

ORDINANCE NO. C-23-35

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 28 - WATER, WASTEWATER AND STORMWATER, SECTIONS 28-76, 28-141, 28-143, 28-144, AND 28-145, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR INCREASES TO TAPPING CHARGES, WATER RATES, WASTEWATER RATES, MASTER METER CHARGES, SERVICE AVAILABILITY CHARGES, SPRINKLING METER CHARGES, AND PRIVATE FIRE SERVICE PROTECTION; REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale, Florida ("City"), supplies water and sewer services on a regional basis to approximately 250,000 residents of central Broward County; and

WHEREAS, areas provided potable water service and wastewater service by the City include Fort Lauderdale, Port Everglades, Sea Ranch Lakes, Lauderdale-by-the-Sea, Oakland Park, Wilton Manors, and portions of Davie, Tamarac, and unincorporated Broward County; and

WHEREAS, on February 7, 2023, the City Commission approved a resolution authorizing the appropriate city officials to execute a Comprehensive Agreement among the City, Prospect Lake Water, L.P., Prospect Lake Holdings, L.P. and IDE PLCWC, INC., and a Labor Services Agreement between the City and PLCWC O&M, LLC, for the development, construction and operation of the Prospect Lake Clean Water Center (Water Treatment Plant); and

WHEREAS, on June 20, 2023, water and sewer rate structure options were presented to the City Commission by Staff, to support ongoing water and sewer operations, beginning the City's transition to advanced water metering (AMI), as well as the construction of the Prospect Lake Clean Water Center; and

WHEREAS, on June 20, 2023, the City Commission directed staff to move forward with Financing Scenario #1: Debt Level Service, 30 Years (Single Issuance for Water Plant); and

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WHEREAS, water and wastewater rate revenues must be adjusted such that adequate revenue is provided to fund the capital projects, maintain associated operations, and meet the City's reserve and debt service coverage targets; and

WHEREAS, to generate necessary funds for present and future needs, administration, operation and long-range projects under the Water and Sewer Master Plan, and the planning, design, and construction of a new water treatment plant, it is necessary to increase tapping charges, water rates, wastewater rates, sprinkling meter charges, and private fire service protection charges; and

WHEREAS, the City of Fort Lauderdale has notified all customers of this Ordinance through the regular utility billing process, pursuant to Section 180.136, Florida Statutes; and

WHEREAS, the proposed amendments to the Code of Ordinances are in the best interests of the health, safety, and welfare of the City and the City's utilities customers;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Chapter 28 – Water, Wastewater and Stormwater - Section 28-76 – Wastewater User Rates, of the Code of Ordinances of the City of Fort Lauderdale, Florida, by establishing tapping charges, is hereby amended as follows:

Sec. 28-76. - Wastewater user rates.

- (a) There is hereby established and levied a schedule or system of wastewater user rates and charges for wastewater disposal service against each and every person owning or using any buildings in the city or outside the city, inhabited or used by human beings as a place of residence, business or otherwise, that shall be connected with or available for connection with any line of the sanitary sewerage system.
- (b) The following schedule of rates and charges shall be imposed for consumers located within the corporate limits that are supplied water by the city and are either receiving wastewater disposal service or have it available for connection from their property to the city sanitary sewer system.

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- (1) A fixed monthly charge per water meter supplied by a connection service to a single-family residence, multifamily residential dwelling unit, cooperative or condominium apartment, commercial, industrial, institutional, or similar unit, building or complex and each separate municipal or other governmental agency or special type unit, shall be as follows:

Meter Sizes		Wastewater Fixed Monthly Charges 28-76(b)(1)
(inches)	Effective <u>10/1/2019</u> 23	<p>On 10/1/2024, and <u>10/1/2025</u> charges shall be adjusted by increasing the prior year's charge by <u>9%</u>, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by <u>75%</u>.</p>
5/8	\$11.33 <u>15.14</u>	
3/4	\$15.81 <u>21.12</u>	
1	\$24.78 <u>33.10</u>	
1 1/2	\$47.18 <u>63.01</u>	
2	\$74.07 <u>98.92</u>	
3	\$159.22 <u>212.62</u>	
4	\$271.25 <u>362.20</u>	
6	\$607.35 <u>810.99</u>	
8	\$719.38 <u>960.58</u>	
10	\$1,884.52 <u>2,516.40</u>	
12	\$2,377.47 <u>3,174.65</u>	
16	\$2,738.36 <u>3,656.54</u>	

