

ORDINANCE NO. 2023-13

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, FLORIDA, AMENDING THE CODE OF ORDINANCES REGARDING WATER, WASTEWATER, RECLAIMED AND WATER RATES, FEES, AND CHARGES; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Winter Springs, Florida, has determined it to be in the best interest of the safety, health, and welfare of the citizens of the City of Winter Springs to provide for the adoption of Rates, Fees and Charges relating to the water, wastewater and reclaimed water system; and

WHEREAS, at the request of the City of Winter Springs, Raftelis Financial Consultants, Inc. conducted a review of the existing water, wastewater, and reclaimed water rates to determine the appropriateness of such rates to meet the anticipated expenditure requirements of each respective utility division; and

WHEREAS, the Utilities Director and the City's rate consultant, upon review of the utilities rates and structure, recommend that a change in rates is appropriate at this time; and

WHEREAS, this Ordinance has been duly noticed in a newspaper of general circulation pursuant to Section 166.041, Florida Statutes, and within the City's utility billing process pursuant to Section 180.136, Florida Statutes and is enacted pursuant to the Florida Municipal Home Rule Powers Act, Chapter 180, Florida Statutes, and other applicable law authorizing a municipality to set rates, fees, and charges for public utility services; and

WHEREAS, it is in the best interests of the public health, safety, and welfare of the citizens of Winter Springs to amend the rates, fees, and charges for water, wastewater, and reclaimed water provided by the City.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS HEREBY ORDAINS, AS FOLLOWS:

Section 1. Recitals. The foregoing recitals are hereby incorporated herein by this reference.

Section 2. Amending Sec. 19-102 of the City Code. The City of Winter Springs Code, Section 19-102 is hereby amended as follows (underlined type indicates new text and ~~strikeout~~ text indicates deletions):

Sec. 19-102. User charge schedule, general.

The following rates and charges shall apply to all systems unless otherwise specifically stated:

- (1) *Monthly water service rates.* The monthly water rate shall include the sum of the base facility charge based on the size of the meter plus a volume charge per one thousand (1,000) gallons or a fraction thereof of metered water consumption as set forth below.

a. *Individually metered residential service*

	Bills Rendered on or after October 1, 2009	Bills Rendered on or after October 1, 2010	Bills Rendered on or after October 1, 2011
—Monthly Charge—			
Base Facility Charge			
— $\frac{5}{8}$ inch \times $\frac{3}{4}$ inch	\$4.74	\$5.07	\$5.43
—1-inch	\$11.88	\$12.71	\$13.60
—1½-inch	\$23.70	\$25.35	\$27.13
—2-inch	\$37.91	\$40.56	\$43.40
—3-inch	\$75.82	\$81.12	\$86.80
—4-inch	\$118.45	\$126.75	\$135.62
—6-inch	\$236.91	\$253.49	\$271.24
—8-inch	\$379.30	\$405.85	\$434.26
<i>Charge per thousand (1,000) gallons</i>			
Volume Charge—Domestic Service (gallons)			
0—10,000	\$1.11	\$1.19	\$1.27
10,001—15,000	\$1.61	\$1.72	\$1.84
15,001—20,000	\$2.11	\$2.26	\$2.42
20,001—25,000	\$2.61	\$2.79	\$2.99
25,001—30,000	\$3.44	\$3.68	\$3.94
Over 30,000	\$4.75	\$5.08	\$5.44
Volume Charge—Irrigation Service (gallons)*			
0—5,000	\$1.61	\$1.72	\$1.84
5,001—10,000	\$2.11	\$2.26	\$2.42
10,001—15,000	\$2.61	\$2.79	\$2.99
15,001—20,000	\$3.44	\$3.68	\$3.94
Over 20,000	\$4.75	\$5.08	\$5.44

