

ORDINANCE NO. C-13-02

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 28-76, ENTITLED "WASTEWATER USER RATES," OF DIVISION 3, ENTITLED "RATES AND CHARGES," OF ARTICLE II, ENTITLED "SEWERS AND SEWAGE DISPOSAL," OF CHAPTER 28, ENTITLED "WATER, WASTEWATER AND STORMWATER," OF THE CODE OF ORDINANCES, PROVIDING FOR A WASTEWATER COMMODITY ADJUSTMENT FOR COMMERCIAL ACCOUNTS WHEN EXCESSIVE CONSUMPTION IS THE RESULT OF A KNOWN LEAK; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the Public Works Department has proposed certain changes to Chapter 28, entitled "Water, Wastewater and Stormwater," of the Code of Ordinances to provide for a water and sewer adjustment to be made by the City Manager when an excessive consumption by the commercial customer is the result of a known leak and the customer has provided a sworn affidavit stating that the customer knows of the reason for such high consumption and a sworn affidavit from a licensed plumber that the leak in the customer's plumbing system has been repaired;

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

SECTION 1. That Section 28-76 entitled "Wastewater user rates," of Division 3, entitled "Rates and Charges," of Article II, entitled "Sewers and Sewage Disposal" shall be amended to add a new subsection (i) and the remaining sections are renumbered as follows:

**Sec. 28-76. – Wastewater user rates.**

...

(i) Should excessive water consumption be the result of a known water leak in the consumer's water system and such consumption results in a loss of water that discharges to the sewer system, the City Manager or designee may, upon receipt of a sworn affidavit from the customer stating that the water did enter the sewer system and a sworn affidavit from a licensed plumber that the leak in the customer's water system has been repaired along with a copy of the repair invoice describing the type and location of the leak, and the repairs made, reduce or credit the customer's wastewater commodity charge by reducing the rate charged to a rate equal to the customer's previous twelve month average consumption rate.

(j) Should water consumption of an unusually large volume be recorded by an accurate commercial meter, which consumption is the result of a leak in the consumer's water system, and such consumption results in a loss of water that did not enter the sewer system, the city manager or designee may, upon receipt of a sworn affidavit from the customer requesting the leak adjustment, and a sworn affidavit from a licensed plumber that a leak in the customer's water system has been repaired, reduce or credit the customer's wastewater commodity charge by averaging the prior twelve month consumption and crediting the difference.

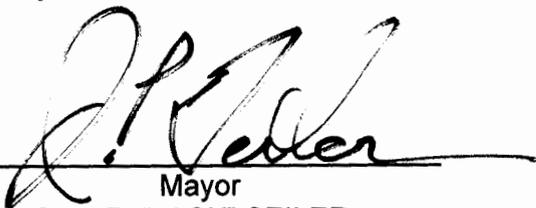
(i) ...  
(k) ...

(\*) ...  
(l) ...

**SECTION 2.** 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 3.** That this Ordinance shall be in full force and effect from the date of final passage.

PASSED FIRST READING this the 8th day of January, 2013.  
PASSED SECOND READING this the 22nd day of January, 2013.

  
\_\_\_\_\_  
Mayor  
JOHN P. "JACK" SEILER

ATTEST:

  
\_\_\_\_\_  
City Clerk  
JONDA K. JOSEPH

L:\COMM2013\Ords\January 22\C-13-02.doc