

**CITY OF GAINESVILLE**  
Office of the City Attorney

Memorandum  
Box No. 46; 334-5011

TO: Mayor and Members of the  
City Commission

DATE: September 24, 2001

FROM: Marion J. Radson  
City Attorney

FIRST READING

SUBJECT: ORDINANCE NO. 0-01-47

AN ORDINANCE AMENDING CHAPTER 27, UTILITIES ARTICLE IV WATER AND SEWERAGE; AND APPENDIX A, SECTION UTILITIES (4) SEWERAGE OF THE GAINESVILLE CODE OF ORDINANCES CREATING POLICIES AND PRICING FOR RECLAIMED WATER SERVICE; PROVIDING A REPEALING CLAUSE; PROVIDING DIRECTIONS TO THE CODIFIER; PROVIDING A SEVERABILITY CLAUSE; AND, PROVIDING AN EFFECTIVE DATE IN ACCORDANCE WITH THE SCHEDULE PROVIDED HEREIN.

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Recommendation: The City Commission adopt the proposed ordinance.


Background:

In order to encourage the expansion of the water reuse program, pilot project opportunities have been pursued and on January 22, 2001, the City Commission authorized the installation of a residential reclaimed water system to serve Haile Plantation Unit 34, Phase IV. With this system in place, we must now adopt the appropriate ordinance revisions, which were authorized by the City Commission on August 27, 2001, to implement policies and pricing consistent with the Commission Action.

GRU proposes a flat rate charge of \$10 a month for reclaimed water in areas where GRU has paid to construct the entire reclaimed water distribution system to provide services to individual lots.

GRU has already expended funds to construct the approved reclaimed water distribution systems. The combined revenue and the disposal benefit make these systems cost effective when compared to other means of disposal.

Prepared by: David Richardson  
David Richardson   
Senior Water/Wastewater Engineer

Reviewed by: Raymond O. Manasco, Jr.  
Raymond O. Manasco, Jr.   
Utilities Attorney

Submitted by: Marion J. Radson  
Marion J. Radson  
City Attorney

ORDINANCE NO. 001734  
0-01-47

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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 hearings in 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. Section 27-126.1(c) of Chapter 27, Utilities Article IV Water and Sewerage of the Gainesville Code of Ordinances is amended to read as follows:

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

1 **Sec. 27-126.1. Same-Installation charges.**

2 (c) *Water meter for water consumption not returned to the wastewater system.*

3 Except as otherwise provided herein, any water customer may have the city  
4 install a separate water meter for the measurement of water not returned to the  
5 wastewater system or for irrigation purposes. The water used through this  
6 separate meter will be billed as a separate service and under the same  
7 provisions applicable to any existing water service but will not be subject to a  
8 monthly wastewater consumptive use charge or initial wastewater connection  
9 charges.

10 (1) Customers using this method of metering will be charged the nonresidential  
11 wastewater rate for water metered through the water meter supplying  
12 general water service.

13 (2) Customers installing a separate 5/8" water meter for irrigation purposes  
14 where reclaimed water is not available shall not be assessed initial flow-  
15 based water or wastewater connection charges.

16 (3) New installation of water meters for irrigation purposes are prohibited ~~if~~  
17 reclaimed water is available to the customer from the city; ~~flow-based~~  
18 ~~connection charges shall be applied to the additional water meter~~  
19 ~~installation and service.~~

20 **Section 2.** Sections 27-169(a) and (b) of Chapter 27, Utilities Article IV Water and  
21 Sewerage of the Gainesville Code of Ordinances is amended to read as follows:

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

1 **Sec. 27-169. Rates and charges.**

2 (a) *Rates.* There is hereby established a schedule of monthly rates and charges for  
3 the use of or availability for the use of wastewater collection, treatment and  
4 disposal services, including reclaimed water service, ~~to read as set out in the~~  
5 ~~schedule in Appendix A, which in part is based on the amount of water used from~~  
6 ~~the City's water system~~ subject to the following:

7 (1) Wastewater service charges shall be billed to and be the responsibility of  
8 the customer responsible for paying the water bill at any specific location.

9 Provided, Hhowever, no water customer of the city that is not connected to  
10 the wastewater collection system of the city and is not otherwise subject to  
11 wastewater service charges shall be charged for wastewater service.

12 (2) The Appendix A rates for reclaimed water service shall not apply where the  
13 terms and conditions of such service are otherwise provided by contract  
14 between the city and customer which is in existence at the time of adoption  
15 of this ordinance.

16 (b) *Surcharge for entities and customers outside corporate limits.* A surcharge equal  
17 to twenty-five (25) percent shall be applied to the following:

18 (1) Connection Charges, as defined herein, associated with new service  
19 connecting to the City's wastewater system outside the corporate limits of  
20 the city.

21 (2) The rates charged to customers for the use of wastewater collection,

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1 treatment and disposal services, including reclaimed water service,  
2 furnished by the city to consumers outside the corporate limits of the city.

3 The United States of America, the State of Florida and all political subdivisions,  
4 agencies, boards, commissions and instrumentalities thereof and all recognized  
5 places of religious assembly of the State of Florida are hereby exempt from the  
6 payment of the surcharge imposed and levied hereby.

7  
8 **Section 3.** Appendix A, Section Utilities(4) Sewerage of the Gainesville Code  
9 of Ordinances is amended to read as follows:

10 (4) Sewerage:

11 h. Rates for reclaimed water service (§ 27-169):

12 1. Rate for unlimited use, per month, per bill rendered.....\$10.00

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14 **Section 4.** All ordinances in conflict herewith are to the extent of such conflict  
15 hereby repealed.

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17 **Section 5.** It is the intention of the City Commission that the provisions of Sections  
18 1,2, and 3 of this Ordinance shall become and be made a part of the Code of Ordinances of  
19 the City of Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may  
20 be renumbered or relettered in order to accomplish such intentions.

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1           **Section 6.** If any portion of this ordinance is declared invalid by a court of  
 2 competent jurisdiction, such invalidity shall not affect the remaining portions of this  
 3 ordinance.

4           **Section 7.** This ordinance shall take effect immediately upon its adoption;  
 5 provided however, the rates and charges as provided for herein shall be applicable to  
 6 all monthly bills which are for the first time rendered and postmarked after 12:01 A.M.,  
 7 November 1, 2001.

8           **PASSED and ADOPTED** this \_\_\_\_\_ day \_\_\_\_\_, 2001.

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 11 \_\_\_\_\_  
 12 Thomas D. Bussing  
 13 Mayor

14 ATTEST:

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 17 \_\_\_\_\_  
 18 Clerk of the Commission

19 Approved as to form and legality

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 22 \_\_\_\_\_  
 23 Marion J. Radson  
 24 City Attorney

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 26 This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2001.

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 28 This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2001.  
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