a. *Individually metered residential service*

		Bills Rendered on or after 12/1/2023	Bills Rendered on or after 10/1/2024	Bills Rendered on or after 10/1/2025	Bills Rendered on or after 10/1/2026	Bills Rendered on or after 10/1/2027
		Monthly Charge				
Base Facility Charge (meter size)						
	5/8 inch × 3/4 inch	\$7.88	\$8.87	\$9.98	\$10.48	\$11.00
	1-inch	\$19.70	\$22.18	\$24.95	\$26.20	\$27.50
	1½-inch	\$39.40	\$44.35	\$49.90	\$52.40	\$55.00
	2-inch	\$63.04	\$70.96	\$79.84	\$83.84	\$88.00
	3-inch	\$126.08	\$141.92	\$159.68	\$167.68	\$176.00
	4-inch	\$197.00	\$221.75	\$249.50	\$262.00	\$275.00
	6-inch	\$394.00	\$443.50	\$499.00	\$524.00	\$550.00
	8-inch	\$630.40	\$709.60	\$798.40	\$838.40	\$880.00
		Charge per thousand (1,000) gallons				
Volume Charge—Domestic Service per 1,000 gallons						
	0—10,000	\$1.83	\$2.06	\$2.32	\$2.44	\$2.56
	10,001—15,000	\$2.66	\$2.99	\$3.36	\$3.53	\$3.71
	15,001—20,000	\$3.52	\$3.96	\$4.46	\$4.68	\$4.91
	20,001—25,000	\$4.34	\$4.88	\$5.49	\$5.76	\$6.05
	25,001—30,000	\$5.70	\$6.41	\$7.21	\$7.57	\$7.95
	Over 30,000	\$7.89	\$8.88	\$9.99	\$10.49	\$11.01
Volume Charge—Irrigation Service per ERC (gallons) *						
	0—5,000	\$2.66	\$2.99	\$3.36	\$3.53	\$3.71
	5,001—10,000	\$3.52	\$3.96	\$4.46	\$4.68	\$4.91
	10,001—15,000	\$4.34	\$4.88	\$5.49	\$5.76	\$6.05
	15,001—20,000	\$5.70	\$6.41	\$7.21	\$7.57	\$7.95
	Over 20,000	\$7.89	\$8.88	\$9.99	\$10.49	\$11.01

*Reflects water use for residential irrigation service which is metered in addition to domestic service from a single service connection to water system. For those customers which receive dual metered service from a single service connection, the base facility charge will only be applied to domestic service (one (1) charge per service connection).

b. *Master metered residential and nonresidential service*

			> Bills Rendered on or after October 1, 2009	Bills Rendered on or after October 1, 2010	Bills Rendered on or after October 1, 2011
		<i>ERC Factor</i>	<i>—Monthly Charge—</i>		
Base Facility Charge (meter size)					
	5/8 × 3/4 and 3/4 inch	1.0	\$4.74	\$5.07	\$5.43
	1 inch	2.5	\$11.88	\$12.71	\$13.60
	1½ inch	5.0	\$23.70	\$25.35	\$27.13
	2 inch	8.0	\$37.91	\$40.56	\$43.40
	3 inch	16.0	\$75.82	\$81.12	\$86.80
	4 inch	25.0	\$118.45	\$126.75	\$135.62
	6 inch	50.0	\$236.91	\$253.49	\$271.24
	8 inch	80.0	\$379.30	\$405.85	\$434.26
	Volume Charge— Domestic Service per 1,000 gallons		\$1.68	\$1.80	\$1.93
	Volume Charge— Irrigation Service per ERC (gallons) *				
	0—5,000		\$1.61	\$1.72	\$1.84
	5,001—10,000		\$2.11	\$2.26	\$2.42
	10,001—15,000		\$2.61	\$2.79	\$2.99
	15,001—20,000		\$3.44	\$3.68	\$3.94
	Over 20,000		\$4.75	\$5.08	\$5.44
*For those customers which receive both individually metered domestic and irrigation service from a single service connection, the base facility charge will only be applied to domestic service (one charge per service connection).					