- (2) Single-family residences, and multifamily residential dwelling units that have separately metered units; shall be charged a wastewater commodity charge for each one thousand (1,000) gallons or fraction thereof of water consumed per unit as follows:

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Wastewater Commodity Charges 28-76(b)(2)			
Ranges	Water (per unit)	Wastewater Monthly Usage Charges - Single-Family Residences	
	(1,000 gallons per month x number of dwelling units)	Effective 10/1/201923<u>23</u>	<u>On 10/1/2024, and 10/1/2025 charges shall be adjusted by increasing the prior year's charge by 9% and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 75%.</u>
Tier 1	0— 3,000	\$4.16 <u>5.55</u>	
Tier 2	>3,000	\$9.19 <u>12.27</u>	

- (3) Multifamily residential dwelling units that do not have separately metered units, shall be charged a wastewater commodity charge for each one thousand (1,000) gallons or fraction thereof of water consumed per unit as follows:

Wastewater Commodity Charges - Multifamily Residential Dwelling Units 28-76(b)(3)		
Tier Ranges	Water (per unit)	Wastewater Monthly Usage Charges

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	(1,000 gallons per month x number of dwelling units x .55)	Effective <u>10/1/2019</u> 23	On 10/1/2020, 4 and 10/1/2025 charges shall be adjusted by increasing the prior year's charge by 9%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by <u>75</u> %.
Tier 1	3,000	\$4.1 <u>65.55</u>	
Tier 2	>3,000	\$9.1 <u>912.27</u>	

- (4) The commodity charge for all other consumers for each one thousand (1,000) gallons or fraction thereof of water consumed shall be as follows:

Wastewater Commodity Charges - Commercial 28-76(b)(4)		
	Effective <u>10/1/2019</u> 23	On 10/1/2020, 4 and 10/1/2025 charges shall be adjusted by increasing the prior year's charge by 9%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by <u>75</u> %.
All Usage	\$7.3 <u>99.86</u>	

- (5) Except as provided herein, for properties required to connect to new sanitary sewer collection facilities constructed under WaterWorks 2011, in addition to the other rates and charges provided herein, the following schedule or rates and charges shall be imposed:

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- a. Every owner of property required to connect to the sanitary sewer system subsequent to completion of construction of sewer facilities under Waterworks 2011 shall pay a connection fee of one thousand dollars (\$1,000.00) per ERC as determined for the present use of the property.
- b. The connection fee for residential properties is based upon theoretical flow projections. A standard single-family detached home is expected to contribute flows to the system based upon an estimated maximum daily water usage of three hundred (300) gallons per day (GPD), and shall be charged one (1) ERC with an associated connection fee of one thousand dollars (\$1,000.00). A two-family dwelling, duplex or triplex shall be charged one (1) ERC per dwelling unit, with associated connection fees of two thousand dollars (\$2,000.00) and three thousand dollars (\$3,000.00) respectively. The connection fee for multi-family residential properties with more than three (3) dwelling units will be on 0.805 per ERC per dwelling unit, with associated connection fees computed as follows - $(0.805 \text{ per Dwelling Unit}) \times (\text{Number of Dwelling Units}) \times (\$1,000.00)$.
- c. The connection fee for nonresidential properties shall be based upon each customers' actual water usage for the preceding thirty-six (36) months where available, and if it is determined that it is a reasonable basis of estimating current water use. The associated connection fee for a nonresidential property with available water use records will be based upon the highest three (3) individual months consumption out of the preceding thirty-six (36) consecutive months computed as follows - $(\text{average daily consumption of the highest three (3) individual months for the property in GPD}) \div (300) \times (\$1,000.00)$.
- d. The connection fee for nonresidential properties where records of past water usage are not available or are not a reasonable basis for estimating current water use shall be based on flow projections and in accordance with the provisions contained in the "Guidelines for the Calculation of Sanitary Sewer Connection Fees" as amended from time to time. The associated connection fee for a nonresidential property without adequate water use records will utilize the promulgated ERC factor times $(\$1,000.00/\text{ERC})$.
- e. The basis of these determinations are contained in the "Guidelines for the Calculation of Sanitary Sewer Connection Fees" developed by the public works department and adopted by resolution of the City Commission.

