

**ORDINANCE NO. O-20-50**

AN ORDINANCE AMENDING THE WINTER HAVEN CODE OF ORDINANCES, CHAPTER 21, ARTICLE III, DIVISION 4, SECTION 21-151, UTILITIES, AND CHAPTER 21, ARTICLE III, DIVISION 8, SECTION 21-192, SUBDIVISION REGULATIONS, FOR THE PURPOSE OF DELETING LANGUAGE REQUIRING THE CONNECTION TO AND INSTALLATION OF RECLAIMED WATER REUSE LINES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, CODIFICATION, AND THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a proposed amendment to the Winter Haven Code of Ordinances, including Chapter 21 (Unified Land Development Code), has been studied, documented, advertised, and heard by the Winter Haven Planning Commission; and

WHEREAS, the City Commission of the City of Winter Haven, Florida, finds that it is expedient to revise language contained in Chapter 21, Article III relating to connection to and installation of reclaimed water reuse lines by new development and redevelopment within the City's Utility Service Area.

NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER HAVEN, FLORIDA, AS FOLLOWS:

1. That Chapter 21, Article III, Division 4, Section 21-151, of the Code of Ordinances of the City of Winter Haven, Florida is hereby amended to read as shown in Exhibit "A", attached hereto and made a part hereof.

2. That Chapter 21, Article III, Division 8, Section 21-192 of the Code of Ordinances of the City of Winter Haven, Florida is hereby amended to read as shown in Exhibit "B", attached hereto and made a part hereof.

3. All ordinances in conflict herewith are hereby repealed to the extent necessary to give this ordinance full force and effect.

4. 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.

5. It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City; and that sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter," "section," "article," or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such

inclusion in the Code is accomplished, section of this ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

6. This ordinance shall become effective immediately upon passage on second reading.

INTRODUCED on first reading this 14<sup>th</sup> day of December, 2020.

PASSED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF WINTER HAVEN, FLORIDA

\_\_\_\_\_  
MAYOR-COMMISSIONER

ATTEST:

\_\_\_\_\_  
CITY CLERK

Approved as to form:

\_\_\_\_\_  
CITY ATTORNEY

Exhibit "A"  
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New text is underlined and deleted text is ~~stricken through~~.

**Sec. 21-151. - Requirements for all developments.**

The following basic utilities are required for all developments subject to the criteria listed herein:

- (a) Every principal use and every lot within a newly platted subdivision shall be provided with central potable water and wastewater hookups.
- (b) All developments served by a central water system shall include a system of fire hydrants consistent with design standards adopted by the City of Winter Haven.
- (c) Every principal use and every lot within a subdivision shall have available to it a source of electric power adequate to accommodate the reasonable needs of such use and every lot within such subdivision.
- (d) Every principal use and every lot within a subdivision shall have available to it a telephone service cable adequate to accommodate the reasonable needs of such use and every lot within such subdivision.
- (e) All streets, driveways, sidewalks, bikeways, parking lots and other common areas and facilities in developments shall provide illumination meeting design standards adopted by the City of Winter Haven.
- (f) ~~All new development including, but not limited, to residential, commercial, and industrial developments located within the City of Winter Haven utility service area shall be required to connect to the reclaimed/reuse water system if a reclaimed/reuse water main is located within five hundred (500) feet of the proposed development. For all such new developments located within the City of Winter Haven utility service area, but more than five hundred (500) feet from a reclaimed/reuse water main, the installation of dry lines serving the development including, but not limited to, each lot, if applicable, shall be required. These dry lines shall be connected to either the City's potable water system or a well as approved by the City until such time as reuse is available for the development. Once reuse is available for the development, the use of such wells shall cease as determined by the City. Design standards for the installation of reclaimed/reuse water distribution systems shall be obtained from the Utility Services Department and Technical Services Division.~~

Exhibit "B"  
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New text is underlined and deleted text is ~~stricken through~~.

