

ORDINANCE NO. C-25-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, 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, BY ADDING AND REMOVING LANGUAGE TO LIMIT UTILITY ACCOUNT ESTABLISHMENT TO PROPERTY OWNERS ONLY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Lauderdale's ("City") current Ordinance Section 28-138 allows owners, agents, tenants or consumers to establish accounts for water, sewer and sanitation services; and

WHEREAS, when an owner establishes service, the City has the ability to seek collections on delinquent accounts or to place a utility lien against the property; and

WHEREAS, the practice of allowing tenants to establish accounts in their name significantly limits the City's legal recourse to enforce collections on outstanding tenant accounts; and

WHEREAS, on November 7, 2024, City staff presented to the City Commission of the City of Fort Lauderdale ("City Commission") the option to change the Code of Ordinance of the City of Fort Lauderdale, Florida, to remove the ability for tenants to open new utility billing accounts; and

WHEREAS, the City Commission directed City staff to move forward with the ordinance change;

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 28-137 - Provisions made Part of Contract for Services, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-137. - Provisions made part of contract for services.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

The rules and regulations as set forth in this article are hereby made a part of the contract between the City via the utilities division of the City's Public Works Department and every ~~consumer of or~~ applicant for water supply from such department.

SECTION 2. That Chapter 28 - Water, Wastewater and Stormwater - Section 28-138 - Applications for Water, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-138. - Applications for water.

- (a) Applications for water must be made to the appropriate City department on forms furnished for that purpose, and same must be signed by the owner of the property, ~~agent or tenant or consumer~~ or the owner of the property's authorized agent.
- (b) All applications for water service with the City, and accounts established thereof, shall be in the name of the owner of the property.
- (c) On or after March 1, 2026, if water service is cut off by reason of: (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 name of the owner of the property, the water service shall only be reestablished if the owner of the property applied for water service pursuant to this section.

SECTION 3. That Chapter 28- Water, Wastewater and Stormwater - Section 28-141 - Tapping Charges, 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 10/1/2022
$\frac{5}{8}$ by $\frac{3}{4}$ -inch tap and service	\$1,892.75
$\frac{3}{4}$ -inch tap and service	\$1,966.82
1-inch tap and service	\$2,110.71
1½-inch tap and service	\$3,418.85
2-inch tap and service	\$4,341.98

For sizes greater than a two-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 water service is installed.

- (b) Tapping charges for installation of sprinkling meters (two-inch or smaller) shall be seventy-five (75) percent of the normal water service tapping charges listed above. For residential accounts installing a secondary meter for irrigation purposes, the city will allow the tapping charges to be paid in installments for a period of up to eighteen (18) months. The installment payments will be added to the customer's monthly utility bill with no interest.
- (c) Sprinkling meters over two-inch shall be estimated and billed upon a basis of actual cost, including materials, labor, equipment and a percentage allowance for administrative and overhead costs. For residential accounts installing a secondary meter for irrigation purposes, the city will allow the tapping charges to be paid in installments for a period of up to eighteen (18) months. The installment payments will be added to the customer's monthly utility bill with no interest.
- (d) For over two-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 water meter is installed.
- (e) When a larger water meter is replaced with a smaller size meter, the charge shall be fifty (50) percent of normal water service tapping charges listed above for the new size meter. All tapping and service charges shall be paid in full before the water meter is replaced.

- (f) When a water meter is replaced with a larger meter, the owner ~~or consumer~~ shall be allowed a credit on his/her/its tapping charge in an amount equal to the value of the meter replaced, computed on the basis of its cost, less ten (10) percent depreciation per year for each year since its installation at such location.

SECTION 4. 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 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 10/1/2023	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 5%.
2	\$72.21	
3	\$134.55	
4	\$222.61	
6	\$442.73	
8	\$706.85	
10	\$1,014.97	
12	\$1,895.42	
16	\$3,083.99	

- (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/her/its 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.
- (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.
- (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 10/1/2023	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 5%.
2-inch tap and service	\$6,368.70	
4-inch tap and service	\$15,053.28	
6-inch tap and service	\$16,790.25	

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8-inch tap and service	\$24,316.90	
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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.