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- f. A property owner who is also the occupant ("Owner-occupant") of a residential single family, duplex, triplex or other residential property, as defined by Chapter 47 of the Code of Ordinances, has the option to pay the connection fee under this subsection (5) prior to expiration of the time required for connection as provided in Section 28-33 or may finance the connection fee, over a period of five (5) years at an annual interest rate of six (6) percent compounded monthly. An owner-occupant of a residential property that is more than one (1) dwelling unit may only finance a pro-rata share of the connection fee representative of the number of dwelling units occupied by the owner. A property owner electing to finance the connection fee or portion thereof will repay the fee as part of the regular utility bill and will be subject to collection actions authorized by Code or Florida Statute. Those property owners' homes will be subject to a "voluntary lien," which must be paid in full prior to transfer or sale of property to another owner. Owner-occupants who elect to finance the connection fee pursuant to this subsection (5), shall be required to execute a promissory note secured by a lien on the property prior to connecting to the system or within ninety (90) days from the completion date, whichever comes first. An owner who does not make payments as provided in the promissory note shall pay a penalty for each month the payment is not made.
- g. Every owner of a lot or parcel of property in the Riverland Annexed Area described herein shall be deemed to have paid the equivalent of the connection fee as an equivalent fee has been paid to the City by Broward County pursuant to that interlocal agreement between Broward County and the City and dated December 3, 2002. The legal description of the Riverland Annexed Area is described in Chapter 2001-322, Laws of Florida; said annexation taking effect on September 15, 2003. All other fees shall be paid in accordance with City Code.
- h. Every owner of a lot or parcel of property in the Twin Lakes North Annexed Area described herein shall be deemed to have paid the equivalent of the Connection Fee as an equivalent fee has been paid to the City by Broward County pursuant to that Interlocal Agreement between Broward County and the City in effect on September 14, 2005. The legal description of the Twin Lakes North Annexed Area is described in Chapter 2004-442, Laws of Florida. All other fees shall be paid in accordance with City Code.

- i. In addition to the connection fee, a ten (10) percent surcharge shall be added to the wastewater user charges imposed under this Section 28-76. This surcharge shall continue for a period of twenty (20) years from the date a property is required to connect with the sanitary sewer system as provided in Section 28-33(a) and shall continue to be charged to customers of a particular property regardless of the name on the customers account.
 - j. The City Manager or his or her designee shall have the authority at any time, upon his or her initiative or in response to a properly filed petition from the property owner, to change the ERC for a property based on the presentation of competent and substantial evidence, and/or correct any error in applying or calculating the ERC for a particular lot or parcel of property. Any such correction shall be considered valid ab initio and shall in no way affect the enforcement of the connection fees imposed under this subsection (5). All requests from affected property owners for any such changes shall be referred to, and processed by the City Manager or designee.
 - k. The connection fees collected by the City as provided in this subsection (5) shall be set apart and separately accounted for and used only for costs associated with the new sanitary sewer collection facilities constructed under Waterworks 2011.
- (c) Consumers receiving water and wastewater service outside the corporate limits as described in paragraph (b)(2) shall be charged at a rate twenty-five (25) percent higher than the rate charged for like service and quantity of water used by consumers within the city limits.
- (d) Consumers within the corporate limits who dispose of wastewater through the City's wastewater disposal system and are supplied with water from sources public or private, other than the City water system, shall be charged a commodity charge for each one thousand (1,000) gallons of wastewater discharged or fraction thereof. The commodity charge shall be levied in accordance with Section 28-76 (b)(4). The customer shall install at his own expense and subject to approval by the City a specially designed and constructed sewage meter for accurately measuring all sewage and wastewater discharged from the premises. A customer may install on the water line from private or public sources, other than the City system, at his own expense and subject to the approval and inspection of the City, a meter to measure the water consumption. The water meter may be used to calculate the commodity charge if the Public Works Director

or his designee determines that the water consumption is equivalent to the wastewater discharge. In addition to the commodity charge, the customer shall pay a monthly fixed charge based upon the equivalent water meter size. The equivalent water meter size shall be determined by the public works director or his designee.

