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ORDINANCE NO. 120438

An ordinance of the City of Gainesville, Florida, amending Appendix A, Utilities, (1) Electricity, i. Distributed Resources Rates, 1. General Provision, (C) Solar Energy Purchase Agreement/Solar Feed-In-Tariff (SEPA), (vii), of the Code of Ordinances of the City of Gainesville, by amending rates for the Solar Feed-in-Tariff program; 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.

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

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

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

20 **Section 1.** Appendix A, Utilities, (1) Electricity, i. Distributed Resources Rates, (C)
21 Solar Energy Purchase Agreement/Solar Feed-In-Tariff (SEPA), (vii), of the Code of Ordinances
22 of Gainesville, Florida, is hereby amended to read as set forth below. Except as amended herein,
23 the remainder of Utilities, 1, i, 1(C), remains in full force and effect.

24 UTILITIES

25 (1) Electricity

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

27 1. General Provision.
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CODE: Words ~~stricken~~ are deletions; words underlined are additions.

(C) Solar Energy Purchase Agreement/Solar Feed-In-Tariff (SEPA): 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 Feed-In-Tariff 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 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		
		Class 1	Class 2	Class 3
2009	2029	\$0.32	N/A	\$0.26
2010	2030	\$0.32	N/A	\$0.26
2011	2031	\$0.32	\$0.29	\$0.24
2012	2032	\$0.24	\$0.22	\$0.19
<u>2013</u>	<u>2033</u>	<u>\$0.21</u>	<u>\$0.18</u>	<u>\$0.15</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

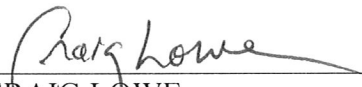
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1 or re-lettered in order to accomplish such intentions.

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

7 **Section 5.** This ordinance shall take effect immediately upon its adoption; provided
8 however, the rates and charges as provided for herein for 2013, shall be applicable to all
9 contracts entered into between 12:01 a.m., January 1, 2013, and, midnight on December 31,
10 2013.

11 **PASSED AND ADOPTED this 20th day December, 2012.**

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15 _____
16 CRAIG LOWE
17 MAYOR

18 ATTEST:

19 
20 _____
21 KURT M. LANNON
22 CLERK OF COMMISSION

23 Approved as to form and legality

24 
25 _____
26 NICOLLE M. SHALLEY
27 CITY ATTORNEY

28 This ordinance passed on first reading this 6th day of December, 2012.
29 This ordinance passed on second reading this 20th day of December, 2012.

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