

ORDINANCE NO. 2018-037

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING CHAPTER 20 OF THE CODE OF ORDINANCES, "UTILITIES," BY AMENDING ARTICLE V, "RATES AND CHARGES," SECTION 20-82, "SCHEDULE OF RATES, FEES AND CHARGES," BY AMENDING SUBSECTION 20-82(8), "OUTSIDE CITY CUSTOMERS," TO REDUCE THE SURCHARGE FOR WATER AND WASTEWATER SERVICES PROVIDED TO OUTSIDE CITY CUSTOMERS FROM TWENTY-FIVE PERCENT (25%) TO FIFTEEN PERCENT (15%); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek operates a water and sewer utility that serves customers both inside and outside the City's corporate limits; and

WHEREAS, Section 180.191(1)(a), Fla. Stat. (2018), allows a municipality to add a surcharge of not more than twenty-five percent (25%) of the rates, fees and charges for the service to customers outside the municipal boundaries; and

WHEREAS, the City of Coconut Creek currently charges a surcharge of twenty-five percent (25%) to all customers outside the City limits; and

WHEREAS, the City Commission finds it to be in the best interest of the customers serviced by the City of Coconut Creek to reduce the surcharge from twenty-five percent (25%) to fifteen percent (15%) for customers outside the municipal boundaries.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:

Section 1: That the forgoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance.

Section 2: That Chapter 20 of the Code of Ordinances of the City of Coconut Creek, "Utilities," Article V, "Rates and Charges," Section 20-82, "Schedule of rates, fees and charges," Subsection 20-82(8), "Outside city customers," shall be amended to read as follows:

(8) *Outside city customers.* All classes of customers who receive water and/or wastewater services from the system and whose property is located outside the corporate limits of the City, shall be charged a ~~twenty-five (25) percent~~ fifteen percent (15%) surcharge, as is authorized ~~provided for by F.S. § Section 180.191, Fla. Stat.,~~ over and above the rates and fees reflected in the above table charges. The surcharge shall apply to those rates and charges listed in subsections (1) through (7).

Section 3: That the surcharge reduction shall apply to all bills rendered February 1, 2018, and thereafter regardless of when water/sewer services may have been used.

Section 4: That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 5: That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 6: That the provisions of this ordinance shall be codified within the Code of Ordinance of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform to the Code of Ordinances.

Section 7: That this ordinance shall become effective upon its passage on the second and final reading.

PASSED FIRST READING THIS 13TH DAY OF DECEMBER, 2018.

PASSED SECOND READING THIS 24TH DAY OF JANUARY, 2019.

Joshua Rydell, Mayor

Attest:

Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Rydell	<u>Aye</u>	<u>Aye</u>
Welch	<u>Aye</u>	<u>Absent</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Aye</u>