SECTION 5. That Chapter 28 - Water, Wastewater and Stormwater - Section 28-148 - Diverting Water from City's Distribution System, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-148. - Diverting water from City's distribution system.

- (a) The owner ~~or consumer~~ at the premises shall pay to the City the sum of one hundred fifty dollars (\$150.00) for each and every time the seal on any meter or its coupling on or for such premises is found broken or a pipe has been installed to bypass a meter or utility lines have been tampered with to divert water around the meter. The owner~~, consumer or contractor~~ shall pay to the City the sum of five hundred dollars (\$500.00) for each and every time a fire hydrant or fill station or a pipe has been installed to bypass a meter or utility lines have been tampered with to divert water around a hydrant meter, fill station meter contractor meter or backflow prevention assembly. After the first occurrence the appropriate City department shall notify the customer that his/her/its regular deposit has been increased to a special deposit as outlined in Section 28-186.
- (b) Upon the second occurrence of such offense, the City shall, at its option, shut off the supply and discontinue its service and may further refuse to turn the same on again and resume its service to such premises so long as the owner ~~or consumer~~ at the premises at the time of the breaking or removal of such seal shall continue to be the owner ~~or consumer~~ at the premises or discontinue its service to owner~~, consumer or contractor~~, at the time of the breaking, bypass or removal of such meter or backflow prevention assembly.
- (c) The existence of any mechanical device or pipe having as its apparent object the diversion of water before reaching the meter and capable of such diversion and which has not been authorized by the City Manager, and the existence of a broken meter, broken meter lock or broken metal seal, meter bypass, or lack of meter shall constitute prima facie evidence of the fraudulent appropriation of water, as the case may be, by

the person on whose premises, vehicle, or equipment such device, pipe or tank was found or by the person occupying the premises, vehicle, or equipment being served with water, on which fire hydrant, fill station, or service line was found a broken meter, broken meter lock, broken meter seal, meter bypass, or missing meter.

SECTION 6. That Chapter 28 - Water, Wastewater and Stormwater - Section 28-149 - Maintenance of Plumbing, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-149. - Maintenance of plumbing.

All plumbing from the property line on a homeowner's property shall be done by the owner-~~or consumer~~. ~~Consumers~~Owners shall keep all pipes, fittings and fixtures on their premises in good order and repair. They shall not furnish water for use on other premises.

SECTION 7. That Chapter 28 - Water, Wastewater and Stormwater - Section 28-168 - Installation Charges, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-168. - Installation charges.

In addition to the sums specified in this article to be paid for tapping and service and for deposit for the meter, the City shall collect and there shall be paid by the ~~consumer~~ owner of the property to the City before the installation of each water meter for the purpose of supplying City water the sum of thirty-five dollars (\$35.00), which sum shall not be liable to be refunded for any purpose whatsoever.

SECTION 8. That Chapter 28 - Water, Wastewater and Stormwater - Section 28-186 - Deposits - Schedule; Exemptions, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-186. - Deposits - Schedule; exemptions.

The City, through its appropriate department, shall collect a deposit from ~~any person~~ the owner of the property securing water services with the City water system which shall include new services as well as turn-ons of old connections. This deposit shall be in addition to any other deposit paid to the City. Political subdivisions and religious organizations are exempted from the

payment of such water meter deposit providing their service has not been disconnected due to nonpayment. The schedule of deposits as provided herein shall be as follows:

(a) For residential utility accounts:

Water Meter Size						
In City Accounts First Unit	5/8"	3/4"	1"	1½"	2"	Each Additional Unit
Main house meter	\$40.00	\$45.00	\$80.00	\$150.00	\$210.00	\$32.00
Sprinkler meter	70.00	85.00	140.00	300.00	775.00	N/A
Sanitary sewer service	70.00	75.00	120.00	205.00	260.00	55.00