b. *Master metered residential and nonresidential service*

	Bills Rendered on or after 12/1/2023	Bills Rendered on or after 10/1/2024	Bills Rendered on or after 10/1/2025	Bills Rendered on or after 10/1/2026	Bills Rendered on or after 10/1/2027
Monthly Charge					
Base Facility Charge (meter size)					
5/8 inch × 3/4 inch	\$7.88	\$8.87	\$9.98	\$10.48	\$11.00
1-inch	\$19.70	\$22.18	\$24.95	\$26.20	\$27.50
1½-inch	\$39.40	\$44.35	\$49.90	\$52.40	\$55.00
2-inch	\$63.04	\$70.96	\$79.84	\$83.84	\$88.00
3-inch	\$126.08	\$141.92	\$159.68	\$167.68	\$176.00
4-inch	\$197.00	\$221.75	\$249.50	\$262.00	\$275.00
6-inch	\$394.00	\$443.50	\$499.00	\$524.00	\$550.00
8-inch	\$630.40	\$709.60	\$798.40	\$838.40	\$880.00
Charge per thousand (1,000) gallons					
Volume Charge— Domestic Service per 1,000 gallons	\$2.77	\$3.12	\$3.51	\$3.69	\$3.87
Volume Charge—Irrigation Service per ERC (gallons) *					
0—5,000	\$2.66	\$2.99	\$3.36	\$3.53	\$3.71
5,001—10,000	\$3.52	\$3.96	\$4.46	\$4.68	\$4.91
10,001—15,000	\$4.34	\$4.88	\$5.49	\$5.76	\$6.05
15,001—20,000	\$5.70	\$6.41	\$7.21	\$7.57	\$7.95
Over 20,000	\$7.89	\$8.88	\$9.99	\$10.49	\$11.01

c. ~~General irrigation meter service*~~

			Bills Rendered on or after October 1, 2009	Bills Rendered on or after October 1, 2010	Bills Rendered on or after October 1, 2011
		<i>ERC Factor</i>	—Monthly Charge—		
Base Facility Charge (meter size)					
	5/8 x 3/4 and 3/4 inch	1.0	\$4.74	\$5.07	\$5.43
	1 inch	2.5	\$11.88	\$12.71	\$13.60
	1½ inch	5.0	\$23.70	\$25.35	\$27.13
	2 inch	8.0	\$37.91	\$40.56	\$43.40
	3 inch	16.0	\$75.82	\$81.12	\$86.80
	4 inch	25.0	\$118.45	\$126.75	\$135.62
	6 inch	50.0	\$236.91	\$253.49	\$271.24
	8 inch	80.0	\$379.30	\$405.85	\$434.26
			<i>Charge per thousand (1,000) gallons</i>		
Volume Charge per ERC >					
	0—5,000		\$1.61	\$1.72	\$1.84
	5,001—10,000		2.11	2.26	2.42
	10,001—15,000		2.61	2.79	2.99
	15,001—20,000		3.44	3.68	3.94
	Over 20,000		4.75	5.08	5.44
*Reflects water use for nonresidential irrigation service which is metered from a separate and distinct service connection to the water system.					

c. General irrigation meter service*

		Bills Rendered on or after 12/1/2023	Bills Rendered on or after 10/1/2024	Bills Rendered on or after 10/1/2025	Bills Rendered on or after 10/1/2026	Bills Rendered on or after 10/1/2027
		Monthly Charge				
Base Facility Charge (meter size)						
	5/8 inch × 3/4 inch	\$7.88	\$8.87	\$9.98	\$10.48	\$11.00
	1-inch	\$19.70	\$22.18	\$24.95	\$26.20	\$27.50
	1½-inch	\$39.40	\$44.35	\$49.90	\$52.40	\$55.00
	2-inch	\$63.04	\$70.96	\$79.84	\$83.84	\$88.00
	3-inch	\$126.08	\$141.92	\$159.68	\$167.68	\$176.00
	4-inch	\$197.00	\$221.75	\$249.50	\$262.00	\$275.00
	6-inch	\$394.00	\$443.50	\$499.00	\$524.00	\$550.00
	8-inch	\$630.40	\$709.60	\$798.40	\$838.40	\$880.00
		Charge per thousand (1,000) gallons				
Volume Charge—Irrigation Service per ERC (gallons) *						
	0—5,000	\$2.66	\$2.99	\$3.36	\$3.53	\$3.71
	5,001—10,000	\$3.52	\$3.96	\$4.46	\$4.68	\$4.91
	10,001—15,000	\$4.34	\$4.88	\$5.49	\$5.76	\$6.05
	15,001—20,000	\$5.70	\$6.41	\$7.21	\$7.57	\$7.95
	Over 20,000	\$7.89	\$8.88	\$9.99	\$10.49	\$11.01

*Reflects water use for nonresidential irrigation service which is metered from a separate and distinct service connection to the water system.