- (e) Customers receiving wastewater service outside the corporate limits as described in subsection (d) above shall be charged at a rate twenty-five (25) percent higher than the rate charged for like service by customers within the city limits.
- (f) The City has established limitations on the wastewater strength characteristics discharged into the City's sewerage system which consists of either a five-day BOD concentration of mg/liter or a suspended solids concentration of mg/liter or both. In the event an industrial user exceeds these limits for wastewater as determined by monitoring the utility's effluent at the point of connection, the commodity charge(s) shall be multiplied by the following projected factor:
 - (1) In the event that only the BOD₅ limit is exceeded: $[0.7 + 0.00075 \times (\text{concentration of BOD in mg/liter})]$
 - (2) In the event that only the SS is exceeded: $[0.7 + 0.00075 \times (\text{concentration of SS in mg/liter})]$
 - (3) In the event that both SS and BOD are exceeded: $[0.4 + 0.00075 \times (\text{concentration of BOD in mg/liter}) + 0.00075 \times (\text{concentration of SS in mg/liter})]$.
- (g) Should water consumption be recorded by an accurate meter for a customer whose account shows no prior history of such high water consumption and is not the result of a leak, the Finance Director or designee may grant a one-time billing adjustment to the customer for the overage above the twelve-month average at the lowest tiered rate, for a maximum of two months. This one-time credit is for the life of the account at the location for which such a credit is granted.
 - (1) In order to be considered for the one-time billing adjustment, the customer must submit the adjustment application and supporting documents, including evidence of no leak and a meter test request form to the Utility Billing and Collections Division within sixty (60) days of the date of the bill indicating high usage.

- (h) Should excessive water consumption be recorded by an accurate meter as the result of an identified leak, or designee, upon receipt of the supporting documentation of the repaired leak, may adjust the overage above the twelve-month average to the lowest-tiered rate, for a maximum period of two months. To be considered for such an adjustment, the consumer's account must have monthly usage exceeding two-times its average monthly usage for the previous twelve months and the consumer must submit the adjustment application to the Utility Billing and Collections division within sixty (60) days of the date of the bill in question.
- (i) When a signed statement by a contractor having a valid business tax receipt or property owner giving the dimensions and gallonage of a pool is filed with the City, reduction of sewerage charges attributable to the filling of the pool is authorized providing more than seventy-five (75) percent of the water is replaced.
- (j) To recover a portion of the costs the City incurs to maintain a readiness to serve properties that at one (1) time had active utility service but are currently inactive, on or after August 1, 2009 a service availability charge for both water and sewer will be billed to the property owner upon discontinuance of service.
 - (1) The service availability charges will remain in effect until an active account is re-established to the property. Service availability charges shall be:

Meter Sizes		Wastewater Service Availability Monthly Charges 28-76(j)(1)	
(inches)	Effective 10/1/20<u>19</u>23	On 10/1/2020,4 and 10/1/2025 charges shall be adjusted by increasing the prior year's charge by 9%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by <u>7</u> 5%.	
5/8	\$ 11.33 <u>15.13</u>		
3/4	\$ 15.84 <u>21.11</u>		
1	\$ 24.78 <u>33.09</u>		

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1½	<u>\$47.1862.99</u>
2	<u>\$74.0798.91</u>
3	<u>\$159.22212.62</u>
4	<u>\$271.25362.21</u>
6	<u>\$607.35810.98</u>
8	<u>\$719.38960.58</u>
10	<u>\$1,884.522,516.40</u>
12	<u>\$2,377.473,174.63</u>
16	<u>\$2,738.363,656.52</u>

- (2) In order for a structure or parts of a structure which have facilities for water and sewer service to be disconnected and excused from payment of water and sewer availability charges, the owner of said structure or parts of a structure shall:
- a. Remove all internal facilities which allow for the use of water and/or sewer service, including but not limited to: all sinks, toilets and spigots.
 - b. Request that the water meter(s) involved be removed.
 - c. Notify both the city development services department and the City Public Works Department that all water and sewer facilities have been removed and that the service availability charge should be terminated as to the subject structure or parts of a structure.
 - d. Pay the service availability reconnection charge as follows when removing an account from inactive status and placing it on active status:

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Service Availability Reconnection Charge 28-76(j)(2)	
	Effective 10/1/2011
To re-establish active service for both water and sewer for all size meters	\$150.00

SECTION 2. That Chapter 28 – Water, Wastewater and Stormwater - Section 28-141. – Municipal Water Supply System, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-141. – Tapping charges.

- (a) Upon the application of the owner or consumer for water service, the following tapping charges shall be paid to cover the cost of the taps and the installation of the service to the property line of the lot to be supplied water service.

