

ORDINANCE NO. C-15-05

AN ORDINANCE AMENDING SUBSECTION 28-76(h) OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE BILLING ADJUSTMENT FOR UNEXPLAINED WATER CONSUMPTION AS THE RESULT OF A LEAK THAT HAS BEEN REPAIRED, CREATING SECTION 28-173 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR A BILLING ADJUSTMENT FOR UNEXPLAINED WATER CONSUMPTION ON AN ACCOUNT WITH WATER, WASTEWATER, OR IRRIGATION SERVICE, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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WHEREAS, the City of Fort Lauderdale 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, Lauderdale-by-the-Sea, Oakland Park, Sea Ranch Lakes, Wilton Manors, portions of unincorporated Broward County, Davie and Tamarac; and

WHEREAS, there are occasions when excessive water consumption is caused by a leak or cannot be explained,

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

SECTION 1. Subsection 28-76(h) of the Code of Ordinances of the City of Fort Lauderdale, Florida, is amended to provide as follows:

Should water consumption of an unusually large volume be recorded by an accurate meter, which consumption is the result of a leak in the consumer's water system, and such consumption results in a loss of water which does not enter the sewer system, the city manager or designee may, upon receipt of a sworn affidavit from the customer stating that the water did not enter the sewer system and a sworn affidavit from a licensed plumber that a leak in the customer's water system has been repaired, ~~reduce or credit~~ adjust the

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customer's wastewater commodity charge by ~~reducing~~averaging the ~~rate charged to a rate equal to the customer's previous~~prior twelve-months' ~~average~~consumption rate and crediting the difference.

SECTION 2. ~~Subs~~ection 28-173 of the Code of Ordinances of the City of Fort Lauderdale, Florida, is created to provide as follows:

**Sec. 28-173. – Unexplained water consumption.**

- (a) Should excessive water consumption due to a leak or an unusually inexplicably large volume be recorded by an accurate meter for a customer whose account shows no prior history of such high water consumption, and the customer does not qualify for an adjustment as provided in subsections 28-76(g), (h), (i), or (j), or subsections 28-143(d) or (e), the city manager or the city manager's designee, upon receipt of an affidavit from the customer and a copy of a repair invoice from a licensed plumber describing the leak or an affidavit from a licensed plumber stating that there are no leaks on the property, may modify the customer's bill by reducing the rate applied to the water consumption in excess of the average of the prior twelve-months' consumption to the Block 3 rate as set forth in subsection 28-143(a)(2).
- (b) Should excessive water consumption due to a leak or an unusually inexplicably large volume be recorded by an accurate meter for a customer whose account shows no prior history of such high water consumption, and the customer does not qualify for an adjustment as provided in subsection 28-144(c), the city manager or the city manager's designee, upon receipt of an affidavit from the customer and a copy of a repair invoice from a licensed plumber describing the leak or an affidavit from a licensed plumber stating that there are no leaks on the property, may modify the customer's bill by reducing the rate applied to the water consumption in excess of the average of the prior twelve-months' consumption to the Block 2 rate as set forth in subsection 28-144(b).

SECTION 4. 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.

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SECTION 5. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 6. That this Ordinance shall be in full force and effect on February 1, 2015.

PASSED FIRST READING this the 21st day of January, 2015.

PASSED SECOND READING this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Mayor  
JOHN P. "JACK" SEILER

ATTEST:

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City Clerk  
JONDA K. JOSEPH

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