- d. The base facility charge is the minimum monthly charge applied in each account and will not be assessed if the service is discontinued.
- e. A twenty-five (25) percent surcharge on the monthly water service rates shall be assessed to customers located outside the City limits pursuant to Section 180.191, Florida Statutes.

(2) *Water meter charges.* The water meter charge shall be based on the size of the meter as follows:

Meter Size (in inches)	Meter Installation Only	Installation/Tap-In
$\frac{5}{8} \times \frac{3}{4}$	\$160.00	\$350.00
$\frac{5}{8} \times \frac{3}{4}$ remote read	\$220.00	\$490.00
$\frac{5}{8} \times \frac{3}{4}$ double check	\$330.00	\$380.00
1 remote read	\$310.00	\$460.00
$\frac{5}{8} \times \frac{3}{4}$ double check remote read	\$350.00	\$510.00
1 meter plus backflow prevention device	\$490.00	\$670.00
1½ remote read	\$570.00	\$770.00
1½ meter plus backflow prevention device	\$890.00	\$1,110.00
2 remote read	\$810.00	\$1,030.00
2 meter with separate double check valve	\$1,120.00	\$1,350.00

- a. For all meters larger than two (2) inches, the meter charge shall be based upon the actual cost of: i) the meter plus materials; ii) labor and equipment/machinery/vehicle requirements associated with the installation; iii) an allowance for administration; and iv) other items directly related to the installation, all as determined by the city.

(3) *Monthly sewer service rates.* The monthly sewer rate shall include the sum of the base facility charge based on the size of the meter plus a volume charge per one thousand (1,000) gallons or a fraction thereof of metered water consumption as set forth below.

a. *All customer classes*

	Bills Rendered on or after October 1, 2009	Bills Rendered on or after October 1, 2010	Bills Rendered on or after October 1, 2011
Meter size (in inches)	Base Facility Charge		
$\frac{5}{8} \times \frac{3}{4}$ and $\frac{3}{4}$	\$9.30	\$9.95	\$10.65
1 inch	\$23.26	\$24.89	\$26.64
1½ inch	\$46.52	\$49.77	\$53.26
2 inch	\$74.44	\$79.65	\$85.23
3 inch	\$148.87	\$159.29	\$170.44
4 inch	\$232.61	\$248.89	\$266.32
6 inch	\$465.22	\$497.79	\$532.63
8 inch	\$744.28	\$796.38	\$852.13
Charge per 1,000 gallons			
Individually metered residential (first 10,000 gallons)	\$3.63	\$3.89	\$4.16
Master metered residential (no maximum)	\$3.63	\$3.89	\$4.16
Master metered nonresidential (no maximum)	\$3.63	\$3.89	\$4.16

a. *All customer classes*

		Bills Rendered on or after 12/1/2023	Bills Rendered on or after 10/1/2024	Bills Rendered on or after 10/1/2025	Bills Rendered on or after 10/1/2026	Bills Rendered on or after 10/1/2027
		Monthly Charge				
Base Facility Charge (meter size)						
	5/8 inch × 3/4 inch	\$16.13	\$19.36	\$23.23	\$26.02	\$29.14
	1-inch	\$40.33	\$48.40	\$58.08	\$65.05	\$72.85
	1½-inch	\$80.65	\$96.80	\$116.15	\$130.10	\$145.70
	2-inch	\$129.04	\$154.88	\$185.84	\$208.16	\$233.12
	3-inch	\$258.08	\$309.76	\$371.68	\$416.32	\$466.24
	4-inch	\$403.25	\$484.00	\$580.75	\$650.50	\$728.50
	6-inch	\$806.50	\$968.00	\$1,161.50	\$1,301.00	\$1,457.00
	8-inch	\$1,290.40	\$1,548.80	\$1,858.40	\$2,081.60	\$2,331.20
Charge per thousand (1,000) gallons						
	Individually metered residential (first 10,000 gallons)	\$6.30	\$7.56	\$9.07	\$10.16	\$11.38
	Master metered residential (no maximum)	\$6.30	\$7.56	\$9.07	\$10.16	\$11.38
	Master metered nonresidential (no maximum)	\$6.30	\$7.56	\$9.07	\$10.16	\$11.38

- b. The base facility charge is the minimum monthly charge applied to each account and will not be assessed if the service is discontinued.
- c. A twenty-five (25) percent surcharge on the monthly sewer service rates shall be assessed to customers located outside the city limits pursuant to Section 180.191, Florida Statutes.

