



**FIRST READING: FOR ATTORNEY ONLY.
NOT FOR SIGNATURE!**

25440 West Newberry Road
Newberry, Florida 32669
(352) 472-2161 • FAX (352) 472-7026

ORDINANCE NUMBER 2024-30

AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA PERTAINING TO ELECTRIC UTILITY SERVICES IN THE CITY OF NEWBERRY TO AMEND AND REVISE SECTION 98-63 SUBSECTIONS 1, 2, 3, AND 8 AND SECTION 98-70 SUBSECTIONS H AND I OF THE CODE OF ORDINANCES OF THE CITY OF NEWBERRY PERTAINING TO THE ENERGY CHARGED, PROVIDING FOR CODIFICATION OF THE SAME; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Newberry provides electric utility services to residential and non-residential customers located within its service territory; and,

WHEREAS, the City desires to update Chapter 98, Article III, Section 98-63 subsections 1,2,3, and 8 of the City's Code of Ordinances pertaining to rates of service; and,

WHEREAS, the City Commission previously revised this Section via Ordinance 2022-41 in 2022; and

WHEREAS, the City Commission, being fully advised of the facts and circumstances, hereby finds it necessary and in the interest of prudent management of public assets and business affairs to revise Chapter 98, Article III, Section 98-63 of the Code of Ordinances as outlined below.

NOW THEREFORE, BE IT ORDAINED BY THE PEOPLE OF NEWBERRY, FLORIDA, as follows:

Section One: Chapter 98, Article III, Section 98-63 of the Newberry Code of Ordinance relating to electric utility service is hereby amended to read as follows (deletions are in ~~strike through~~ and additions are underlined):

Sec. 98-63. - Rates.

There are hereby established the following electric service rates to be charged for electric service supplied by the city:

- (1) Residential rate. This schedule is applicable to electric service throughout the entire territory served by the city to individual (single-family) residences, apartments or farms. This rate is not applicable to business houses, licensed boarding or rooming houses, or when advertised as such, educational institutions or apartment houses, except when the latter is served by a separate meter for each apartment. Single-phase motors used may be connected only at the option of the city. All of the electrical appliances to be served under this rate are subject to approval by the city.
 - a. Character of service. Energy delivered under this schedule shall be alternating current, 60 cycles, single-phase, at a normal 120/240 volts. The city may, at its

option, provide three-phase 120/240 volt service if and when readily available, but only where individual motors rated at 7.5 hp or larger are connected.

b. Rate.

1. Customer charge per month per meter:

Single Phase 10.13

Three Phase 11.68

2. Energy charge, per kWh: \$0.1092

(2) Commercial rate. This schedule is applicable to electric service at a single metering point throughout the entire territory served by the city for all service other than residential service and security lights.

a. Character of service. Service to be furnished under this schedule shall be alternating current, 60 cycle, single-phase 120/240 volts or three-phase at nominal 120/208, 120/240 or 277/480 volts, at the option of city, depending upon the class of service available.

b. Rate.

1. Customer charge: \$ per month per meter:

Single Phase \$11.68

Three Phase \$12.74

2. Energy charge, per kWh: \$0.1199

(3) Large power service electric rate. This schedule is applicable to electric service throughout the entire territory served by the city to those customers having an average monthly billing demands of more than ten (10) kWh over the course of a twelve month period which shall be calculated during the first billing cycle of the following calendar year, when, but only when, all electric service on a given customer's premises, other than security lights, is taken and paid for under this rate schedule applied individually at one or more metering points and the currently effective general service rate schedule applied individually at each metering point. A customer requesting service under this rate schedule at a given metering point agrees to take and pay for service at the rate specified herein for at least 12 continuous months before receiving service at said metering point under any of the city's other available rate schedules.

a. Character of service. Alternating current, 60 cycles, three-phase service will be provided at readily available voltages, as determined by the city.

b. Rate.

1. Customer charge: \$47.75

2. Demand charge, per kW: \$10.87

3. Energy charge, per kWh: \$0.0754

c. Primary service discount. For service provided and metered at 2,400 volts or greater, but less than 69,000 volts, and where the customer owns the necessary transformation equipment, subject to a discount of two percent.

- d. Power factor adjustment. A charge will be made equal to one percent of the demand charge for each one percent the average power factor is below 90 percent lagging as determined by a test made by the city or as indicated by a meter installed at the option of the city to measure power factor.

(8) Electric *security* service. *Security lights* will be provided upon request for a one-time installation fee of the actual cost of materials together with a rental fee in accordance with the table below:

Roadway Street Lighting	Monthly Fee
40 watt LED	\$9.55
110 watt LED	\$12.20
400 watt LED	\$15.39
100-watt HPS	\$9.55
250-watt HPS	\$13.80
400-watt HPS	\$15.39
Private Area/ Flood Lighting	
40 watt LED	\$9.55
110 watt LED	\$12.20
250 watt Flood	\$13.80
400 watt Flood	\$16.98

(h)

Sec. 98-70. - Interconnection and net metering of customer-owned renewable generation systems.

(h) Application and inspection fees. Customer shall pay the following fees for the review and processing of applications for interconnection of customer-owned renewable generation systems:

- Tier 1 \$100.00
- Tier 2 \$320.00

Fees may be adjusted annually.

(i) Insurance requirements.

(1) Customers installing and operating an interconnected renewable generation system with a gross power rating of 10 kW or less shall ~~not~~ be required to provide proof of liability insurance.

SECTION 2. INCLUSION IN THE CODE

It is the intention of the City Commission of the City of Newberry, Florida, and it is hereby provided that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Newberry, Florida; that the sections of this Ordinance may be renumbered or re-lettered and that the word “ordinance” may be changed to “section”, “article” or other appropriate designation to accomplish such intention.

SECTION 3. REPEALING CLAUSE

All ordinances or parts of ordinances in conflict with this Ordinance are, to the extent they conflict with this Ordinance, repealed.

SECTION 4. PROVIDING FOR SEVERABILITY

It is the declared intent of the Newberry City Commission that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this Ordinance and the remainder of this Ordinance, after the exclusion of such part or parts, shall be deemed to be valid.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage for all bills rendered after October 1st, 2024.

DONE THE FIRST READING, by the City Commission of the City of Newberry, Florida, at a regular meeting, this 9th day of September 2024.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Newberry, Florida, by the City Clerk of the City of Newberry, Florida on the ____ day of _____, 2024.

DONE THE SECOND READING, AND ADOPTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Commission of the City of Newberry, Florida, at a regular meeting, this ____th day of _____, 2024.

BY THE MAYOR OF THE CITY OF
NEWBERRY, FLORIDA

Honorable Jordan Marlowe

ATTEST, BY THE CLERK OF THE
CITY COMMISSION OF THE CITY OF
NEWBERRY, FLORIDA:

Judy S. Rice, City Clerk

APPROVED AS TO FORM AND
LEGALITY:

S. Scott Walker, City Attorney