

ORDINANCE REQUIRING UTILITY COMPANIES TO CONVERT OVERHEAD SYSTEMS TO UNDERGROUND IF EXPENSIVE REPAIRS TO OVERHEAD SYSTEM REQUIRED; TRIGGERING REQUIREMENTS; DETERMINATION OF COMPENSATION TO UTILITY FOR CONVERSION; COLLECTION OF COMPENSATION THROUGH SURCHARGE ON MONTHLY UTILITY BILLS AUTHORIZED; SURCHARGE IN LIEU OF UTILITY TAX; CUSTOMERS MUST CONVERT LATERAL SERVICES TO UNDERGROUND; AMENDING THE CODE OF ORDINANCES, DIRECTIONS TO CODIFIERS, EFFECTIVE DATE.

WHEREAS, electric, telephone and cable television utility service is provided to Golden Beach and its residents using overhead distribution systems, and

WHEREAS, corrosive salt air, wind, and soil conditions overcome the structural integrity of the overhead facilities placed in Golden Beach, and

WHEREAS, the overhead distribution systems now in place fail to provide Golden Beach and its residents service that is reasonably sufficient, adequate, and efficient, and

WHEREAS, when overhead distribution systems require extraordinary repairs, refurbishment, or replacements, it is prudent to convert them to underground,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH:

SECTION 1: Conversion of overhead utility service required where costly repairs, refurbishment or replacements are needed;

exceeds the average embedded cost, the excess is to be created to the underground-overhead differential. The utility may recoup this cost differential through a surcharge on monthly utility bills rendered to customers in the Town, with a ten year amortization and an interest rate equal to the rate of return allowed to the utility by the Public Service Commission, if subject to that agency's jurisdiction. Such surcharge on utility bills in the Town shall operate as the Town's public service tax.

(c) Any customer of any utility in the Town to whom underground service is made available through conversion from overhead service by the utility company must convert his lateral service to his residence to underground within 60 days of the date the underground utility service becomes available.

SECTION 2: Directions to Codifies. The Code of Ordinances as codified be and the same is hereby amended to include this ordinance as a Section thereof.

SECTION 3: That all Ordinances or parts of Ordinances in conflict be an the same are hereby repealed in so far they are in conflict.

SECTION 4: That this Ordinance shall take effect upon passage.

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida on this 16 day of April, 1991.

The motion to adopt the foregoing ordinance was offered on second reading by:

Councilman Mena
seconded by:

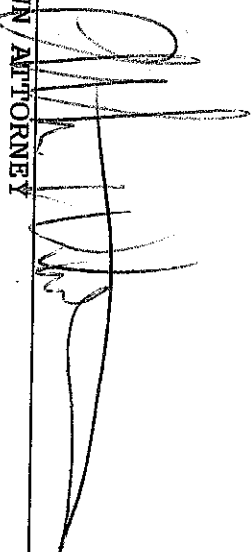
Vice Mayor Duffner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

TOWN CLERK

MAYOR

TOWN ATTORNEY



AND ON ROLL CALL THE FOLLOWING VOTE ENSUED:

MAYOR:	TOBIN	aye
VICE MAYOR:	FRIED	aye
COUNCILMAN:	MENA	aye
COUNCILMAN:	DUFFNER	aye
COUNCILMAN:	SOROTA	aye