Tapping charges 28-141(a)		
	Effective 10/1/20212	On 10/01/2022, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.6%.
5/8 by 3/4-inch tap and service	\$1,742.85 <u>1,892.75</u>	
3/4-inch tap and service	\$1,811.07 <u>1,966.82</u>	
1-inch tap and service	\$1,943.56 <u>2,110.71</u>	
1½-inch tap and service	\$3,148.11 <u>3,418.85</u>	

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2-inch tap and service	\$3,998.14 <u>3,411.98</u>	
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SECTION 3. That Chapter 28 – Water, Wastewater and Stormwater - Section 28-143. – Municipal Water Supply System, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-143. - Water rates.

- (a) Billing statements shall be submitted monthly or bimonthly to the consumers. The following schedule of rates and charges shall be imposed for the water service furnished by the city for consumers located within the corporate limits:
 - (1) A fixed monthly charge per meter against each meter supplied by a connected service to a residential single family residence, multifamily dwelling unit, cooperative or condominium apartment, commercial, industrial, institutional, or similar unit, building or complex and each separate municipal or other governmental agency or special-type unit, as follows:

Meter Sizes	Water Fixed Monthly Charges 28-143(a)(1)	
(inches)	Effective <u>10/1/2024</u>	On 10/1/2022 charges shall be adjusted by increasing the prior year's charge by 22.5% on <u>10/1/2025</u> and <u>10/1/2026</u> charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.65 <u>8.65</u> %.
<u>5/8</u>	\$7.61 <u>10.12</u>	
<u>3/4</u>	\$10.12 <u>13.46</u>	
1	\$15.16 <u>20.16</u>	
<u>1 1/2</u>	\$27.75 <u>36.92</u>	

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2	\$42.85 <u>57.00</u>
3	\$90.69 <u>120.65</u>
4	\$153.63 <u>204.38</u>
6	\$342.56 <u>455.72</u>
8	\$405.41 <u>539.33</u>
10	\$1,060.03 <u>1,410.21</u>
12	\$1,336.97 <u>1,778.64</u>
16	\$1,538.39 <u>2,046.60</u>

(2) Single-family residences shall be assessed a commodity charge for each one thousand (1,000) gallons or fraction thereof recorded per month as follows:

Water Commodity Charges Single-Family Residences 28-143(a)(2)			
Tier Ranges	Water (per unit)	Water Monthly Usage Charges	
	(1,000 gallons per month x number of	Effective 10/1/2024 3	On 10/1/2022, 4 charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter,

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	dwelling units)		charges shall be adjusted by increasing the prior year's charge by 8.65 %.
Tier 1	0—3,000	\$2.76 <u>3.68</u>	
Tier 2	4,000—8,000	\$6.08 <u>8.09</u>	
Tier 3	9,000—12,000	\$7.64 <u>10.12</u>	
Tier 4	13,000—20,000	\$10.27 <u>13.66</u>	
Tier 5	>20,000	\$14.91 <u>19.83</u>	

(3) Multifamily residential dwellings having more than one dwelling unit shall be assessed as follows:

Water Commodity Charges - Multifamily Residential Dwelling Units 28-143(a)(3)			
Tier Ranges	Water (per unit)	Water Monthly Usage Charges	
	(1,000 gallons per month x number of	Effective 10/1/2024 13	On 10/1/2022, 4 charges shall be adjusted by increasing the prior year's charge by 22.5%, on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges

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	dwelling units x .55)		shall be adjusted by increasing the prior year's charge by 8.65 <u>8.65</u> %.
Tier 1	3,000	\$2.76 <u>3.68</u>	
Tier 2	4,000— 8,000	\$6.08 <u>8.09</u>	
Tier 3	9,000— 12,000	\$7.61 <u>10.12</u>	
Tier 4	13,000— 20,000	\$10.27 <u>13.66</u>	
Tier 5	>20,000	\$14.94 <u>19.83</u>	

(4) All others shall be assessed as follows:

Water Commodity Charges - Commercial 28-143(a)(4)		
	Effective 10/1/2024	On 10/1/2022, 4 charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.65 <u>8.65</u> %.
All Usage	\$6.29 <u>8.37</u>	

(b) As to other municipalities, political subdivisions and privately owned public works in the county that are financially responsible, as determined by the city commission, which connect to the City's water mains through a master meter or master meters

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arrangement, all such meters shall be read monthly or bimonthly and statements submitted to each consumer at the following rates and charges:

- (1) A fixed monthly charge per master meter against each master meter connected to the city water system, as follows:

