

ORDINANCE NO. 2016 -12

AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 20 "UTILITIES", ARTICLE IV "RATES AND CHARGES", DIVISION 2 "WATER", SECTION 20-96 "MAJOR WATER LEAKS; PROVIDING FOR AUTHORITY, PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Mary Esther, Florida finds it necessary and in the interest of the public to amend the current policy and procedure for calculating adjustments for major water leaks;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA

NOTE: Language contained within this ordinance that is ~~struck through~~ is proposed to be deleted, language which is underlined is proposed to be added, and \*\*\*\* denotes a section or sections of the existing Code that have been skipped and is/are to remain unchanged.

SECTION I. AUTHORITY. This ordinance is adopted pursuant to Article VIII, Section 2(b), of the Florida Constitution, and Chapter 166, Florida Statutes.

SECTION II - AMENDING. The following section of the City's Code of Ordinances is hereby amended as indicated below.

CHAPTER 20 - "UTILITIES"  
ARTICLE IV - "RATES AND CHARGES"  
DIVISION 2 - "WATER"

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Sec. 20-96. - Major water leaks.

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- (b) Water bills will be adjusted according to an average of the previous six (6) months' water sewer utility bills prior to the leak being discovered, ~~times two (2).~~ or according to the City's administrative policy when six (6) month's history of water utility service with the City of Mary Esther does not exist.
- (c) The resident or property owner must provide evidence, to the city, as detailed in the City's administrative policy that a legitimate problem did exist and has been corrected in a timely manner, before a leak adjustment can be approved.
- (d) The City will create and revise the major leak adjustment administrative policy by resolution, to set and revise the detailed requirements for implementation and administration of utility account adjustments due to customer water leaks and associated repairs.

**SECTION III - SEVERABILITY**

Should any part of this ordinance be declared unconstitutional or void by a court of competent jurisdiction, the remaining parts shall remain in full force and effect.

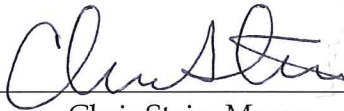
**SECTION IV - CONFLICT**

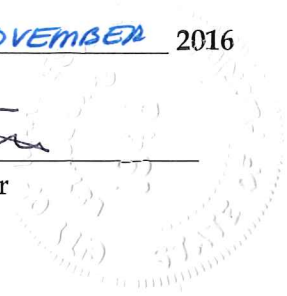
This Ordinance shall prevail over all prior Ordinances or Resolutions or parts thereof in conflict herewith.

**SECTION V - EFFECTIVE DATE.**


This Ordinance shall become effective upon adoption on second reading and execution by the Mayor.

SO DONE this 7<sup>th</sup> day of NOVEMBER 2016

By:   
Chris Stein, Mayor



ATTEST:

  
Dana L.S. Williams, CMC  
City Clerk

First Reading: 10/17/16  
Published: 10/21/16  
Second Reading: 11/7/16