

ORDINANCE 2014-11

AN ORDINANCE OF THE CITY OF WAUCHULA, FLORIDA; CORRECTING A SCRIVENER'S ERROR IN SECTION 22-34 OF THE CODE OF ORDINANCES OF THE CITY OF WAUCHULA, FLORIDA (THE "CODE"); REINSERTING LANGUAGE INADVERTENTLY DELETED BY ORDINANCE NO. 2014-04; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WAUCHULA, FLORIDA THAT:

SECTION 1. CORRECTION TO SECTION 22-34, CODE OF ORDINANCES OF THE CITY OF WAUCHULA. Subsection (h) of Section 22-34 of the Code is hereby inserted and readopted to read as follows:

"Sec. 22-34. - Other electric charges.

(h) General service nondemand customers whose average kilowatt hour consumption is 100 kwh or less per month for the past 12-month period shall be entitled to be billed on the residential rate so long as the consumption does not increase above an average of 100 kwh per month. Customary home occupation customers shall be billed at the applicable small commercial user rate.

SECTION 2. EFFECT ON PRIOR RESOLUTIONS AND ORDINANCES. The purpose of this Ordinance is to correct a scrivener's error discovered in Ordinance No. 2014-04, namely, the inadvertent deletion of subsection (d)(4) of Section 22-34, Code of Ordinances, by inserting and readopting the language as subsection (h) of Section 22-34, Code of Ordinances. Except as expressly repealed, superseded, or amended by this Ordinance, Ordinance Numbers 634, 702, 766, 740, 782, 822, 2013-05, and 2014-04 remain in full force and effect as amended by this Ordinance.

SECTION 3. SEVERABILITY. If any provision of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the validity of any other provision, and to that end the provisions of this ordinance are hereby declared severable.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon adoption. the rates readopted hereunder shall continue to apply to all electric service rendered after April 30, 2014, and shall be included in the first billing cycle and each subsequent cycle and all statements generated therefrom after May 1, 2014. The modified Tariff shall take effect as provided by state law.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Wauchula, this _____ day of _____, 2014

ATTEST:

CITY OF WAUCHULA, FLORIDA

Holly D. Smith, City Clerk

By: _____
Richard Keith Nadaskay, Jr., Mayor

PASSED on second and final reading by the City Commission of the City of Wauchula, Florida, at regular session this _____ day of _____, 2014. This ordinance was moved for approval by Commissioner _____. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

- Commissioner Neda Cobb _____ insert yes or no
- Commissioner John D. Freeman _____ insert yes or no
- Commissioner Kenneth Lambert _____ insert yes or no
- Commissioner Richard Keith Nadaskay, Jr. _____ insert yes or no
- Commissioner Peter Preston _____ insert yes or no
- Commissioner Gary D. Smith _____ insert yes or no
- Commissioner. Russell Graylin Smith _____ insert yes or no

(SEAL)

ATTEST:

CITY OF WAUCHULA, FLORIDA

Holly D. Smith, City Clerk

By: _____
Richard Keith Nadaskay, Jr., Mayor

APPROVED AS TO FORM:

Thomas A. Cloud, City Attorney

I HEREBY CERTIFY that notices of the public hearings on this ordinance were published in the Herald Advocate as required by Florida Statutes; that the foregoing ordinance was duly passed and adopted on the _____ day of _____, 2014; that the first reading of said ordinance was held on the _____ day of _____, 2014; that the public hearing were held on the _____ of _____, 2014..

Holly D. Smith, City Clerk