Water Meter Size						
Out of City Accounts First Unit	5/8"	3/4"	1"	1½"	2"	Each Additional Unit
Main house meter	\$50.00	\$55.00	\$100.00	\$190.00	\$260.00	\$40.00
Sprinkler meter	85.00	105.00	170.00	370.00	970.00	N/A
Sanitary sewer service	85.00	90.00	150.00	255.00	325.00	65.00

(b) *Special residential deposits.* When a customer fails to pay in a timely fashion resulting in termination of services due to nonpayment, a new deposit at the current deposit rate shall be paid. For every termination of service for nonpayment thereafter, an additional special deposit of ten dollars (\$10.00) per account and service prior to the re-establishment of a terminated account shall be paid. However, a special deposit shall never exceed an amount of approximately three (3) months of averaged billings for service. This special deposit may be reduced, after six (6) consecutive months of timely payments, to a deposit as provided in Section (a) above upon request of the customer, or the deposit may be applied as a payment to the City or refunded in accordance with Section 28-187 of this Code. Timely payment shall mean payments to accounts by or prior to the due date of the utility bill but in no event later than twenty-five (25) days from the date billed. For purposes of this definition, payments will be considered timely if a partial payment approximating an average bill for the account is made when a portion of a bill is in dispute due to an unusual billing or payment circumstance as approved by authorized utility billing personnel.

- (c) *Commercial and all other nonresidential deposits.* The deposit for each account established and for each service rendered shall be based upon estimated total charges for a period of three (3) months as determined by utility billing personnel. Utility billing personnel shall base the deposit on data available from previous users of the premises being served, comparable uses to the proposed use and other factors available to them to determine a deposit that is fair, equitable and nondiscriminatory.

SECTION 9. That Chapter 28 - Water, Wastewater and Stormwater - Section 28-187 - Same Guarantee of Payment of Charges; Refunds; Review of Deposit Amounts, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-187. - Same—Guarantee of payment of charges; refunds; review of deposit amounts.

Deposits made under this division shall be and constitute a guarantee to the City that all sums of money due by virtue of the furnishing of water or sewer or garbage and trash disposal services to the person making such deposit guarantee are paid. Refunds of deposits made shall be made under the following circumstances:

- (a) Upon the payment of all sums for service provided, the City shall, upon discontinuation of services, refund and return to the person making a deposit the amount of the deposit or the net amount thereof after deducting such sums as may be due to the City.
- (b) For residential accounts in the name of the property owner, the deposit shall be applied to the customer's account after twelve (12) consecutive months of timely payments.
- ~~(c) For residential accounts not in the name of the property owner, the deposit shall be applied to the customer's account after twenty-four (24) consecutive months of timely payments.~~
- ~~(c)~~ For all other accounts, the deposit shall be retained until the account is finalized [finalized] and closed out.
- ~~(e)~~ An annual review of deposits for all accounts other than residential shall be made. Any deposits which are greater than twenty-five (25) percent different than the

average indicated for three (3) monthly bills based upon the preceding twelve (12) months actual bills will be adjusted, either higher or lower, to the amount necessary to guarantee three (3) months of normal service.

(~~f~~e) Nothing contained in this section shall apply to accounts receiving service on April 1, 1997, providing they remain in good standing and service is not discontinued due to reason of non-payment of utility service charges.

(~~g~~f) When a property owner having his/her/its primary residential service(s) in his/her/its name purchases a new property within the City's utility service area and establishes his/her/its primary residential service(s) at his/her/its new property, no additional deposit shall be required. Any existing deposit on hand will be transferred to his/her/its new account along with any account balances remaining from his/her/its previous service(s).

SECTION 10. At the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener's errors in the codification of this Ordinance without the need for a public hearing.

SECTION 11. 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 12. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 13. That this Ordinance shall be in full force and effect as of March 1, 2026.

PASSED FIRST READING this ____ day of _____, 2025.

PASSED SECOND READING this ____ day of _____, 2025.

Mayor
DEAN TRANTALIS

ATTEST:

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

City Clerk
DAVID R. SOLOMAN