(4) *Service availability charges.* A service availability charge shall be imposed and levied on all development requesting water and/or wastewater capacity to provide service to their properties and on all properties when structural charges, additions or changes in permitted use shall result in an increase in capacity requirements from the city's water and/or wastewater system.

a. ~~The service availability fees shall be as follows:~~

		Bills Rendered on or after October 1, 2009	Bills Rendered on or after October 1, 2010	Bills Rendered on or after October 1, 2011
Water availability fee, per gallon		\$1.48	\$1.59	\$1.70
Sewer availability fee, per gallon		\$7.33	\$7.70	\$8.07

a. The service availability fees shall be as follows:

		Bills Rendered on or after October 1, 2022
Water availability fee, per gallon		\$2.15
Sewer availability fee, per gallon		\$10.19

b. The determination of the amount of capacity shall be based on a schedule of minimum daily flows for the residential users:

	Minimum Daily Flow (gallons per day)	
	Water	Sewer
1 and 2 bedroom apartments, multi-family	300	250
1 and 2 bedroom townhomes, multi-family	300	250
3 bedroom, multi-family	350	300
Mobile homes, single-family, per home	350	250
Single-family residential	350	300

c. The determination of the amount of capacity for the non-residential users shall be based on the flow rates contained in Florida Administrative Code, 64E-6, as may be amended or renumbered from time to time. Separate Laundry Facilities for apartments or multi-family complexes are not included in the per unit flow rates included in (4)b above.

- d. With respect to the determination of the water and wastewater service availability fees for non-residential development, if no water and wastewater capacity estimates are provided, the city reserves the right to estimate the average dependable daily capacity as referenced in this section and determine the appropriate service availability fee to be charged to such owner or applicant.
- e. The city reserves the right to review the amount of water and/or wastewater consumption during the first eighteen (18) months of service and shall bill to the owner or applicant any adjustment to the water and wastewater service availability fees for capacity use in excess of amounts which have been paid by the owner or applicant. Any additional service availability fee payments shall be billed to the owner or applicant at the same rate that was initially billed at time of building permit issuance.

(5) *Miscellaneous charges.*

- a. Disconnection fee for turning service off for nonpayment \$20.00
- b. Re-connection fee for turning on service during regular business hours after disconnections for nonpayment of bill \$20.00
- c. Re-connection fee for turning service on outside of regular business hours after disconnection for nonpayment of bill \$45.00
- d. Fee or charge for actual damages (whichever is greater) for contamination or alteration of a water meter, line or connection, per occurrence \$95.00
- e. Inspection fee for each connection requested \$40.00
- f. Fee for all payments returned by bank \$20.00 or 5% of the face amount of the payment, whichever is greater, not to exceed \$40.00
- g. Application fee \$20.00
- h. Reinstallation fee for meter removed because of nonpayment or inability to lock off \$50.00
- i. Pretreatment charge, as established by the city commission by resolution.
- j. Capacity reservation charge, \$0.35 per sewer gallon per year.
- k. Television inspection of new sewer mains and laterals installed by contractors for acceptance by city:
 - 1. Inspection fee using the city's T.V. camera and crew, per hour \$125.00

(6) *Price indexing.* Beginning annually on October 1, ~~2012~~ 2028 and continuing annually thereafter every October 1, the base facility, volume and service availability charges for water, sewer and reclaimed water shall be adjusted using the CPI for the previous twelve-month period.

Section 3. Amending Sec. 19-138 of the City Code. The City of Winter Springs Code, Section 19-138 is hereby amended as follows (underlined type indicates additions and ~~strikeout~~ type indicates deletions):

Sec. 19-138. Rates and charges.

