extensions, notifications, and expansions. The allocable share of each is to be charged as described herein. It is the declared policy of the District by this Rule to establish a uniform method of determining charges for availability of services so that all such contributions shall be non-discriminatory among the various consumers served by the District's systems and shall be applied as nearly as possible with uniformity to all consumers and prospective consumers within District's service areas. District specifically reserves its rights to fix and determine rates, charges and contributions required for the provisions, consumption, operation, maintenance, extension, and expansion of its utility services as provided herein and as authorized by law including but not limited to the ability to enter into developer agreements to ensure the orderly and timely provision of service. Each consumer is hereby notified that the District, in the exercise of its governmental responsibility to provide for the welfare of all consumers of its utility services, has the authority and responsibility to amend its schedules of rates, charges, and contributions from time to time to ensure the perpetuation of service.

SECTION 32. EASEMENTS AND RIGHTS OF WAY: As a prerequisite to the construction or installation of any effluent, water distribution or wastewater collection lines or appurtenances proposed to be connected to the facilities of the District, the developer shall agree to grant to the District all easements or rights of way required by the District and pertaining to the proposed facilities. Such grant or conveyance shall be in the form satisfactory to the District. Such conveyances, when located on the property of developer, shall be made without cost to the District. District reserves the right to require such easement or right of way to the point at which

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

the meter is proposed to be installed or at the point of delivery of service, being the point at which the facilities of District join with consumers. Such easements and right of way shall be conveyed and accepted upon completion, approval and acceptance of the work done by developer.

SECTION 33. INSPECTION: The District shall inspect the installation of all effluent, water distribution or wastewater collection facilities installed by developer or developer's contractors at the point of delivery, which facilities are proposed to be transferred to the District for ownership, operation and control. These facilities must meet the same infiltration criteria as that of District owned systems. Such inspections are intended to assure that effluent, water and wastewater lines and/or lift stations are installed in accordance with approved designs and are further consistent with the criteria and specifications governing the kind and quality of such installation. Representatives of the District may be present at tests of component parts of effluent or water distribution or wastewater collection systems for the purpose of determining that the facilities, as constructed, conform to the District's criteria for exfiltration, infiltration, pressure testing, line and grade. Such tests will be performed by developer or developer's contractor, but only under the direct supervision of the engineer of record or his authorized inspector. The results of such testing shall be certified by the engineer of record. The District shall be notified at least 48 hours prior to any inspections or testing performed in accordance with these regulations.

SECTION 34. TRANSFER OF CONTRIBUTED PROPERTY - BILLS OF SALE: Each developer who has constructed portions of the effluent and water distribution and wastewater collection system prior to interconnection with District's existing facilities, shall convey such component parts of the effluent and water distribution and wastewater collection system to

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

District by bill of sale in form satisfactory to the District, together with such evidence as may be required by District that the effluent and water distribution and wastewater collection system proposed to be transferred to District is free of all liens and encumbrances, prior to the District providing service to the property.

Any facilities in the category of consumers lines, plumbers lines or consumers installation, located on the discharge side of the effluent or water meter or on the consumer's side of the point of delivery of service shall not be transferred to District and shall remain the property of developer, a subsequent owner-occupant or their successors and assigns. Such consumer's lines, plumbers lines or consumers installation shall remain the maintenance responsibility of developer or subsequent consumers.

District shall not be required to accept title to any component part of the effluent or water distribution or wastewater collection system as constructed by developer until the District Engineer has approved the construction of said lines, accepted the tests to determine that such construction is in accordance with the criteria established by District and the Board of Supervisors has evidenced its acceptance of such lines for District's ownership, operation and maintenance.

Developer shall maintain accurate cost records establishing the construction costs of all utility facilities constructed by developer and proposed to be transferred to District. Such cost information shall be furnished to District concurrently with the bill of sale and such cost information shall be a prerequisite for the acceptance by District of the portion of the effluent or water distribution and wastewater collection system construction by developer. District may refuse connection and deny the commencement of service to any consumer seeking to be connected to portions of the effluent or water distribution and wastewater collection system

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

installed by developer until such time as the provisions of this paragraph have been fully met by developer or developer's successors or assigns.

