

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HIGH SPRINGS, FLORIDA; AMENDING SECTIONS OF ORDINANCE 2007-32, OF THE CODE OF ORDINANCES OF THE CITY OF HIGH SPRINGS, FLORIDA GOVERNING CONNECTIONS TO THE CITY'S WATER AND WASTEWATER SYSTEMS; PROVIDING FOR DELETING AND REPLACING IN ITS ENTIRETY THE REQUIREMENTS OF SECTION 7 ENTITLED "CONNECTION TO CITY'S WATER SYSTEM REQUIRED", AND PROVIDING FOR DELETING AND REPLACING IN ITS ENTIRETY SECTION 8 ENTITLED "CONNECTION TO CITY WASTEWATER SYSTEM REQUIRED"; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission adopted Ordinance 2000-21, governing connections to the water and wastewater systems of the City of High Springs, on October 12, 2000; and

WHEREAS, the City Commission adopted Ordinance 2004-04 on March 11, 2004, amending and re-adopting Ordinance 2000-21, governing connections to the water and wastewater systems of the City of High Springs; and

WHEREAS, the City Commission adopted Ordinance 2007-32 on August 9, 2007, amending and re-adopting ordinance 2004-04, governing connections to the water and wastewater systems of the City of High Springs; and

WHEREAS, the City Commission adopted Ordinance 2023-03, an Ordinance pursuant to Chapter 180, Florida Statutes creating a City of High Springs Utilities Service District and authorizing the extension of municipal utilities within the district; and

WHEREAS, the City Commission finds it necessary to establish the requirements of properties connecting to the City's water and wastewater systems in the Utilities Service District;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HIGH SPRINGS, FLORIDA, THAT:

Section 1. The the text of Ordinance 2007-32, Section 7, entitled "Connection to the city's water system required" is hereby deleted and replaced in its entirety to read, as follows:

Section 7. Connection to city's water system required.

~~The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city's wastewater service area that are required to connect to the city's public wastewater system in accordance with the provisions of Florida Statutes 180.02 and this Ordinance shall also be required at the owner's expense to connect to the city's water system within three hundred sixty five (365) days after date of official notice to do so, provided that said water system main is within two hundred (200) feet (61 meters) of the property line, on or before the connection date specified in the official notice. This article shall not be construed to require or entitle any person to cross the private property of another to make such a water connection.~~

Section 7. Connection to city water system required.

The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city limits of the city of High Springs in the city's wastewater service area that are required to connect to the city's public wastewater system in accordance with the provisions of Florida Statutes 180.02 and this Ordinance shall also be required at the owner's expense to connect to the city's water system within three hundred sixty-five (365) days after date of official notice to do so, provided that said water system main is within two hundred (200) feet (61 meters) of the property line, on or before the connection date specified in the official notice. This article shall not be construed to require or entitle any person to cross the private property of another to make such a water connection.

The owners of all multi-family buildings used for human occupancy or properties used for employment, recreation, or other purposes, situated outside the city limits of the city of High Springs in the city's Utilities Service District shall be required at the owner's expense to connect to the city's water system within three hundred sixty-five (365) days after date of official notice to do so, provided that said water system main is within two hundred (200) feet (61 meters) of the property line, on or before the connection date specified in the official notice. The property owners of all single-family homes used for human occupancy, situated outside the city limits of the city of High Springs in the city's Utilities Service District shall not be required to connect to the city's water system but may do so voluntarily at the owner's expense in accordance with city ordinances. This article shall not be construed to require or entitle any person to cross the private property of another to make such a water connection.

Section 2. The the text of Ordinance 2007-32, Section 8, entitled "Connections to City Wastewater System Required" is hereby deleted and replaced in its entirety to read, as follows:

Section 8. Connections to city wastewater system required.

