

**AMENDMENT NO. XIII TO CHAPTER I  
OF THE RULES OF THE  
BAY CREEK COMMUNITY DEVELOPMENT DISTRICT  
RELATIVE TO ITS IRRIGATION UTILITY REGULATIONS  
AND RATES AND CHARGES FOR UTILITY SERVICE**

**1.01 PURPOSE.** The purpose of this amendment is to modify the rates and charges of the District which provide irrigation water to property within the District. This Rule shall apply to all properties and irrigation users within the District,

Specific Authority: Chapter 190.035; 190.012; 120.54, Florida Statutes

Law Implemented: Chapter 190.035, Florida Statutes

History: Revisions I through XII to Chapter I

**1.02 NECESSITY.** To modify rates and charges of the-District which provide irrigation water to property within the District.

Specific Authority: Chapter 190.035; 190.012; 120.54, Florida Statutes

Law Implemented: Chapter 190.035, Florida Statutes

History: Revisions I through XII to Chapter I

**1.03 COMMODITY FEE.**

<b>Description</b>	<b>Gallons Used Per Unit</b>		<b>Commodity Rate</b>
	<b>Minimum</b>	<b>Maximum</b>	<b>Per 1.000 Gallons</b>

**Single Family Residences**

All Platted Single Family Subdivisions with an average lot *size* of 9,000 square feet or less, as determined by the District:

0-16,000	\$0.16
16,001-22,000	\$3.57
22,001-28,000	\$4.34
28,001-34,000	\$5.10
Over 34,000	\$5.86

All Single Family Subdivisions with an average lot size of 9,001 to 13,400 square feet or less, as determined by the District:

0-24,000	\$0.16
24,001-30,000	\$3.57
30,001-36,000	\$4.34
36,001-42,000	\$5.10
Over 42,000	\$5.86

All Platted Single Family Subdivisions with an average lot size of 13,401 to 20,000 square feet or less, as determined by the District:

0-36,000	\$0.16
36,001-42,000	\$3.57
42,001-48,000	\$4.34
48,001-54,000	\$5.10
Over 54,000	\$5.86

All Platted Single Family Subdivisions with an average lot size of 20,001 or greater, as determined by the District:

0-48,000	\$0.16
48,001-54,000	\$3.57
54,001-60,000	\$4.34
60,001-66,000	\$5.10
Over 66,000	\$5.86

**\*Multi-Family**

0-9,000	\$0.16
9,001-10,500	\$3.57
10,501-12,000	\$4.34
12,001-13,500	\$5.10
Over 13,500	\$5.86

\*To determine the rate in effect for a unit within a multi-family project, divide the total gallons used by the number of units connected to the meter in the multi-family project.

Each Commercial ERU shall be charged for their irrigation consumption based on the following schedule.

0-36,000	\$0.16
36,001-42,000	\$3.57
42,001-48,000	\$4.34
48,001-54,000	\$5.10
Over 54,000	\$5.86

**Rights of Way**

Bay Creek Improvement Community Development District's Rights of Way irrigation accounts shall be exempt from the payment of any commodity fee or conservation fee.

**Golf Course**

The District will provide bulk irrigation water to the golf course at the rate of \$0.11 per 1000 gallons.

**Commercial**

Commercial development shall pay the same rates as single family residences with average lot sizes of 13,401 to 20,000 square feet and shall be calculated as follows:

$$\frac{\text{Pervious Square Footage}}{10,750 \text{ Square Feet}} = \text{Number of Equivalent Single Family Units}$$

Specific Authority: Chapter 190.035; 190.012; 120.54, Florida Statutes

Law Implemented: Chapter 190.035, Florida Statutes

History: Revisions I through XII to Chapter I

**1.04 EFFECTIVE DATE.** The Commodity Fee amendment to Chapter I outlined in Section 1.03 of this Rule Amendment of the Bay Creek Improvement Community Development District shall become effective on November 23, 1998.

Specific Authority: Chapter 190.035; 190.012; 120.54, Florida Statutes

Law Implemented: Chapter 190.035, Florida Statutes

History: Revisions I through XII to Chapter I

**STATEMENT OF ESTIMATED REGULATORY COST  
BAYSIDE IMPROVEMENT COMMUNITY  
DEVELOPMENT DISTRICT**

**And**

**BAYCREEK COMMUNITY  
DEVELOPMENT DISTRICT**

**PROPOSED AMENDMENT NO. XIII  
TO CHAPTER I  
IRRIGATION UTILITY REGULATIONS AND RATES AND CHARGES  
FOR UTILITY SERVICE**

1.0 Introduction

This statement of estimated regulatory cost is prepared pursuant to Section 120.54, Florida Statutes to support the rule making action of the Bayside Improvement Community Development District and Baycreek Community Development District as they set rates, fees and charges for their irrigation water utility system.

The purpose of this amendment is to modify the rates and charges of the District which provide irrigation water to property within the District.

2.0 Estimated Costs to the District to Implement the Proposed Rule

2.1 The proposed rule will have little if any cost impact on any federal, state or local agency outside of the District. The cost to the District in terms of paper work and similar processing fees is considered to be an insignificant amount when compared to the overall capital and operating costs of the District's water and wastewater utility system.

District costs to enact the proposed rule include:

1. Attorney's Fees
2. Consulting Engineering Fees
3. Advertising costs associated with the adoption of the rule
4. Copying costs for any interested persons requesting the rule, economic impact statement or the notices of the adoption of said rule

2.2 Operations and Maintenance

The direct cost of operating and maintaining the District's utility system as estimated in the budget will be offset by the adoption of this rule.

### 3.0 Economic Costs and Benefits to all Affected Parties

#### 3.1 Factors governing economic impacts through the imposition of rates, fees and charges.

The proposed increase is a clear form of user fee. Rates, fees and charges are meant to recover the costs identified under paragraph 2.0. Through the adoption of this amendment to the rule, the Districts will be able to provide irrigation water service to properties located within the District which will permit the utilization of said property to its highest and best use. The market place will determine the actual value of the property but clearly the economic benefit exceeds the costs that are anticipated to be incurred through the adoption of this rule and the establishment of the rates, fees and charges.

#### 3.2 Impacts on Visitors, Citizens of Florida, and Local Residents and Business.

There is no anticipated impact on visitors, citizens of Florida or local residents and businesses other than those who are customers of the Districts' irrigation facilities.

### 4.0 Impact on Competition and the Open Market for Employment

#### 4.1 The adoption of the amendment to the rule and the implementation of the rates, fees, and charges will have a positive impact on competition and the open market for employment. The utilization of properties within the District for residential, commercial, and community facility activities will stimulate the local economy creating jobs and income.

### 5.0 Small Business Impacts

#### 5.1 There is no estimated adverse impact on small business as defined in the Florida Small and Minority Business Assistance Act of 1985.

### 6.0 Data and Methodology

#### 6.1 The data and methodology used for this impact statement are contained in the adopted Budget of the Bayside Improvement Community Development District and Baycreek Community Development District for Fiscal Year 2010-2011.

## **STATEMENT OF PURPOSE**

The Bayside Improvement Community Development District and Baycreek Community Development District proposed adoption of Amendment XIII to Chapter I of their Rules to modify the rates and charges of the District which provide irrigation water to property within the District.