

ORDINANCE 15 - 12

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA, AMENDING CHAPTER 38, ARTICLE III OF THE CITY OF ALACHUA CODE OF ORDINANCES RELATING TO WATER SERVICE AS FOLLOWS: AMENDING SECTION 38-100 EXTENSION OF WATER LINES AND AMENDING SECTION 38-101 WATER CAPITAL FACILITY CHARGE, REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the City of Alachua adopted a "Code of Ordinances, City of Alachua, Florida" consisting of Chapters 1-40 on September 27, 2010;

WHEREAS, Chapter 38, Article III of the Code of Ordinances provides for Water Service within the City;

WHEREAS, Chapter 38, Article III sections 100 – Extension of waterlines and section 101 – Water capital facility charge have not been updated since approximately 1983;

WHEREAS, Chapter 38 Article III sections 100 and 101 are in need of updating in order to comply with the current industry standards; and

WHEREAS, for reasons set forth in this ordinance that is hereby adopted and incorporated as findings of fact, that the Alachua City Commission finds and declares that the enactment of this amendment is in the furtherance of the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF ALACHUA, FLORIDA:

Section 1. Interpretation of Recitals

The above recitals are true and correct and incorporated in this ordinance.

Section 2. Findings of Fact and Conclusions of Law

The authority for the enactment of this ordinance includes Chapter 166, and 180, of the Florida Statutes.

Section 3. Amendment to the Code of Ordinances

A. Chapter 38 Article III Sec. 38-100 is hereby amended to read as follows:

Where existing water lines must be extended in order to provide water service to an applicant, such applicant for water service ~~must pay to the City, prior to the extension of such lines, a charge of \$5.00 per foot to partially defray the cost of the City of such extension. The City Staff may make extensions of water lines costing \$10,000 or less at the actual cost of the extension.~~ **is responsible for the design, permitting and construction cost for the water line extension. The City reserves the right to approve the design. The City reserves the right to require over size water lines for extensions. The City may pay the difference of the oversized water line material cost. Extended water lines will be turned over to the City for approval and acceptance. Water line extensions shall be installed in right-of-ways or the applicant shall provide the City with an easement across the private property in the form approved by the City.**

B. Chapter 38 Article III Sec. 38-101 is hereby amended to read as follows:

- (1) Water meter size and type **shall** ~~to~~ be approved ~~determined~~ by the Public Services Director, or designee.
- (2) Maximum continuous flow rate is determined by American Water Works Association (AWWA) procedures for continuous testing of water meters.
- (3) ~~Fire mains shall be metered with a turbine meter.~~ **Consumers shall install a fire line meter or a double detector check meter device approved by the Public Services Director or designee for new fire service connections. Consumers shall install a fire line meter in applications where fire pumps are present and periodic testing is required. The customer shall bear the full cost of the fire ~~main~~ line meter or the detector check meter. Fire line meters shall be testable and equipped with a bypass. Fire ~~main~~ line meters and detector check meters are not subject to water capital facilities charges. Fire ~~main~~ line meters and**

~~detector check meters~~ are subject to monthly consumption charges (dollars per gallon of water consumed) at the prevailing rate for potable water. Fire ~~mains~~ line meters and ~~detector check meters~~ are subject to monthly consumer charges. Fire line meters and ~~detector check meters~~ shall not be charged wastewater consumption charges unless the fire line ~~main~~ ultimately discharges to the wastewater system. When unauthorized water is used through a detector check meter in three or more billing periods in one calendar year, it shall be replaced with a fire line meter. The consumer shall bear the full cost of the meter replacement. Unauthorized use of water is defined as non-fire fighting water or water use without prior notification and approval of the City of Alachua.

- (4) Consumers shall install residential fire sprinkler connections on the customer side of the water meter where fire sprinkler systems are required. Fire sprinkler connections shall be installed in accordance with the Florida Building Code.

Section 4. Inclusion in the Code of Ordinances

It is the intent of the City Commission of the City of Alachua that the amendments in Section 3 above shall be incorporated into and be made a part of the Code of Ordinances of the City of Alachua, Florida and that the sections of this ordinance may be renumbered or relettered and that the word “ordinance” be changed to “section”, “article” or other appropriate designation to accomplish this intention and incorporation.

Section 5. Correction of Scrivener’s Error

The City Manager or designee, without public hearing, is authorized to correct any typographical errors which do not affect the intent of this ordinance. The corrected copy shall be incorporated into the Code of Ordinances and made a part of the public records of the City of Alachua.

Section 6. Ordinance to be Construed Liberally

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed to be in the best interest of the public health, safety and welfare of the citizens and residents of the City of Alachua, Florida.

Section 7. Repealing Clause

All ordinances or parts of ordinances in conflict with this ordinance shall be repealed to the extent they are in conflict with this ordinance.

Section 8. Severability

It is the declared intent of the City Commission of the City of Alachua that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by any court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance, and the remainder of the ordinance after the exclusions of such part or parts shall be deemed to be valid.

Section 9. Effective Date

This ordinance shall take effect upon its passage and adoption.

PASSED on first reading the 28th day of September 2015.

PASSED and **ADOPTED**, in regular session, with a quorum present and voting, by the City Commission, upon second and final reading this 12th day of October, 2015.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor

SEAL

ATTEST:

APPROVED AS TO FORM

Traci L. Cain, City Manager/Clerk

Marian B. Rush, City Attorney