

Schedule A Modification to Stormwater Utility Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 110 OF THE MIAMI BEACH CITY CODE, ENTITLED "UTILITIES"; AMENDING ARTICLE III THEREOF, ENTITLED "STORMWATER UTILITY," AMENDING SECTION 110-109 THEREOF ENTITLED "STORMWATER UTILITY FEES," BY AMENDING APPENDIX A THERETO ENTITLED "FEE SCHEDULE," TO INCREASE THE STORMWATER UTILITY SERVICE CHARGE IMPOSED BY THE CITY AS OF OCTOBER 1, 2016; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City owns and operates a Stormwater Utility System ("System"), which is currently funded by a stormwater utility service charge; and

WHEREAS, a Capital Improvement Program (the "Program") has been developed to implement stormwater improvements for the System; and

WHEREAS, it is necessary to finance the Program through the issuance of Stormwater Revenue Bonds; and

WHEREAS, the schedule of rate increases proposed herein will provide sufficient revenues for the payment of principal and interest on the proposed Stormwater Revenue Bonds; and

WHEREAS, the rate increases proposed herein include funding for additional costs for operation and maintenance of the System.

WHEREAS, this ordinance changes the storm water utility service charge effective on or after October 1, 2016, from \$16.67 to \$22.67; and

WHEREAS, the amendment set forth below is necessary to accomplish all of the above objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. That Chapter 110, "UTILITIES," Article III "STORMWATER UTILITY," at Section 110-109, entitled "Stormwater utility fees," at Appendix A to Section 110-106 is hereby amended as follows:

* * *

Chapter 110 - UTILITIES

* * *

ARTICLE III. – STORMWATER UTILITY

* * *

Sec. 110-109. - Stormwater utility fees.

* * *

(c) The fee assessed against each account shall be determined by multiplying the stormwater utility service charge as specified in Appendix A by the number of ERUs for each account. The amount of such fee shall be shown as a separate item on water bills (or as shown on a stormwater utility bill if no water bill is issued) and shall be paid by the owner, tenant or occupant in possession of the premises at the same time and in the same manner as is provided in this chapter for the payment of water bills.

* * *

**APPENDIX A
FEE SCHEDULE**

<i>Section this code</i>	<i>Description</i>	<i>Amount</i>
	* * *	
110-109(c)	Stormwater utility service charge effective with billings on or after the following dates shall be as follows:	
	* * *	
	October 1, 2009	\$ 9.06
	October 1, 2014	\$16.67
	October 1, 2016	<u>\$22.67</u>
	* * *	

SECTION 2. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and, the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the first day of October 2016.

PASSED and **ADOPTED** this _____ day of _____, 2016.

ATTEST:

City Clerk Rafael Granado

Underscore denotes new language
~~Strikethrough~~ denotes removed language

Mayor Philip Levine

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

202.1

City Attorney

8/19/16

Date

[Signature]