

Temp. Ord. No. 1811
3/29/23
4/5/23

**CITY OF MIRAMAR
MIRAMAR, FLORIDA**

ORDINANCE NO. 23-09

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA, APPROVING CODE AMENDMENTS TO CHAPTER 21 ENTITLED "UTILITIES," ARTICLE VI ENTITLED "RATES, CHARGES, BILLING AND COLLECTION PROCEDURES," AND SECTION 21-224, ENTITLED "MONTHLY SERVICES CHARGES APPLICABLE IRRESPECTIVE OF SERVICE USAGE," TO ALLOW FOR MONTHLY SERVICE AVAILABILITY FEES FOR ALL PROPERTIES LOCATED IN THE CITY IRRESPECTIVE OF CONNECTION TO THE CITY'S WATER AND/OR SEWER UTILITY SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 21-224, "monthly services charges applicable irrespective of service usage" of the City Code, needs to be amended to allow for monthly service availability fees for all properties located in the city irrespective of connection to the city's water and/or sewer utility system; and

WHEREAS, the City Manager recommends that the City Commission approves the amendment to Section 21-224, "monthly services charges applicable irrespective of service usage" of the City Code; and

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of the City of Miramar to amend Section 21-224, "monthly services charges applicable irrespective of service usage" of the City Code.

Ord. No. 23-09

Temp. Ord. No. 1811
3/29/23
4/5/23

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MIRAMAR, FLORIDA AS FOLLOWS:

Section 1: That the foregoing “**WHEREAS**” clauses are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

Section 2: That the City Commission approves the amendment to Section 21-224, “monthly services charges applicable irrespective of service usage” of the City Code and is amended to read as follows¹:

Sec. 21-224. ~~Monthly services charges applicable~~ availability fee irrespective of ~~service usage~~ connection.

Monthly service availability fees as stated in Section 21-223, shall apply to all properties located within the City’s limits that are connected to the City’s utility system or have it available for connection ~~water and sewer services charges shall apply to all service addresses connected to the city’s water and sewer utility system regardless of water or sewer usage.~~ The amounts of the service availability fees are set forth in the City’s Schedule of User Fees for Programs, Facilities Services as adopted by Commission Resolution and presented in such schedule as monthly water and wastewater service charge.

¹Proposed additions to existing City Code text are shown by underlining; proposed deletions from existing City Code text are shown by ~~strike through~~.

Temp. Ord. No. 1811
3/29/23
4/5/23

The service availability fee shall be amended by resolution of the City Commission from time to time. These service charges shall apply to both active and disconnected accounts.

Section 3: That the appropriate City officials are authorized to do all things necessary and expedient in order to carry out the aims of this Ordinance.

Section 4: That this Ordinance shall take effect immediately upon adoption.

Temp. Ord. No. 1811
3/29/23
4/5/23

PASSED FIRST READING: _____ April 12, 2023

PASSED AND ADOPTED ON SECOND READING: _____ May 3, 2023

Mayor, Wayne M. Messam

Vice Mayor, Alexandra P. Davis

ATTEST:

City Clerk, Denise A. Gibbs

I HEREBY CERTIFY that I have approved
this ORDINANCE as to form:

City Attorney,
Austin Pamies Norris Weeks Powell, PLLC

<u>Requested by Administration</u>	<u>Voted</u>
Commissioner Winston F. Barnes	Yes
Commissioner Maxwell B. Chambers	Yes
Commissioner Yvette Colbourne	Yes
Vice Mayor Alexandra P. Davis	Yes
Mayor Wayne M. Messam	Yes