Meter Sizes	Master Meter Water Fixed Monthly Charges 28-143(b)(1)	
(inches)	Effective 10/1/2024	
5/8	<u>\$43,655.07</u>	
3/4	<u>\$64,205.41</u>	
1	<u>\$105,291.07</u>	
1 1/2	<u>\$208,012.73</u>	
2	<u>\$331,294.73</u>	On 10/1/2024 charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.65%.
3	<u>\$721,649.03</u>	
4	<u>\$1,235,261,643.33</u>	
6	<u>\$2,776,123,693.22</u>	
8	<u>\$3,289,734,376.50</u>	
10	<u>\$8,631,361,482.73</u>	
12	<u>\$10,891,281,489.21</u>	

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16	\$12,534.87 <u>16,675.77</u>
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(2) A commodity charge for each one thousand (1,000) gallons or fraction thereof recorded shall be as follows:

Master Meter 28-143(b)(2)		
	Effective <u>10/1/2024</u>	On 10/1/2022, 4 charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.65 <u>9.0</u> %.
All Usage	\$3.124 <u>.15</u>	

(c) Consumers receiving water outside the corporate limits shall be charged at a rate of twenty-five (25) percent higher than the rate charged in subsection (b) for like service and quantity of water used by consumers within the city limits.

(d) For Residential accounts only. Should excessive water consumption be recorded by an accurate meter for a customer whose account shows no prior history of such high water consumption and is not the result of a leak, the Finance Director or designee may grant a one-time billing adjustment to the customer for the overage above the twelve-month average at the lowest tiered rate, for a maximum of two months. This one-time credit is for the life of the account at the location for which such a credit is granted.

(1) In order to be considered for the one-time billing adjustment, the customer must submit the adjustment application and supporting documents, including evidence of no leak and a meter test request form to the Utility Billing and Collections Division within sixty (60) days of the date of the bill indicating high usage.

(e) For Residential accounts only. Should excessive water consumption be recorded by an accurate meter as the result of an identified, the Finance Director designee, upon receipt of the supporting documentation of the repaired leak, may adjust the rate for the

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overage that is above the twelve month average to the lowest-tiered rate, for a maximum adjustment period of two months. To be considered for such an adjustment, the consumer's account must have monthly usage exceeding two-times its average monthly usage for the previous twelve months and must submit the adjustment application to the utility billing and adjustments division within sixty (60) days of the date of the bill in question.

- (f) To recover a portion of the costs the city incurs to maintain a readiness to serve properties that at one (1) time had active utility service but are currently inactive, on or after August 1, 2009 a service availability charge for both water and sewer will be billed to the property owner upon discontinuance of service.
 - (1) The service availability charges will remain in effect until an active account is re-established to the property. Service availability charges shall be:

Meter Sizes	Water Service Availability Monthly Charges 28-143(f)(1)	
(inches)	Effective <u>10/1/2024</u>	
5/8	\$7.64 <u>10.12</u>	
3/4	\$10.12 <u>13.46</u>	On 10/1/2022, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.65%.
1	\$15.16 <u>20.18</u>	
1 1/2	\$27.75 <u>36.93</u>	
2	\$42.85 <u>57.01</u>	
3	\$90.69 <u>120.65</u>	
4	\$153.63 <u>204.40</u>	

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6	\$342.56 <u>455.74</u>
8	\$405.41 <u>539.34</u>
10	\$1,060.03 <u>1,410.21</u>
12	\$1,336.97 <u>1,778.64</u>
16	\$1,538.39 <u>2,046.61</u>

- (2) In order for a structure or parts of a structure which have facilities for water and sewer service to be disconnected and excused from payment of water and sewer availability charges, the owner of said structure or parts of a structure shall:
- a. Remove all internal facilities which allow for the use of water and/or sewer service, including but not limited to: all sinks, toilets and spigots.
 - b. Request that the water meter(s) involved be removed.
 - c. Notify both the city development services department and the city public works department that all water and sewer facilities have been removed and that the service availability charge should be terminated as to the subject structure or parts of structure.
 - d. Pay the service availability reconnection charge as follows when removing an account from inactive status and placing it on active status:

Service Availability Reconnection Charge 28-143(f)(2)d.	
	Effective 10/1/2019
To re-establish active service for both water and sewer for all size meters	\$150.00

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SECTION 4. That Chapter 28 – Water, Wastewater and Stormwater - Section 28-144. – Sprinkling meter charges., of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-144. - Sprinkling meter charges.