SECTION 35. IMPROVEMENTS AND EXTENSIONS TO EFFLUENT, WATER AND WASTEWATER SYSTEM AND UTILITY INSPECTION FEES: The District shall be responsible for the financing, construction and operation of major mains, lift stations, force mains and related appurtenances hereinafter referred to as major facilities as identified in the District's Utility Master Plan; provided however that the District may enter into agreements with one or more developers to provide for the funding of such facilities. Any other distribution or collection facilities not specifically identified in said plan will be the responsibility of the landowner and/or developer hereinafter referred to as "subdivision facilities." The subdivision facilities will be designed in accordance with District standards and the developer may choose one of the two following procedures for the design and construction of subdivision facilities:

1. Developer may request the District, through its consulting engineers to design the subdivision facilities and shall advance the funds to the District as required to pay engineering invoices incurred by the District in said design. Such advances will be non-reimbursable and may be required to be posted in total prior to the District's authorization for its engineers to commence the work.

Upon the completion of the design the District will solicit competitive bids and award same in accordance with the provisions of Chapter 190 F.S. for the construction of the subdivision facilities. The award will be contingent upon the developer advancing to the District funds in the amount of the accepted bid plus 25% for engineering, legal and contingencies. Upon the completion of the subdivision facilities, any monies remaining will be returned to developer within 30 days of receipt of the engineer's certification of completion.



**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

2. Developer may choose his own engineer to design the subdivision facilities in accordance with District rules and regulations and in accordance with the District's design criteria specified in the Manual of Design Standards and Specifications for Dunes Community Development District (Water, Wastewater and Effluent Reuse Construction) 1994 (latest edition) which by reference is incorporated herein, and submit same to the District for review which upon the submittal, developer will pay to the District a permit fee in accordance with Section 4.h.of Schedule A of these rules.

Upon the completion of the design and approval of same by the District, developer may contract directly with a company who has knowledge, professional licenses and expertise in the installation of effluent and water distribution and wastewater collection facilities to install the subdivision facilities. District shall be notified prior to the commencement of construction and will make periodic inspections of the work. Developer agrees to pay to the District an amount equal to 6% of the 110% of the contract amount which will be used to pay engineering, legal, and administrative expenses. District will utilize the amount posted by developer to pay the actual inspection cost and upon completion and certification of the subdivision improvements, any amounts remaining will be reimbursed to the developer within 30 days of receipt of the engineer's certification of completion.

SECTION 36. WASTEWATER SYSTEM PROHIBITIONS: The District is responsible for the financing, construction, and operation of sanitary sewer collection system gravity mains, lift stations, force mains, wastewater treatment facility and related appurtenances hereinafter referred to as the District Sanitary Sewer System (DSSS). No user of the DSSS shall contribute or cause to be contributed, either directly or indirectly, any pollutant or wastewater which shall cause pass through or interference of the DSSS, and no user shall interfere with the operation or performance of the DSSS. These general prohibitions apply to all such users of the DSSS,

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

whether the user is subject to national categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements.

Further, a user may not contribute any of the following substances into the DSSS: any liquids, solids or gases having nature or quantity sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other manner; solid or viscous substances which may cause obstruction to the pipe flow or other interference with the operation of the wastewater treatment facilities, such as, but not limited to, grease, garbage with particles greater than one-half inch, sand, spent lime, stone or marble dust, metal, glass, grass clippings, rags, spent grains/ hops, waste paper, wood, plastics, gas, tar, asphalt residues, lubricating oil, mud, or glass grinding or polishing wastes; any wastewater having a pH less than 5.5 or greater than 9.0 or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the DSSS; any wastewater containing toxic pollutants in sufficient quantity, either singularly or by interaction with other pollutants, that may injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the DSSS effluent, or exceed the limitation set forth in a categorical pretreatment standard; any noxious or malodorous liquids, gases, or solids which, either singularly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair; any substance which may cause the DSSS effluent or any other product, such as residues, sludge, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process, sludge use or disposal criteria; any substance which will cause the DSSS to violate its NPDES or DEP permit, or causes the DSSS to violate sludge disposal permits, or causes the DSSS to exceed water quality based effluent limitations of the receiving waters; any wastewater having a temperature which will inhibit biological activity in the DSSS resulting in interference, but in no

