

**ORDINANCE 2008-06**

**AN ORDINANCE OF THE VILLAGE OF HIGHLAND PARK, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2004-01 TO CORRECT A SCRIVENER'S ERROR BY DELETING THE AUTOMATIC ANNUAL ADJUSTMENT WHICH WAS ERRONEOUSLY INCLUDED IN THE ORDINANCE EXECUTED SUBSEQUENT TO ITS ADOPTION; AMENDING ORDINANCE 2005-02 TO PROVIDE AN AMENDED SCHEDULE FOR WATER SERVICE CHARGES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, all municipalities are expressly granted authority to provide water service in accordance with the provisions of Chapter 180, Florida Statutes; and

WHEREAS, the Village of Highland Park has in the past provided municipal water services and rates for water services have been established from time to time by action of the Board of Commissioners of the Village of Highland Park, most recently by Ordinance 2005-02; and

WHEREAS, the Board of Commissioners did not include an automatic annual adjustment provision in Ordinance 2004-01 although the draft which was executed included such a provision due to a scrivener's error and Ordinance 2004-01 requires revision in order to correct this error.

NOW THEREFORE, Be it ordained by the Board of Commissioners of the Village of Highland Park, Polk County, Florida:

**Section 1. Correction of scrivener's error.**

Section (3) of Ordinance 2004-01 is hereby amended to provide as follows:

Section 3. Establishment and revision of rates and charges.

(a) The village shall establish a schedule of rates and charges to produce revenues from the utility system sufficient to pay the cost of maintaining, repairing and operating the utility system and leave a balance of such revenues so as to pay, when due, the principal and interest on any utility system revenue bonds of the village and accumulate and maintain prescribed revenues therefor and for renewals, replacements and betterments.

(b) The schedule of rates and charges shall be reviewed periodically and revised from time to time as may be necessary to produce revenues from the utility system sufficient to pay the cost of maintaining, repairing and operating the utility system and leave a balance of such

revenues so as to pay, when due, the principal and interest on any utility system revenue bonds of the village and accumulate and maintain prescribed revenues therefor and for renewals, replacements and betterments.

(c) No rates, fees, rentals or other charges shall be reduced so as to render them insufficient to provide revenues in each year sufficient to pay the requirements for maintenance, repair and operating expenses and principal, interest and all reserve account payments or to comply with the rate covenants of any utility system revenue bonds.

**Section 2. Revision of rates and charges.**

The schedule of rates and charges for water service is hereby revised in accordance with the provisions of Ordinance 2004-01 (3)(b) as corrected hereby. The revised schedule is attached hereto as Exhibit "A".

**Section 3. Effective date.**

This ordinance shall become effective immediately upon passage by the Village Commission and the rate change shall be effective on January 1, 2009.

**CERTIFIED AS TO PASSAGE** this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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R.A. Ingley, Jr., Mayor-Commissioner

ATTEST:

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Lita O'Neill, City Clerk