(a) The fixed monthly charge per meter for sprinkling meter services shall be based upon the size of the meter and shall be as follows:

Meter Sizes	Sprinkling Fixed Monthly Charges 28-144(a)	
(inches)	Effective 10/1/2024	
5/8	\$7.61 <u>10.12</u>	
3/4	\$10.12 <u>13.46</u>	
1	\$15.16 <u>20.16</u>	
1 1/2	\$27.75 <u>36.92</u>	
2	\$42.85 <u>57.00</u>	On 10/1/2020,4 charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.65%.
3	\$90.69 <u>120.65</u>	
4	\$153.63 <u>204.37</u>	
6	\$342.56 <u>455.72</u>	
8	\$405.41 <u>539.33</u>	
10	\$1,060.03 <u>1,410.21</u>	
12	\$1,336.97 <u>1,778.64</u>	
16	\$1,538.39 <u>2,046.60</u>	

(b) A commodity charge for sprinkling meter services for each one thousand (1,000) gallons or fraction thereof recorded per month shall be as follows:

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Commodity Charges - Sprinkling Meter Services 28-144(b)			
Tier Ranges	Water	Water Monthly Usage Charges	
	(1,000 gallons per month x Meter Equivalency Factor)	Effective 10/1/2021 3	On 10/1/2022, 4 charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.65 %. <u>8.65</u> %.
Tier 1	0—12,000	\$7.61 <u>10.12</u>	
Tier 2	13,000—20,000	\$10.27 <u>13.66</u>	
Tier 3	>20,000	\$14.91 <u>19.83</u>	

Meter Equivalency Factor 28-144(b)	
Meter Size (inches)	Factor
5/8	1.00
3/4	1.50
1	2.50
1½	5.00
2	8.00
3	15.00
4	25.00
6	50.00
8	80.00
10	115.00

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12	215.00
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- (c) Should water consumption be recorded by an accurate meter as the result of an identified leak, the Finance Director or designee, upon receipt of the supporting documentation of the repaired leak, may adjust the rate for the overage above the twelve month average to the lowest tiered rate, for a maximum adjustment period of two months. To be considered for such an adjustment, the consumer's account must have monthly usage exceeding two-times its average monthly usage for the previous twelve months and must submit the adjustment application to the Utility Billing and Collections Division within sixty (60) days of the date of the bill in question.
- (d) Should excessive water consumption be recorded by an accurate meter for a customer whose account shows no prior history of such high water consumption and is not the result of a leak, the Finance Director or designee, may grant a one-time billing adjustment to the customer for the overage above the twelve month average at the lowest tiered rate, for a maximum of two months. This one-time credit is for the life of the account at the location for which such a credit is granted.
 - (1) In order to be considered for the one-time billing adjustment, the customer must submit the adjustment application and supporting documents, including evidence of no leak and a meter test request form to the Utility Billing and Collections Division within sixty (60) days of the date of the bill indicating high usage.

SECTION 5. That Chapter 28 – Water, Wastewater and Stormwater - Section 28-145. – Private fire service protection, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-145. – Private fire service protection.

- (a) The fixed monthly charge for special private charge for special private fire service protection shall be based upon the size of the fire service line connected within the City's water distribution system as follows:

Meter Sizes	Fire Service Fixed Monthly Charges 28-145(a)	
(inches)	Effective <u>10/1/2021</u> ³	On 10/1/202 2 ⁴ charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026

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2	<u>\$54,8172.91</u>	charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.65 %.
3	<u>\$101,14134.55</u>	
4	<u>\$167,33222.61</u>	
6	<u>\$332,79442.73</u>	
8	<u>\$531,33706.85</u>	
10	<u>\$762,941,014.97</u>	
12	<u>\$1,424,751,895.42</u>	
16	<u>\$2,318,183,083.99</u>	

(b) The City shall install fire line connections up to the property line upon application made to the appropriate City department. The property owner is responsible for installation and maintenance of the fire line on his property. The owner shall apply for service and prepay the estimated cost of the installation from the main to the curblin (plus the extension of the properly sized main, if necessary), including labor, materials, valves, street repairs, sidewalk repairs, and such other costs as may be incurred in rendering service. The property owner, his successors in interest, and all tenants on the property shall be subject to the following regulations:

- (1) Use for fire purposes only. This connection is to be used for fire purposes only and is to have no connection whatsoever with any taps that may be used for other than fire purposes and, because of the danger of pollution, shall have no connection with any other source of supply unless a tank or fire pump is installed as a secondary supply. There shall be a backflow prevention assembly installed in each city connection to prevent the water from these secondary supplies running back into the City mains in accordance with chapter 28, article III, and division 2, "Backflow Prevention."
- (2) Tests. The owner shall not draw any water whatever through this connection for any purpose except the extinguishment of fires or for periodic tests of the fire system, which tests shall be made in the presence of a representative of the City.
- (3) Equipment inspection. The City fire inspector and any authorized city representative shall have free access to the building at any reasonable time for the purpose of inspecting any of the equipment.

