

CITY OF HOMESTEAD, FLORIDA

ORDINANCE NO. 2023-04-09

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER 27 “TOURIST AND MOBILE HOME PARKS,” SECTION 27-11, “DEFINITIONS” TO DEFINE MASTER METER AND SECTION 27-59, “UTILITIES REQUIRED FOR EACH SITE; EXCEPTIONS; LAUNDRY AND SHOWER FACILITIES; WASTE WATER COLLECTION,” TO AMEND THE UTILITIES REGULATIONS GOVERNING MOBILE HOME PARKS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Homestead, Florida (the “City Council”) finds it periodically necessary to amend its Code of Ordinances (the “City Code”) in order to update regulations and procedures to implement municipal goals and objectives; and

WHEREAS, in 1975 the City adopted regulations governing the establishment and operation of mobile home parks, including specifically the requirement that mobile home parks extend utility connections to each mobile home site within the park; and

WHEREAS, the City Council desires to amend Chapter 27 of the City Code to define master meter and clarify the obligations of mobile home park owners to provide utilities within mobile home parks; and

WHEREAS, the City Council finds that this proposed Ordinance serves to further enhance the protection of the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOMESTEAD, FLORIDA:

Section 1. Recitals Adopted. The preceding “Whereas” clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2. City Code Amended. That Chapter 27 “Tourist and Mobile Home Parks,” of the City Code of Ordinances is hereby amended to read as follows¹:

Chapter 27 – TOURIST AND MOBILE HOME PARKS

ARTICLE II. – TOURIST AND TRAILER PARKS

Sec. 27-11. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Master Meter shall mean a meter used to measure all water service usage of a multiple unit property, including but not limited to individual units, common areas and swimming pools.

ARTICLE III. MOBILE HOME PARKS

DIVISION 1. GENERALLY.

¹ ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with highlighted double-strikethrough and double underline.

Sec. 27-59. Utilities required for each site; exceptions; laundry and shower facilities; waste water collection.

- (a) All utilities, including water, electricity and sewage facilities, shall be extended to each mobile home site within the park and shall be made available for connection to each mobile home therein by the Mobile Home Park. The City shall provide water and sewer services to mobile home parks through a Master Meter. The water service account for the mobile home park shall be in the name of the mobile home park owner who must accept full responsibility for the payment of all applicable fees.

Pursuant to this Section 27-59(a), the City will allow water and sewer accounts servicing a Mobile Home Space to remain operative until January 1, 2024 (the "Master Meter Implementation Date"). Following the Master Meter Implementation Date, the City shall close all individual water and sewer accounts servicing Mobile Home Spaces and will bill the mobile home park for all water and sewer services provided to a Mobile Home Park as captured by the Master Meter.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Inclusion in the City Code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the City of Homestead; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Conflicts. All ordinances or parts of ordinances, resolution or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 6. Effective date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED on first reading this 29th day of April, 2022.

PASSED AND ADOPTED on second reading this 19th day of April, 2022.

STEVEN D. LOSNER,
Mayor

ATTEST:

ELIZABETH SEWELL, MPA, MMC, FCRM
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND BENEFIT OF THE CITY ONLY:

WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.
City Attorney

Motion to adopt by Councilwoman Bailey, seconded by Vice Mayor Guzman.

FINAL VOTE AT ADOPTION

<i>Mayor Steven D. Losner</i>	<u>YES</u>
<i>Vice Mayor Julio Guzman</i>	<u>YES</u>
<i>Councilwoman Erica G. Ávila</i>	<u>YES</u>
<i>Councilwoman Jenifer N. Bailey</i>	<u>YES</u>
<i>Councilwoman Patricia D. Fairclough- Staggers</i>	<u>YES</u>
<i>Councilman Sean L. Fletcher</i>	<u>YES</u>
<i>Councilman Larry Roth</i>	<u>YES</u>