

ORDINANCE NO. 2014-15

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 74, UTILITIES, SECTION 74-2, AVAILABILITY OF WATER AND SEWER SERVICE; CONNECTION TO CITY SYSTEM AND SECTION 74-10, WATER, SEWER AND RECLAIMED WATER SERVICE, PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it is well known that the water and wastewater infrastructure of the United States requires major investment to sustain the economic vitality and life styles to which citizens have become accustomed; and

WHEREAS, it is important to implement an effective capital improvement program, including a renewal and replacement component, in order to effectively and proactively sustain current water, wastewater, and reclaimed water infrastructure as well as better accommodate the impacts of such things as wear and tear, regulations, and new customers upon these systems; and

WHEREAS, analysis has determined the current schedule of rates, fees, and charges may be modified to more accurately recover the costs associated with the provision of water, wastewater, and reclaimed water services; and

WHEREAS, city council finds that the proposed schedule of fees and charges is reasonable and fair to fund the department's costs involved in the provision of water, wastewater, and reclaimed water services; and

WHEREAS, the commitment of a group of city residents, known as the Utility Rate Study Stakeholder's Work Group representing a variety of utility system customer categories, who participated with city staff and consultants to engage in a study of the utility's financial plan and schedule of rates, were instrumental in the successful accomplishment of these endeavors; and

WHEREAS, analysis has determined a more fair and equitable distribution of rates, fees, and charges amongst all reclaimed water utility customer categories.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The Whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. Chapter 74, Utilities, Article I, In General, Section 74-2, Availability of water and sewer service; connection to city system (b), Wastewater service availability, is amended to read as follows:

Sec. 74-2. Availability of water and sewer service; connection to city system.

- (b) *Wastewater service availability.* A sewerage system shall be considered available when city ~~water~~ wastewater lines exist in a public right-of-way or easement which abuts the property or is within 100 feet of the property, and if gravity flow can be maintained from the building drain to the sewer line.

SECTION 3. Chapter 74, Utilities, Article I, In General, Section 74-10, Water, sewer and reclaimed water rates, (a) Schedule of charges, (3) Reclaimed water service, is amended to read as follows:

Sec. 74-10. Water, sewer and reclaimed water service.

- (a) *Schedule of charges* There is hereby established the following schedule of charges for the use, or reasonable availability for use, of the services of the city water and wastewater system. The monthly readiness for service charge is for the reasonable availability for the use of the system and shall be due regardless of whether the system is actually used.

(1) and (2) no change

(3) Reclaimed water service

- a. *Monthly readiness for service charge. (not applicable to low pressure customers or high pressure customers) - {no change to table O}*

b. and c. no change

- d. *Monthly reclaimed water billing charge per reclaimed water customers. (not applicable to low pressure customers or high pressure customers) - {no change to table R}*

SECTION 4. Severability. If for any reason a provision of this ordinance or the application thereof to any person, group of persons, or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the ordinance are severable.

SECTION 5. Effective Date. This ordinance shall take effect immediately upon its adoption as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, THIS ____ DAY OF JUNE 2014.

First Reading: May 27, 2014

Final Reading:

Adoption:

John W. Holic, Mayor

Attest:

Lori Stelzer, MMC, City Clerk

Approved as to form:

David Persson, City Attorney

*The City of Venice Code of Ordinances is amended as follows
with ~~strike through text~~ identifying deletions and underlined text indicating additional language.*