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- (4) Backflow prevention assembly. At the time of installation of the fire line, the owner shall install at owner's sole expense a backflow prevention assembly on owner's property at a location designated by the City fire plans examiner as close as practical to the property line. Such backflow prevention assembly shall be fitted with a detector assembly bypass, on which shall be set a meter, the purpose of which shall be to indicate whether water is being used through this connection and for the further purpose of showing if there is leakage. Whether backflow prevention is required shall be determined by the provisions of Chapter 28, Article III, Division 2 Backflow Prevention and subparagraph (5) below.
- (5) Backflow prevention. At the time of application by the owner for fire service, the fire plans examiner may require an approved backflow prevention assembly to be installed by owner at owner's sole expense on each fire line at or near the property line. American Waterworks Association Manual M-14, as it may be amended from time to time is hereby adopted by reference and applicable provisions of Division 2 of this article shall govern the installation of backflow prevention assemblies on fire lines. Nothing herein shall be construed to require backflow prevention on existing fire lines; provided that the fire service was installed prior to May 5, 2014 and adheres to the current Florida Administrative Code governing cross-connection control, however, the public works director or city fire marshal shall have the authority to make a determination whether the owner shall have a backflow prevention assembly installed on an existing fire line to protect the public potable water system.
- (6) Repairs, alterations and relocations. The owner shall be responsible for repairs, alterations or relocations to fire lines and backflow prevention assemblies on fire lines, pay applicable fees, provide certifications and recertifications and meet the provisions of Chapter 28, "Water, Wastewater and Stormwater," Article III, "Municipal Water Supply System," Division 2, "Backflow Prevention." The City of Fort Lauderdale reserves the right to shut off the water supply at any time in case of accident or to make alterations, extensions, connections or repairs, and, if possible, the public works department will attempt to provide a twenty-four (24) hour notice prior to discontinuing service.

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(7) Pressure not guaranteed. The City shall not make any guarantee as to a certain pressure in this pipe or in the main supplying the same, and shall not be, under any circumstances, held liable for loss or damage to the owner for a deficiency or failure in the supply of water, whether occasioned by shutting off of water in case of accident or alterations, extensions, connections or repairs or for any cause whatsoever.

(8) Resealing valves and connections. When fire line valves or connections are used in case of fire or for any other reason whatsoever, the owner shall immediately notify the public works department and the public works division shall forthwith reseal the used valves or connections.

(c) Upon the application of the owner or consumer for private fire service, tapping charges shall be paid as follows:

Fire Service Tapping Charges 28-145(c)		
	Effective 10/1/2021	On 10/1/2024 charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0% and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 8.65%.
2-inch tap and service	\$4,787.24 <u>6,368.70</u>	
4-inch tap and service	\$11,315.28 <u>15,053.28</u>	
6-inch tap and service	\$12,620.93 <u>16,790.25</u>	
8-inch tap and service	\$18,278.57 <u>24,316.90</u>	

For sizes greater than an eight-inch tap and service, such charges shall be estimated and billed upon a basis of actual cost, including materials, labor, equipment and a percentage allowance for administrative and overhead costs. All tapping and service charges shall be paid in full before the fire service is installed.

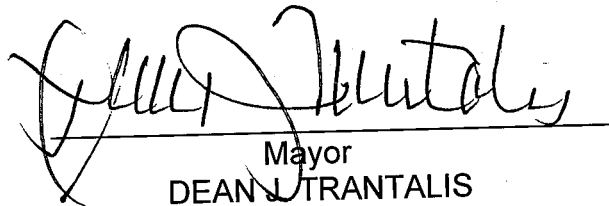
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SECTION 6. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 7. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.


SECTION 8. That this Ordinance shall be in full force and effect on October 1, 2023.

PASSED FIRST READING this 5th day of September, 2023.
PASSED SECOND READING this 19th day of September, 2023.



Mayor
DEAN J. TRANTALIS

ATTEST:



City Clerk
DAVID R. SOLOMAN

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