

ORDINANCE 05-2021

AN ORDINANCE OF THE CITY OF SAN ANTONIO, FLORIDA AMENDING THE CITY UTILITY CODE TO PROVIDE FOR MISCELLANEOUS CHARGES AND PROCEDURES FIRST BY WATER COMMISSIONER RULES AND REGULATIONS, THEN BY RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WITNESSETH

WHEREAS, the City Commission of the City of San Antonio, Florida proposes to amend THE City Code to allow for establishment and amendment of miscellaneous charges such as turn-ons and turn offs, and other service calls; and

NOW THEREFORE, BE IT ORDAINED this 20<sup>th</sup> day of APRIL, 2021, as follows:

**Section One.** Providing for Miscellaneous Charges and Procedures First By Water Commissioner Rules and Regulations, and Then By Resolution.

DIVISION 3. - FEES, CHARGES AND DEPOSITS

Sec. 80-42. - Monthly service rates and charges; customer liability; miscellaneous charges and procedures.

(e) ~~Payment for services~~ Miscellaneous charges and procedures. Miscellaneous charges for service calls, including without limitation service turn-ons, turn-offs, general service calls, etc., may be established by resolution of the commission, except that new types of miscellaneous charges may be established in the water commissioner's rules and regulations as the need arises, and then once established for a period of time sufficient to ensure viability, shall be adopted by resolution of the commission and modified by resolution from time to time as needed. But in no event shall miscellaneous charges be in effect without commission approval in excess of six (6) months. The water commissioner's rules and regulations shall may establish the procedure and deadlines for payment for services, delinquent accounts until such time as those procedures and deadlines are established for a period of time sufficient to ensure viability, but not more than six (6) months, and then shall be adopted by resolution of the commission and modified by resolution from time to time as needed.

**Section 2. Severability Clause.**

Should any sentence, paragraph, section or provision of this Ordinance or any portion thereof, the deletion of which would not adversely affect (in the general sense) the remainder, be declared by

a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder, as a whole or any part thereof, other than the part declared to be invalid, and in doing so, the court shall attempt to adhere to the legislative intent.

**Section 3. Conflicts.**

All ordinances or parts of ordinances in express conflict with any of the provisions of this Ordinance, which cannot be harmonized by interpretation considering the intent of this Ordinance, are hereby repealed.

**Section 4. Inclusion in the Code.**

It is the intention of the City Council, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the city. Section numbering and lettering may be revised to fit the Code.

**Section 5. Effective Date.**

This Ordinance shall take effect immediately upon passage.

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This Ordinance was read for the first time at the regular ☒ special ☐ session of the City Commission held on MARCH 16 20 21. The vote was as follows:

	Yes	No	Abstain	Absent
Commissioner/Mayor Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Bassinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Markley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commissioner Schrader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Vogel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The final reading was held on 20 day of April, 20 21, at a regular ☒ special ☐ session of the City Commission, and this Ordinance was adopted ☒; rejected ☐.


The vote was as follows:

	Yes	No	Abstain	Absent
Commissioner/Mayor Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Bassinger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Markley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Schrader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Vogel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**ATTEST:**

  
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Rick Alley, City Clerk

**CITY OF SAN ANTONIO, FLORIDA**

  
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Mark Anderson, Mayor

**APPROVED AS TO FORM:**

  
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Gerald T. Buhr, City Attorney