



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#25-0956

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Rickelle Williams, City Manager

DATE: November 18, 2025

TITLE: Second Reading - Ordinance Amending Chapter 28 - Water, Wastewater
and Stormwater - Limiting Utility Account Establishment to Property Owners
Only - **(Commission Districts 1, 2, 3 and 4)**

Recommendation

Staff recommends the City Commission approve on second reading an ordinance amending Chapter 28 - Water, Wastewater and Stormwater, Sections 28-137, 28-138, 28-141, 28-145, 28-148, 28-149, 28-168, 28-186, and 28-187, of the Code of Ordinances of the City of Fort Lauderdale, Florida to ensure the owner of a property is solely responsible for establishing new utility service.

Background

The City's current Ordinance (Chapter 28, Section 28-138) allows owners, agents, tenants or consumers to establish water, sewer and sanitation services. When an owner establishes service, the City effectively maintains the ability to pursue collections on delinquent accounts. This includes the ability to place a lien against the property if a receivable is not collected during the normal course of business or through collection activities. The lien will enable the City to recover amounts due when the property is sold or refinanced.

The City currently has approximately \$929 million in outstanding Water and Sewer Revenue Bonds, with maturities extending through 2053. These bonds are governed by the Water and Sewer System Master Bond Resolution, Resolution No. 03-29 (adopted February 18, 2003). Bond covenants require the City to maintain reliable collection practices to protect pledged net revenues.

Pursuant to Section 159.17, Florida Statutes, municipalities issuing revenue bonds shall have a lien on property served by the water and sewer system until the debt is paid. However, this is enforceable only when the account is in the property owner's name. The practice of allowing tenants to establish accounts in their name eliminates the lien-based protection, significantly limiting the City's legal recourse to aggressively enforce collections on delinquent tenant accounts. The proposed ordinance change is necessary to align the City's collection framework with enforceable lien rights, reduce exposure to bad debt, and protect the financial security of the utility system.

As proposed in the amendment, only property owners will be permitted to establish water service accounts, enabling the City to directly link any delinquent balances to the property. Approximately 8,800 existing accounts are currently in tenants' names; this change will only apply to new accounts, with existing accounts grandfathered. However, effective March 1, 2026, if water service is disconnected (cut off) due to: (1) nonpayment of water or sewer bill, (2) the lack of backflow prevention assembly, inspection, testing or recertification, or (3) violations or provisions of Chapter 28, "Water, Wastewater, and Stormwater" and the water account is not in the property owner's name, the water service shall only be reestablished if the owner of the property applies for water service pursuant to Section 28-138 (c).

To support community education and outreach, the ordinance will take effect on March 1, 2026, with educational efforts continuing beyond the effective date.

With the adoption of the Fiscal Year 2026 Operating Budget, water and sewer distribution and collection responsibilities were transferred from the Public Works Department to the newly created Utility Services Department. As a result, the departmental references in Chapter 28 require modification. Staff are conducting a comprehensive review of the chapter and will present a holistic amendment to update all relevant sections before July 31, 2026.

The first reading of the ordinance (CAM #25-0770) was considered by the City Commission on November 4, 2025, and approved without any modification.

Resource Impact

There is no current fiscal impact associated with this action.

Strategic Connections

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- Guiding Principle: Fiscal Responsibility

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are United.

This item supports the *Advance Fort Lauderdale 2040* Comprehensive Plan specifically advancing:

- The Internal Support Focus Area
- The Implementation Element
- Goal 1: The Fort Lauderdale Comprehensive Plan shall accomplish the City's Fast Forward Fort Lauderdale Vision 2035 Plan regarding the City's future growth and the six Cylinders of Excellence and shall be the City's primary policy document to guide all of its activities and development.

Attachments

Exhibit 1 – CAM #24-0984

Exhibit 2 – Additional Information - Utility Billing Account Establishment
Exhibit 3 – Ordinance

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