

ENROLLED

HB 851

2015 Legislature

1  
 2 An act relating to Manatee County; amending chapter  
 3 63-1598, Laws of Florida; providing that unpaid  
 4 rentals, rates, or charges for services and facilities  
 5 of the utility system constitute a lien on any parcel  
 6 or property affected by such services or facilities;  
 7 providing an effective date.

8  
 9 Be It Enacted by the Legislature of the State of Florida:

10  
 11 Section 1. Section 14 of chapter 63-1598, Laws of Florida,  
 12 is amended to read:

13 Section 14. Collection of Charges; Unpaid Fees to  
 14 Constitute Lien.

15 (a) In the event that the fees, rentals, or other charges  
 16 for the services and facilities of said Utility System are ~~shall~~  
 17 not ~~be~~ paid when due, the County may discontinue and shut off  
 18 the supply of the services and facilities of said Utility System  
 19 and of any other undertaking, utility, or public works owned,  
 20 operated, and controlled by the County, the person, firm,  
 21 corporation, or other body, public or private, so supplied with  
 22 such services or facilities, until such fees, rentals, or other  
 23 charges, including interest, penalties, and charges for the  
 24 shutting off and discontinuance or the restoration of such  
 25 services or facilities are fully paid, and for such purposes may  
 26 enter on any lands, water, and premises of such person, firm,

ENROLLED

HB 851

2015 Legislature

27 corporation, or other body, public or private, within or without  
28 the boundaries of the County. Such delinquent fees, rentals, or  
29 other charges, together with interest, penalties, and charges  
30 for the shutting off and discontinuance or the restoration of  
31 such services or facilities, and reasonable attorneys' fees and  
32 other expenses, may be recovered by the County by suit in a  
33 court of competent jurisdiction. The County may also enforce  
34 payments of such delinquent fees, rentals, or other charges by  
35 any other lawful method of enforcement.

36 (b) In the event that the fees, rentals, rates, or charges  
37 for the services and facilities of said Utility System are not  
38 paid when due, any unpaid balance thereof and all interest  
39 accruing thereon shall be a lien on any parcel or property  
40 affected thereby. Such liens may be enforced in the same manner  
41 as liens of a county water and sewer district pursuant to s.  
42 153.67, Florida Statutes; however, such a lien may not serve as  
43 the sole basis upon which a foreclosure action is initiated.  
44 Such liens shall be equal in rank and dignity with the lien of  
45 all state, County, district, or municipal tax liens and shall be  
46 superior in rank and dignity to all other liens, titles, and  
47 claims until paid.

48 Section 2. This act shall take effect upon becoming a law.