

Legistar No. 980362

CITY OF GAINESVILLE
Office of the City Attorney

Memorandum
334-5011/Fax 334-2229
Box No. 46

TO: Mayor and City Commission

DATE: ~~September 14, 1998~~ September 28, 1998

FROM: Marion J. Radson, City Attorney

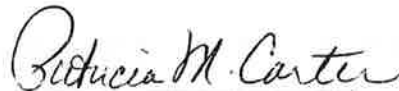
~~FIRST READING~~
SECOND READING

SUBJECT: Ordinance No. 0-98-96
An ordinance of the City of Gainesville, Florida, amending subsection 27-241(a) of the Code of Ordinances relating to the stormwater management utility changing the utility fee to \$5.25/ERU; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date in accordance with the schedule herein.

Recommendation: The City Commission adopt the proposed ordinance.

At its meeting on August 24, 1998, the City Commission authorized the City Attorney to draft and the Clerk to advertise an ordinance amending the Stormwater Management Utility fee from \$5.00 to \$5.25/ERU.

Prepared by:


Patricia M. Carter
Assistant City Attorney

Approved and
Submitted by:


Marion J. Radson
City Attorney

MJR:PC:sw

Passed on first reading by a vote of 5-0.

Ordinance No. 0-98-96

An ordinance of the City of Gainesville, Florida, amending subsection 27-241(a) of the Code of Ordinances relating to the stormwater management utility changing the utility fee to \$5.25/ERU; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date in accordance with the schedule herein.

WHEREAS, at least 10 days notice has been given once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the City Commission Auditorium in City Hall, City of Gainesville; and

WHEREAS, a Public Hearing was held pursuant to the published notice described at which hearing the parties in interest and all others 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. Subsection 27-241(a) of the Code of Ordinances of the City of Gainesville is amended to read as follows:

Sec. 27-241. Authority for service charges.

(a) *Authorization.* The stormwater management utility is empowered by this article to establish charges for the use and discharge to the City's stormwater management system. Such charges shall be based on the cost of providing stormwater management services to all properties within the City and may be different for properties receiving different classes of service. The monthly fee to be charged for stormwater management for each equivalent residential unit (ERU) shall be ~~five dollars (\$5.00)~~ \$5.25.

Section 2. It is the intention of the City Commission that the provisions of Section 1 of

1 this Ordinance shall become and be made a part of the Code of Ordinances of the City of
2 Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may be
3 renumbered or relettered in order to accomplish such intentions.

4 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
5 or unconstitutional by any court of competent jurisdiction, then said holding shall in no
6 way affect the validity of the remaining portions of this ordinance.

7 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
8 such conflict hereby repealed.

9 **Section 5.** This ordinance shall take effect immediately upon its adoption; provided,
10 however, the rates and charges provided for herein shall be applicable to all monthly bills
11 which are for the first time rendered and postmarked after 12:01 A.M., October 1, 1998.

12
13 **PASSED AND ADOPTED** this _____ day of _____, 1998.
14

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17 _____
18 PAULA M. DeLANEY
19 MAYOR
20

21 **ATTEST:** Approved as to form and legality
22

23
24
25 _____
26 KURT M. LANNON MARION J. RADSON
CLERK OF THE COMMISSION CITY ATTORNEY

27 This Ordinance passed on first reading this _____ day of _____, 1998.

28 This Ordinance passed on second reading this _____ day of _____,
29 1998.

30
31 carter:ordinances:0-98-96 SMU rate change

