

LEGISLATIVE #

110377

ORDINANCE NO. 110377

AN ORDINANCE OF THE CITY OF GAINESVILLE, FLORIDA, AMENDING APPENDIX A, SECTION UTILITIES (1) ELECTRICITY SUBSECTION i1(C)(vii). OF THE GAINESVILLE CODE OF ORDINANCES BY AMENDING THE RATE SCHEDULE FOR SOLAR ENERGY PURCHASE AGREEMENTS OF THE FEED-IN TARIFF; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN IMMEDIATE EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

WHEREAS, at least ten (10) days notice has been given of the public hearings once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of the public hearings in the City Commission meeting room, first floor, City Hall, City of Gainesville; and

WHEREAS, the public hearings were held pursuant to the published notices described above, at which all interested parties had an opportunity to be, and were, in fact, heard.

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

Section 1. Appendix A, Section Utilities (1) Electricity subsection i1(C)(vii). Distributed Resources Rates of the Gainesville Code of Ordinances is hereby amended to read as follows:

UTILITIES

(1) Electricity

i. Distributed Resources Rates (§ 27-27):

1. General Provision.

(C). Solar Energy Purchase Agreement (SEPA)/FIT: This rate shall be applicable to all classes of electric customers and non-customers located within the utility electric distribution service area.

(vii) The solar FIT class determination is defined here within and the rate is established in accordance with the following schedule which is subject to periodic review and subsequent revision to the rates as recommended by the general manager, or his/her designee, and

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

adopted by the City Commission in the exercise of its sole discretion:
Class 1: Building or pavement-mounted systems less than or equal to 10 kW DC or freestanding ground-mounted systems (non-building or non-pavement-mounted) less than or equal to 10 kW DC.
Class 2: Building or pavement-mounted systems greater than 10 kW DC and less than or equal to 300 kW DC, or freestanding ground-mounted systems (non-building or non-pavement-mounted) greater than 10 kW DC and less than or equal to 25 kW DC
Class 3: Freestanding ground-mounted systems (non-building or non-pavement-mounted) greater than 25 kW DC.

Contract Entered into Under This Policy During Calendar Year	Fixed Rate per kWh Applied Uniformly From the Date of Installation Through December 31,	Fixed Rate \$/kWh Over Life of Contract		
		<u>Class 1</u>	<u>Class 2</u>	<u>Class 3</u>
2009	2029	\$0.32	N/A	\$0.26
2010	2030	\$0.32	N/A	\$0.26
2011	2031	\$0.32	\$0.29	\$0.24
<u>2012</u>	<u>2032</u>	<u>\$0.24</u>	<u>\$0.22</u>	<u>\$0.19</u>

Section 2. All ordinances in conflict herewith are to the extent of such conflict hereby repealed.

Section 3. It is the intention of the City Commission that the provisions of Section 1 of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered or re-lettered in order to accomplish such intentions.

Section 4. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application hereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

Section 5. This ordinance shall take effect immediately upon its adoption; provided however, the rates and charges as provided for herein shall be applicable to all monthly bills which are for the first time rendered and postmarked after 12:01 A.M., January 1, 2012.

PASSED and ADOPTED this ____ day _____, 2011.

CRAIG LOWE
MAYOR

ATTEST:

KURT M. LANNON
CLERK OF COMMISSION

Approved as to form and legality

MARION J. RADSON
CITY ATTORNEY

This ordinance passed on first reading this ____ day of _____, 2011.

This ordinance passed on second reading this ____ day of _____, 2011.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.