

ORDINANCE NO. 2017-062

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA APPROVING AND ADOPTING THE ANNUAL CONSUMER PRICE INDEX (CPI) ADJUSTMENT OF WATER AND SEWER RATES PURSUANT TO HIALEAH CODE § 94-153(c), IN THE AMOUNT OF 1.9% DESIGNATED "CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI)" AS ISSUED BY THE BUREAU OF LABOR STATISTICS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTY FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City finds that it is in the best interest to recoup and defray the increases that the City will continue to pay Miami-Dade County for the purchase of its water and the disposal of its wastewater through a CPI increase and rate increases; and

WHEREAS, pursuant to Hialeah, Fla., Ordinance 06-45 (Aug. 23, 2006), the City of Hialeah revised the Hialeah Code to provide for an annual Consumer Price Index (CPI) adjustment of water and sewer rates as determined by the amount of the annual increase in the index numbers of retail commodity prices designated "Consumer Price Index For All Urban Consumers (CPI) as issued by the Bureau of Labor Statistics, United States Department of Labor.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: Pursuant to Hialeah Code §94-153 (c), an increase in water and sewer rates commensurate with the annual Consumer Price Index (CPI) adjustment in the amount of 1.9% designated "Consumer Price Index for All Urban Consumers (CPI)", as issued by the Bureau of Labor Statistics, is hereby approved and adopted.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: Penalties.

Any person, business, association, corporation, partnership or other legal entity who violates any of the provisions of this ordinance shall be assessed a civil penalty, up to a maximum of \$500.00, within the discretion of the court or administrative tribunal having jurisdiction. Each day that a violation continues shall constitute a separate violation.

Section 4: Severability Clause.

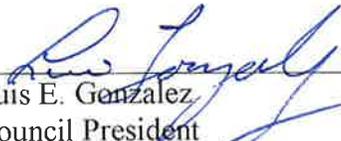
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

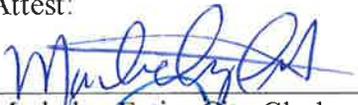
Section 5: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

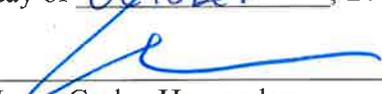
PASSED AND ADOPTED this 2 day of October, 2017.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
ARTICLE XVI, SECTION 166.041
OF THE HIALEAH CHARTER
AT THE PUBLIC HEARING


Luis E. Gonzalez
Council President

Attest:

Marbelys Fatjo, City Clerk

Approved on this 3 day of October, 2017.


Mayor Carlos Hernandez

Approved as to form and legal sufficiency:


Lorena Bravo, City Attorney
SALEB\LEGISLATION\2017 ORDINANCES\CPI Annual Budget Adjustment -PWK

Ordinance was adopted by a (6-0-1) vote with Councilmembers, Caragol, Gonzalez, Hernandez, Cue-Fuente, Lozano and Casáls-Muñoz voting "Yes", & Councilmember Garcia-Martinez absent.