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

event wastewater with a temperature at the introduction into the DSSS which exceeds 40 degrees Celsius; any pollutants, including oxygen demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which a user knows or has reason to know will cause interference to the DSSS; any wastewater containing any radioactive wastes; any wastewater which causes a hazard to human life or creates a public nuisance; any petroleum-based product, including petroleum distillates and other petrochemicals, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through; trucked or hauled pollutants, except as designated by the utility manager; hazardous wastes as defined in 40 CFR 261; any intentional introduction of wastewater derived from a source other than the District public water supply system, unless authorized by the utilities manager or agreement authorized by the District Board of Supervisors; any swimming pool discharge; any intentional introduction of stormwater runoff or surface water inflow; any pollutants which result in the presence of toxic gases, vapors, or fumes within the DSSS in a quantity that will cause acute worker health and safety problems.

When the District determines that any user is contributing to the DSSS any of the above enumerated substances in such amounts as to interfere with the operation of the DSSS, the utility manager shall advise the user of the impact of the contribution to the DSSS, develop effluent limitations for such user to correct the interference with the DSSS, and implement an appropriate schedule for monitoring the effluent to ensure compliance with this Section.

SECTION 37. MANAGEMENT OF FATS, OILS AND GREASES:

If the District determines that a source has caused or is likely to cause a discharge of oil, grease, or sand into the DSSS, the District will require the installation, operation, and maintenance of an interceptor at the source to minimize or eliminate such discharges. The facility owner for such

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

source will be responsible for installing and operating the required interceptor in compliance with these Rules. For purposes of implementing these Rules, restaurants, grills, hotel kitchens, bars, cafeterias, clubs, grocery stores, delicatessens, and multi-family condominium facilities, are presumed likely to discharge oil, grease, or sand into the DSSS.

Facilities likely to discharge fats, oil, and grease, which are newly proposed or constructed, or existing facilities which shall be expanded or renovated to include a food service facility where such facilities did not previously exist, shall be required to install an approved, properly operated and maintained oil and grease interceptor.

The District will review development plans, existing and proposed building uses to determine whether a grease interceptor is required. The design and installation specifications for required interceptors shall be prepared by licensed Engineer and shall be constructed by licensed Contractor in conformance with the Florida Plumbing Code, Florida Administrative Code, and other applicable Federal, State and Local laws, rules, and regulations. The Engineer shall also provide the owner with the interceptor manufacturer's operation and maintenance manual. The manual shall be maintained and available at owner facility for review by District personnel.

Any person required to install or continue using an interceptor under this Section shall be required to operate and maintain the interceptor in good working condition and in accordance with these Rules at the owner's sole cost.

Cleaning and maintenance shall be performed by the user. Cleaning shall include the complete removal of all contents, including floating materials, wastewater, and bottom sludge and solids. Decanting, back-flushing, or discharging of removed wastes back into the oil and grease interceptor from which the waste was removed or any other oil and grease interceptor, for the purpose of reducing the volume to be hauled and disposed is prohibited.

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

The permittee must clean and maintain the interceptor in accordance with the manufacturer's operation manual or as further described in these Rules if more stringent. All Devices shall be pumped out completely at a minimum frequency of **once every ninety (90) days**, or more frequently as needed to prevent carry over of oil and grease into the collection system. Any pumping frequency will be adjusted in writing should it be determined by the Utilities Manager or designee that based on flows, quantity of oil and grease in the discharge, volume of business, hours or operations and seasonal variations, a more frequent pumping schedule is required to maintain compliance with other sections of this rule provision. All Devices shall be deep cleaned **annually** to include pressure cleaning or scraping of the walls, baffles, cross pipes, inlet, and outlet tees and inspected by the user.

