The following guidance addresses Drinking Water Annual Fee Reduction pursuant to Section 218.075, Florida Statutes. A copy of the statutory provision is attached.

1. Applicability – The fee reduction provision applies only to counties of population 50,000 or less on April 1, 1994, until such counties exceed a population of 75,000 and municipalities with a population of 25,000 or less, or for any entity created by special act, local ordinance, or interlocal agreement of such counties or municipalities, or for any county or municipality not included within a metropolitan statistical area, and which meet one of the 5 economic criteria specified in Section 218.075, F.S.

2. Certification – The attached worksheet ‘Request to Reduce/Waive a Current Drinking Water Annual Fee’ identifies the criteria for a reduction of the annual fee pursuant to Section 218.075, F.S. The “governing body” (e.g., Mayor, County Commission Chairman, etc.) signing the worksheet certifies that the cost of the annual fee is a “fiscal hardship” to the City/County or entity thereof by identifying which criteria is being claimed. Backup documentation in support of such claim for Section 218.075, F.S. should be provided, see items 3 and 4 below.

3. Economic Criteria – For example, one of the economic criteria under which communities commonly apply is Section 218.075(1) which is “Per capita taxable value is less than the statewide average for the current fiscal year.” Supporting documentation for this provision, as well as Section 218.075(2) and (4), may be obtained from the Department of Revenue, Research and Analysis Unit at: PTOResearch&Analysis@dor.state.fl.us or fax to 850-617 6108 (FAX on letterhead) and Attention to: Andrew Collins (850-617-8854) or Lizette Kelly (850-617-8865).

4. Financial Criteria – For example, one of the financial criteria under which some entities of a City/County might apply is Section 218.075(5) which is “a state of financial emergency”. Supporting documentation for this provision can be determined by referring to s. 218.503(1). As for Section 218.075(3) please refer to the worksheet.

5. Invoice – The Drinking Water Annual Fee invoice lists the full annual fee amount that would be due without a reduction pursuant to Section 218.075, F.S. This is true even if a fee reduction certification was claimed in previous years. The reason for this is that the certification applies only to the current fiscal year so a ‘new’ certification must be provided to qualify for the reduction in the current year.

6. Payment – For applicants meeting the statutory criteria for fee reduction or waiver under Section 218.075, F.S., the statute limits the amount of the application fee to no more than $100. However, because the cost of issuing a check in that amount and processing the check exceeds $100, if an applicant satisfies the requirements for relief, the fee should be waived in its entirety.

7. Request –Those who wish to apply for fee waiver/reduction should submit the following 3 items:
   - Backup documentation supporting the claim.
   - The completed request worksheet (attached below).
   - A copy of the invoice.

   Please scan and submit these 3 items as one document. Thank you.

Requests to reduce/waive a ‘current’ Drinking Water annual fee should be emailed to Noreen.Biernacki@dep.state.fl.us (850-245-8577)
218.075 Reduction or waiver of permit processing fees.—Notwithstanding any other provision of law, the Department of Environmental Protection and the water management districts shall reduce or waive permit processing fees for counties with a population of 50,000 or less on April 1, 1994, until such counties exceed a population of 75,000 and municipalities with a population of 25,000 or less, or for an entity created by special act, local ordinance, or interlocal agreement of such counties or municipalities, or for any county or municipality not included within a metropolitan statistical area. Fee reductions or waivers shall be approved on the basis of fiscal hardship or environmental need for a particular project or activity. The governing body must certify that the cost of the permit processing fee is a fiscal hardship due to one of the following factors:

1. Per capita taxable value is less than the statewide average for the current fiscal year;
2. Percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year;
3. Any condition specified in s. 218.503(1) which results in the county or municipality being in a state of financial emergency;
4. Ad valorem operating millage rate for the current fiscal year is greater than 8 mills; or
5. A financial condition that is documented in annual financial statements at the end of the current fiscal year and indicates an inability to pay the permit processing fee during that fiscal year.

The permit applicant must be the governing body of a county or municipality or a third party under contract with a county or municipality or an entity created by special act, local ordinance, or interlocal agreement and the project for which the fee reduction or waiver is sought must serve a public purpose. If a permit processing fee is reduced, the total fee shall not exceed $100.

History.—s. 1, ch. 94-278; s. 8, ch. 98-258; s. 25, ch. 2004-305; s. 4, ch. 2012-205.
Request to Reduce/Waive a Current Drinking Water Annual Fee
Pursuant to Section 218.075, F.S.

Applicant
PWS ID: ___________________ System Name: ___________________________________________

Name of County, Municipality, or entity thereof:
___________________________________________________________________________________

Authorized Representative: __________________________________________________________________________

Mailing Address: __________________________________________________________________________________

City: ______________________________________________ State: ______ Zip Code: ____________

Telephone: _____________ Fax: _____________ E-mail: ____________________________________

The undersigned hereby certifies that the above local government meets the population requirements of
Section 218.075, F.S., and (check all of the following that apply to your claim):

☐ The above individual is the applicant for a County, Municipality, or created entity thereof for
which this fee reduction is sought; and

☐ Qualifies for permit processing fee reduction for the **July 1, 2014 through June 30, 2015**
licensing period due to one or more of the following factor(s):

☐ (1) The per capita taxable value is less than the statewide average for the current fiscal year;

☐ (2) The percentage of assessed property value that is exempt from ad valorem taxation is higher
than the statewide average for the current fiscal year; or

☐ (4) Ad valorem operating millage rate for the current fiscal year is greater than 8 mills;

*Note: The Department of Revenue does NOT decide qualification for fee waiver. The Department of Environmental Protection will be the reviewer of all claims.

☐ (3) Any condition specified in Section 218.503, F.S., that determines a state of financial
emergency;

☐ (5) A financial condition that is documented in annual financial statements at the end of the
current fiscal year and indicates an inability to pay the permit processing fee during that fiscal year.

The above factors are supported by the attached documentation…

Based on this certification, the applicant above hereby requests that the Department of Environmental
Protection reduce the Drinking Water Annual Operating License Fee for the above County,
Municipality, or created entity thereof to $100 or waive the fee in its entirety.

**Signature of Applicant:** __________________________________________ **Date:** __________

**Title:** __________________________

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