**Sec. 21-192. - Engineering standards.**

- (a) All subdivision improvements required under these regulations shall be constructed in accordance with utility/engineering services department, public services department, and fire department standards adopted by the City commission. Water and sewer connections shall be provided for each lot. All sanitary and storm sewers shall be of sufficient size to provide for future extension to serve the tributary area. Where improvements are required to be designed to serve more extensive areas outside the subdivision boundaries, the City may participate in the cost of facilities with water/sewer impact fee credits to the extent that such participation reflects the goals and policies set out in the capital improvements element of the Winter Haven Comprehensive Plan.
- (b) Roads and streets shall be constructed in accordance with standard specifications as set forth in the Municipal Code and other applicable standards adopted by the City. When required by the City Engineer, the City commission or the planning commission, traffic studies shall be performed at the developer's expense in order to determine where off-site roadway improvements are needed.
- (c) Sidewalks shall be constructed in accordance with standards set forth in the Municipal Code and other applicable standards adopted by the City.
- (d) Surface drainage improvements shall be designed by a State-registered professional engineer proficient in this field and constructed in accordance with standard specifications as set forth in the Municipal Code and the provisions of other regulatory agencies.
- (e) A looped water distribution system shall be designed by a State registered professional engineer proficient in this field and constructed in accordance with applicable standard specifications adopted by the City. Water mains shall be sized, minimum eight (8) inches in diameter, and installed in such a manner as to provide all subdivision lots with domestic and fire protection use.
- (f) The water system shall be looped and be capable of delivering minimum residual pressures and fire flows for intended land uses within the subdivision. Mains and fire hydrants shall be installed and fire flows provided in accordance with standards and other applicable specifications adopted by the City.
- (g) A sanitary sewage collection and transmission system shall be designed by a State-registered professional engineer and constructed in accordance with the applicable standard specifications adopted by the City.

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- ~~(h) All new developments located within the City of Winter Haven utility service area shall be required to connect to and utilize the reclaimed/reuse water system if a reclaimed/reuse water main is located within five hundred (500) feet of the proposed development. For new developments located within the City of Winter Haven utility service area, but more than five hundred (500) feet from a reclaimed/reuse water main, the installation of dry lines serving the development including, but not limited to, each lot, if applicable shall be required. These dry lines shall be connected to either the City's potable water system or a well as approved by the City until such time as reuse is available for the development. Once reuse is available for the development the use of such wells shall cease as determined by the City. Design standards for the installation of reclaimed/reuse water distribution systems shall be obtained from the Utility Services Department and Technical Services Division.~~
- (ih) Street identification signs shall be provided and erected at the developer's expense at each intersection and shall be designed in accordance with standard specifications adopted by the City.
- (ji) Traffic signs shall be installed in conformance with uniform traffic-control standards adopted by the City.
- (kj) Street lighting shall be installed within all new subdivisions in accordance with the following minimum standards:
- (1) Subdivision street lighting shall be installed at a ratio of one (1) light per three hundred (300) linear feet of street pavement. The lighting shall consist of the standard cobra head fixture with one hundred (100) watt lamps. Lighting installed at a greater ratio than the code allows or the use of decorative fixtures shall be maintained at the expense of the developer or the homeowners' association.
  - (2) The utility/engineering services department director or City Engineer may approve lighting installations at ratios greater than the allowable ratios and/or approve decorative fixtures as long as the installation meets the intent of this Code.

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- (3) A lighting plan must be submitted to the City's engineering division for review at the time the site plan is submitted. Upon approval, the plan will be stamped and signed by the City Engineer. A letter detailing the approval status and cost assumption will be forwarded to the developer or owner and the local utility company. For public subdivisions, the City will assume the monthly costs to operate the lighting based on the aforementioned requirements. The developer/homeowners' association shall pay all other charges associated with the lighting such as, installation. In subdivisions that are private, all costs associated with lighting shall be the responsibility of the developer or homeowners' association.
- (~~h~~) The developer/subdivider shall cause a registered surveyor to install permanent reference monuments in accordance with Chapter 177, F.S., plus two (2) or more permanent bench marks as determined by the City engineer.
- (~~m~~) The developer/subdivider shall cause a registered surveyor to place a permanent control point within the subdivision in accordance with Chapter 177, F.S. The location shall be coordinated with the City Engineer.
- (~~n~~) Upon completion of all public improvements and before acceptance by the City, the developer's engineer shall submit electronic copies of all public improvement "as-builts," including, but not limited to, roads, storm drainage, water and sewer; and a one (1) year maintenance guarantee.