Pumpage from oil and grease interceptors and oil/water separators shall be tracked by a manifest that confirms pumping, hauling, and disposal of waste. This manifest shall contain the following information:

Generator Information:        Name, Signature, Contact Person, Address, Telephone No.,  
Date, Time, and Volume pumped

Transporter Information:        Company Name, Address, Telephone No., Driver Name/  
Signature,  
Date, Time and Volume Pumped

Disposal Site Information:        Company Name, Facility Permit #, Address, Telephone No.  
Contact Person(s), Location of Disposal Site/Facility  
Delivery Date, Time and Volume Treated  
Driver Name, Signature, and Vehicle No.  
Name and Signature of Operator Verifying Disposal

The Owner must keep cleaning, maintenance, transport and disposal manifests and repair records for three years thereafter. The permittee must provide the District with access to such records

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

upon reasonable notice during normal business hours.

The permittee must grant the District access to the permittee's facility to allow the District to conduct inspections, at a frequency based generally on the interceptor device pumping and cleaning frequencies described in these Rules.

Any user in the Fats, Oil and Grease Program found in violation of the provisions in these Rules shall be served by the District with written notice by personal delivery by an authorized District employee or by registered or certified mail that states the nature of the violation and providing a reasonable time limit for satisfactory correction of the violation. The affected user shall permanently cease all violations within the period specified in the notice.

The District Board of Supervisors by resolution may adopt other reasonable fees as deemed necessary to carry out the requirements set forth in this rule provision. These fees relate solely to the matters covered by the rule provision and are separate from all other fees, fines, and penalties assessed by the District. These fees are charged to recover the direct costs incurred by the District to implement and enforce the Fats, Oil and Grease Program.

SECTION 38. REFUNDABLE ADVANCES: The District may require, in addition to the contribution provisions set forth herein, a refundable advance by developer to further temporarily defray the cost of any off site extension of effluent and water and/or wastewater mains and pumping stations necessary to connect the developer's property with the terminus of the District's effluent and water and wastewater facilities adequate in size to provide service to the subject property. However, this Rule recognizes instances in which a developer may be required to advance the hydraulic share applicable to other undeveloped property in order that off site facilities may be constructed to serve developer's property and at the same time be sized in accordance with the District's master plan. All amounts expended by developer, over and above

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

developer's hydraulic share for off site facilities shall be refunded to developer in accordance with the terms and conditions of a refunding agreement which the District will execute with developer. The refund agreement shall provide for a plan of refund based upon the connection of other properties, to the extent of their hydraulic share, which properties will be served by the off site facilities installed by developer. Notwithstanding the provisions of this section, the District will limit the life of such refund agreement to a term to be negotiated in said refunding agreement. The District at its sole option may include interest upon the refund of developer's advance and provide for same in the refunding agreement.

SECTION 39. CUSTOMER PROPERTY REQUESTS: In the event the District must perform work for customers, the District has the right to charge the actual labor rate of the District employees, actual material costs, and equipment used at the latest FEMA Equipment Rates as published. The District at its sole discretion will decide if they will perform the work. In the event it is not clear where the repair must be made (whether customer or District property) the District shall provide the diagnosis of the repair at the District's own cost. The District at its sole discretion may decide to use contractors to perform this work and the customer will be charged for this work.

SECTION 40. AFTER HOURS CUSTOMER REQUESTS: For afterhours customer requests, the District shall charge a Minimum of \$500.00 per trip to the Customer's Property. Failure to pay for any of these services will result in the District shutting off water, sewer and reclaimed water service.

SECTION 41. SEVERABILITY: If any section, subsection, sentence, clause, phrase, or portion of this Rule is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

such holding shall not affect the validity of the remaining portions thereof.

Specific Authority: Chapter 190.035(1); 120.54, Florida Statutes

Law Implemented: Chapter 190.031, 190.035(1), 190.036, 190.037, 190.041, 190.012(1) Florida  
Statutes

History - Adopted March, 1989; Revised October, 1993; Revised October, 1995; Revised  
October, 1996; Revised February 12, 1999; Revised April 14, 2000; Revised August 11, 2000;  
Revised October 13, 2000; Revised January 11, 2002; Revised October 11, 2002.; Revised  
August 13, 2004; Revised April 13, 2007; Revised February 13, 2009; Revised December 20,  
2013; Revised November 12, 2021



**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

**APPENDIX A  
RATE SCHEDULES**

**RULES OF THE  
DUNES COMMUNITY DEVELOPMENT DISTRICT**

**APPENDIX B  
PERTINENT DEVELOPER AGREEMENTS**