

**CITY OF HOMESTEAD, FLORIDA**

**ORDINANCE NO. 2023-03-05**

**AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE CITY OF HOMESTEAD CODE OF ORDINANCES BY AMENDING CHAPTER 28 "UTILITIES", ARTICLE VIII "ELECTRICITY", DIVISION 4 "ELECTRIC DISTRIBUTION SYSTEM", SECTION 28-320 "ELECTRIC LINE EXTENSION POLICY AND PROCEDURE", BY ESTABLISHING REVISED FEES AND CHARGES FOR EXTENSION WORK PERFORMED BY THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the extensive development which has occurred and is continuing to occur in the City, places a burden on the electric utilities resources of the City; and

**WHEREAS**, it is appropriate to accurately fund the resources which are required to continue to meet private development construction schedules and to provide timely electric utilities service extensions by way of a primary fee, as described herein, which assists the City in recovering the City's labor and material costs for installing primary electric cables, transformers, switch cabinets and other necessary equipment; and

**WHEREAS**, the current charges for certain work related to electric utility services do not cover the cost of providing the services being offered; and

**WHEREAS**, an increase in fees is necessary to cover the costs of the electric utility services, as provided herein.

**WHEREAS**, the City Council finds that the adoption of this Ordinance is necessary and is in the best interest of the health, safety and welfare of the City and its residents.

**NOW, THEREFORE, IT IS HEREBY ORDAINED, BY THE CITY COUNCIL OF**

**THE CITY OF HOMESTEAD, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** That each of the above stated recitals are hereby adopted and confirmed.

**Section 2. City Code Amended.** That the City Code of the City of Homestead, Florida is hereby amended by amending Chapter 28 "Utilities", at Article VIII "Electricity", at Division 4 "Electric Distribution System", by amending Section 28-320 "Electric Line Extension Policy and Procedure" to read as follows<sup>1</sup>:

**Sec. 28-320. Electric Line Extension Policy and Procedure.**

The following policies and procedures shall be applicable to all electric line extensions within or without the corporate limits of the City of Homestead:

- a) *Miscellaneous service charges*
- 2) *Line extension policy.*

(i) **Primary Fees:**

~~—\$250.00~~ **\$595.00** for each detached single family home:

~~—\$200.00~~ **\$460.00** for each unit of a multi-family structure:

Plus

~~50%~~ **100%** of all construction costs including labor, equipment and material ~~(excluding transformers)~~ (as calculated by the Utility Director) for commercial, industrial and institutional development.

Primary Fees provided for herein shall be increased on annual basis at the conclusion of the Fiscal Year in an amount equal to the Consumer Price Index.

**Section 3. Severability.** That the provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance

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<sup>1</sup> ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Changes between first and second reading are indicated with highlighted double strikethrough and double underline.

but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 4. Implementation.** That the City Manager and/or his designee is hereby authorized to take any and all actions necessary to implement the fee amendment provided for herein, including but not limited to transmission of this Ordinance and resulting fee schedule to the Public Service Commission as may be required.

**Section 5. Inclusion in the Code.** That it is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of the City of Homestead, that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

**Section 6. Savings.** That charges for electric line extension services which were provided prior to the effective date of this ordinance shall continue to be due and owing at the rate or formula which existed immediately prior to the effective date hereof, until fully paid.

**Section 7. Effective Date.** That this ordinance shall become effective immediately upon adoption at second reading.

**PASSED** on first reading this 22<sup>nd</sup> day of February, 2023.

**PASSED AND ADOPTED** on second reading this 29<sup>th</sup> day of March, 2023.

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STEVEN D. LOSNER,  
Mayor

ATTEST:

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ELIZABETH SEWELL, MPA, MMC  
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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WEISS SEROTA HELFMAN COLE & BIERMAN, P.L.  
City Attorney

Motion to adopt by Vice Mayor Guzman, seconded by Councilman Fletcher.

**FINAL VOTE AT ADOPTION**

<i>Mayor Steven D. Losner</i>	<u>YES</u>
<i>Vice-Mayor Julio Guzman</i>	<u>YES</u>
<i>Councilwoman Erica G. Ávila</i>	<u>YES</u>
<i>Councilwoman Jenifer N. Bailey</i>	<u>YES</u>
<i>Councilwoman Patricia Fairclough-Staggers</i>	<u>YES</u>
<i>Councilman Sean L. Fletcher</i>	<u>YES</u>
<i>Councilman Larry Roth</i>	<u>YES</u>