~~The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city's wastewater service area and abutting on any street, alley, right of way or easement in which there are now located or may in the future be located a public sanitary sewer of the city, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such properly functioning onsite sewage treatment and disposal facilities directly with the proper public sewer in accordance with the provisions of this article, within three hundred and sixty five (365) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet (61 meters) of the property line, on or before the date specified in the following described official notice. The city shall notify the affected owner of the onsite sewerage treatment and disposal system of the anticipated availability of the publicly owned sewerage system in accordance with Florida Statutes Chapter 381.00655 no less than one (1) year prior to the date the sewerage system will become available and shall also notify the owner that the owner will be required to connect to the sewerage system within one (1) year of the actual availability. The owner shall have the option of prepaying the amortized value of the required connection charges in equal monthly installments over a two year period not to exceed two (2) years from the date of the initial notification of anticipated availability. This article shall not be construed to require or entitle any person to cross the private property of another to make such a sewer connection.~~

Section 8. Connections to city wastewater system required.

The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the city limits of the city of High Springs in the city's wastewater service area and abutting on any street, alley, right-of-way or easement in which there are now located or may in the future be located a public sanitary sewer of the city, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such properly functioning onsite sewage treatment and disposal facilities directly with the proper public sewer in accordance with the provisions of this article, provided that said public sewer is within two hundred (200) feet (61 meters) of the property line, on or before the date specified in the following described official notice. The city shall notify the affected owner of the onsite sewerage treatment and disposal system of the anticipated availability of the publicly owned sewerage system in accordance with Florida Statutes Chapter 381.00655 no less than one (1) year prior to the date the sewerage system will become available and shall also notify the owner that the owner will be required to connect to the sewerage system within one (1) year of the actual availability. The owner shall have the option of prepaving the amortized value of the required connection charges in equal monthly installments over a two year period not to exceed two (2) years from the date of the initial notification of anticipated availability. This article shall not be construed to require or entitle any person to cross the private property of another to make such a sewer connection.

The owners of all multi-family buildings used for human occupancy or properties used for employment, recreation, or other purposes, situated outside the city limits of the city of High Springs in the city's Utilities Service District and abutting on any street, alley, right-of-way or easement in which there are now located or may in the future be located a public sanitary sewer of the city, is hereby required at the owner's expense to install suitable toilet facilities therein, and to connect such properly functioning onsite sewage treatment and disposal facilities directly with the proper public sewer in accordance with the provisions of this article, provided that said public sewer is within two hundred (200) feet (61 meters) of the property line, on or before the date specified in the following described official notice. The city shall notify the affected owner of the onsite sewerage treatment and disposal system of the anticipated availability of the publicly owned sewerage system in accordance with Florida Statutes Chapter 381.00655 no less than one (1) year prior to the date the sewerage system will become available and shall also notify the owner that the owner will be required to connect to the sewerage system within one (1) year of the actual availability. The owner shall have the option of prepaving the amortized value of the required connection charges in equal monthly installments over a two year period not to exceed two (2) years from the date of the initial notification of anticipated availability. The property owners of all single-family homes used for human occupancy, situated outside the city limits of the city of High Springs in the city's Utilities Service District shall not be required to connect to the city's wastewater system but may do so voluntarily at the owner's expense in accordance with city ordinances. This article shall not be construed to require or entitle any person to cross the private property of another to make such a sewer connection.

Section 4. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 5. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This ordinance shall become effective upon adoption.

Section 7. Codifier. All text shown in ~~bold and strike through~~ is to be deleted. All text shown in **bold and underline** is adopted.

Section 8. Authority. This ordinance is adopted pursuant to the authority granted by Section 166.021, Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

PASSED UPON FIRST READING on the _____ day of _____.

PASSED AND DULY ADOPTED UPON SECOND AND FINAL READING, in regular session with a quorum present and voting, by the City Commission this _____ day of _____ 2023.

ATTEST:

SIGNED:

Angela Stone, City Clerk

Gloria James,

Mayor APPROVAL AS TO FORM AND LEGALITY:

Scott Walker, City Attorne

First Reading Only