- (1) A rate shall be charged to all the customers on the reclaimed water system in accordance with the following schedule:
- (a) For nonmetered service for tracts of one-half (1/2) acre size or smaller, the monthly charge shall be eight dollars and fifty-five cents (\$8.55).
 - (b) For nonmetered service for tracts greater than one-half (1/2) area, an additional monthly fee of eight dollars and fifty-five cents (\$8.55) for each additional irrigated one-half (1/2) acre shall be added to the base charge of eight dollars and fifty-five cents (\$8.55).
 - (c) For customers receiving metered service, the monthly charge shall be the sum of the base charge plus a consumptive charge as follows:

~~Bills rendered on or
after October 1, 2009~~

~~Reclaimed irrigation base facility charge, per ERC~~ \$4.10

~~Commodity Charge (per 1,000 gallons):~~

~~0—5,000 gallons~~ 0.75

~~5,001—10,000 gallons~~ 0.94

~~10,001—15,000 gallons~~ 1.30

~~15,001—20,000 gallons~~ 1.45

~~Above 20,000 gallons~~ 2.13

		Bills Rendered on or after 12/1/2023	Bills Rendered on or after 10/1/2024	Bills Rendered on or after 10/1/2025	Bills Rendered on or after 10/1/2026	Bills Rendered on or after 10/1/2027
		Monthly Charge				
Base Facility Charge (meter size)						
	$\frac{5}{8} \times \frac{3}{4}$ and $\frac{3}{4}$	\$6.10	\$7.02	\$8.07	\$8.68	\$9.33
		Charge per thousand (1,000) gallons				
	0—5,000	\$1.10	\$1.27	\$1.46	\$1.57	\$1.69
	5,001—10,000	\$1.37	\$1.58	\$1.82	\$1.96	\$2.11
	10,001—15,000	\$1.92	\$2.21	\$2.54	\$2.73	\$2.93
	15,001—20,000	\$2.15	\$2.47	\$2.84	\$3.05	\$3.28
	Over 20,000	\$3.15	\$3.62	\$4.16	\$4.47	\$4.81

- (d) As nonmetered customers of the reclaimed water system become metered, the newly metered customer shall be subject to the monthly rates and charges as identified in section 19-138(a)(3). Customer shall be subject to charges for metered service effective the next available billing period subsequent to installation of the reclaimed water meter.
- (e) For wholesale reclaimed water service, the monthly charge shall be fifty-two cents (\$0.52) per thousand gallons.
- (2) The customer shall not be required to pay all costs associated with the purchase and installation of the meter. The public works/utility director or their designee may waive the requirement for a meter where a suitable alternative method exists for the calculation of the water usage and where the customer agrees to pay the metered rate for the calculated amount of water usage.
- (3) *Connection to the reclaimed water system; connection charges.* All connections to the reclaimed water system shall be approved by the public works/utility director or their designee. The total connection charge will consist of tapping fee for the reclaimed water service and the fee for installing a backflow prevention device on each potable water line servicing the same tract.

Nonmetered Service Size (in inches)	Tapping Fee/Plus Material
Backflow prevention fee	Actual cost
$\frac{3}{4}$ to $1\frac{1}{2}$	\$230.00
2 to 8	Actual cost

As an incentive to customers within an area of planned reuse expansion, and to allow the city to make as many taps as possible during construction, all taps for three-quarter inch or one-inch service will be made without charge to those customers applying for service prior to the beginning of construction.

- (4) A customer whose service has been discontinued may resume reclaimed water service after paying any past due amounts and a reconnection fee. The reconnection fee shall be equal to the actual cost of reconnection but in no case shall be less than forty dollars (\$40.00).
- (5) Where service has been disconnected for a violation of an ordinance or regulation regarding reclaimed water, such service shall not be reconnected until the city manager receives adequate assurance and guarantees that such a violation will not recur.

Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions. All prior inconsistent ordinances and resolutions adopted by the City Commission, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

Section 5. Incorporation Into Code. This ordinance shall be incorporated into the Winter Springs City Code and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

Section 6. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Springs, Florida, and pursuant to City Charter.

ADOPTED by the City Commission of the City of Winter Springs, Florida, in a regular meeting assembled on the ____ day of _____, 2023.

FIRST READING AND PUBLIC HEARING: _____.

SECOND READING AND PUBLIC HEARING: _____.

ATTEST:

Christian Gowan, City Clerk

Kevin McCann, Mayor

Approved as to form and legality for the use and reliance by the City of Winter Springs, Florida, only:

Anthony Garganese, City Attorney