ORDINANCE NO. 2023-416

AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PARKER (ORDINANCE NO. 2010-349, AS AMENDED); AMENDING CERTAIN PROVISIONS OF CHAPTER 82 OF THE CODE OF ORDINANCES RELATING TO UTILITY SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR THE LIBERAL CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR CODIFICATION AND REPEALER CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER AS FOLLOWS:

Section 1. The Table of Contents of Chapter 82 of the Code of Ordinances, City of Parker, Florida, is hereby amended to read as follows:

Division 2. Distribution, Usage, Service

Sec. 82-51. Content of division.
Sec. 82-52. Service and payment.
Sec. 82-53. Commencement of service.
Sec. 82-54. Meters, valves, pipes, other materials.
Sec. 82-55. Administrative fee.
Sec. 82-56. Tapping fee.
Sec. 82-57. Service fee.
Sec. 82-58. Bad check charges.
Sec. 82-59. Deposit required.
Sec. 82-60. Fire protection.
Sec. 82-61. Basis for billing if meter fails to register.
Sec. 82-62. Allowance not made for leaks on customer's side of meter.
Sec. 82-63. Private water systems.
Sec. 82-64. Mandatory connections.
Sec. 82-65. New subdivision connections.
Sec. 82-66. Access.
Sec. 82-67. Water shortage.
Sec. 82-68. Monthly water rate and impact fee.
Sec. 82-69. Application for city services.

Secs. 82-70--82-90. Reserved.

Section 2. Section 82-59 of the Code of Ordinances, City of Parker, Florida, is hereby amended to read as follows:

Sec. 82-59. Deposit required.

A deposit will be required (over and above the tapping fee or any impact fee) for all new customers. Upon termination of service, any outstanding obligation of the customer for water or sewer services shall be paid from the deposit, and any excess shall be refunded to the customer. If the customer leaves no forwarding address or mail addressed to the last known address of the customer is returned, any refund due such customer shall be paid to the general fund of the city six months following termination of service. The city shall establish a utility deposit fund, and all funds received pursuant to this section shall be deposited therein. The current deposit for a single residential customer shall be $300.00. The current deposit in the case of meters solely relating to irrigation systems not discharging into the city's sewer system is currently $85.00. The deposit for commercial businesses, industrial users and multifamily residential units shall be determined and adjusted from time to time by the city on the basis of estimated usage and, for those commercial businesses that are anticipated to use a large quantity of water, the city shall estimate a three-month consumption, and the applicant shall pay such sum as a deposit for water, plus the first month estimated consumption charge, before water will be furnished to the applicant. The current deposit for a fire hydrant meter is currently set at $650.00. Where water is afforded to a customer outside the city limits, the customer shall pay a deposit in accordance with the foregoing, plus a surcharge of 25 percent thereof. Any customer with service not included in the foregoing shall pay a deposit as determined by the city to be appropriate to the circumstances. The foregoing deposits may be adjusted from time to time by the city by Resolution. All deposits are refundable (less any unpaid billings) upon termination of city utility services.

Section 3. Section 82-69 of the Code of Ordinances, City of Parker, Florida, is hereby added to read as follows:

Sec. 82-69. Application for city services.

An applicant for water, sewer, trash or any other utility service provided by the city shall complete an application for such on a form approved by the city.

Section 4. Severability.

If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Scrivener's Errors.

The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee, without public hearing.

Section 6. Ordinance to be Liberally Construed.

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 7. Codification.

The provisions of this Ordinance shall become and be made part of the Code of the City. 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 8. Repeal of Conflicting Codes, Ordinances, and Resolutions.

All codes, ordinances and resolutions or parts of codes, ordinances and resolutions or portions thereof of the City of Parker, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 9. Effective Date.

This Ordinance shall take effect immediately upon its passage.

PASSED, APPROVED AND ADOPTED at a Meeting of the City Council of the City of Parker, Florida as of the 1st day of August, 2023.

CITY OF PARKER

Andrew Kelly, Mayor

ATTEST:

Donna Perdue, Acting City Clerk

Examined and approved by me, this 1st day of August, 2023.

Andrew Kelly, Mayor