

ORDINANCE NO. C-21-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 28 - WATER, WASTEWATER AND STORMWATER, SECTIONS 28-76, 28-143, AND 28-144 AND DELETING SECTIONS 28-173 AND 28-174, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING FOR A SIMPLIFIED ADMINISTRATION OF WATER AND WASTEWATER CREDITS FOR LEAKS AND UNEXPLAINED USAGE, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Effective October 1, 2019, an updated rate structure and rates were implemented for Water and Wastewater; and

WHEREAS, Water and Wastewater credits are contained in twelve sections in the Code of Ordinances of the City of Fort Lauderdale, Florida, making the process for providing leak and unexplained usage credits difficult to administer and be understood by neighbors; and

WHEREAS, City staff reviewed structures and best practices relating to Water and Wastewater credits for other municipalities in Broward; and

WHEREAS, City staff is proposing a streamlined structure of seven sections that will allow for simplified administration of Water and Wastewater credits;

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 rate., of the Code of Ordinances of the City of Fort Lauderdale, Florida, 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.
- (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 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 7%.	
5/8	\$11.33		
3/4	\$15.81		
1	\$24.78		
1½	\$47.18		
2	\$74.07		
3	\$159.22		
4	\$271.25		
6	\$607.35		
8	\$719.38		
10	\$1,884.52		
12	\$2,377.47		
16	\$2,738.36		

- (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:

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 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 7%.
Tier 1	0— 3,000	\$4.16	
Tier 2	>3,000	\$9.19	

~~Single-family residences will not be charged a commodity charge for usage in excess of twenty thousand (20,000) gallons per month.~~

- (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	
	(1,000 gallons per month x number of dwelling units x .55)	Effective 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 7%.
Tier 1	3,000	\$4.16	
Tier 2	>3,000	\$9.19	

~~Multifamily residences will not be charged a commodity charge for usage in excess of eight thousand (8,000) gallons per month per unit.~~

- (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 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 7%.
All Usage	\$7.39	

- (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:
- 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 — (average daily consumption of the highest three (3) individual months for the property in GPD) ÷ (300) × (\$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/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.
- 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 of an unusually and inexplicably large volume 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 City Manager Finance Director or designee may, upon receipt of a sworn affidavit from the customer that the customer knows of no reason for such high consumption and a statement by a licensed plumber that there are no leaks in the customer's plumbing system, reduce the customer's wastewater commodity charge to a rate equal to the customer's previous twelve-month average consumption rate. 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 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, adjust the customer's wastewater commodity charge by averaging the prior twelve (12) months' consumption and crediting the difference.~~
- (ih) Should excessive water consumption be recorded by an accurate meter as the result of an identified leak, 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 Finance Director City Manager or designee may, upon receipt of the supporting documentation of the repaired leak, may 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. 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. Consumers are limited to one utility billing adjustment per year.~~

- (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.~~
- (k) 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.
- (l) 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(jL)(1)	
(inches)	Effective 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 7%.
$\frac{5}{8}$	\$11.33	
$\frac{3}{4}$	\$15.81	
1	\$24.78	
1½	\$47.18	
2	\$74.07	
3	\$159.22	
4	\$271.25	
6	\$607.35	
8	\$719.38	
10	\$1,884.52	
12	\$2,377.47	
16	\$2,738.36	

- (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:
- 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.
 - Request that the water meter(s) involved be removed.
 - Notify both the city sustainable development 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.
 - 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 28-76(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 28-143. – Water rates., of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-143. - Water rates.

- 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:
 - 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 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 3.6%.
$\frac{5}{8}$	\$6.77	
$\frac{3}{4}$	\$9.00	
1	\$13.48	
1½	\$24.67	
2	\$38.09	
3	\$80.61	
4	\$136.56	
6	\$304.48	
8	\$360.34	
10	\$942.17	
12	\$1,188.32	
16	\$1,367.35	

- (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 dwelling units)	Effective 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 3.6%.
Tier 1	0—3,000	\$2.45	
Tier 2	4,000—8,000	\$5.41	
Tier 3	9,000—12,000	\$6.77	
Tier 4	13,000—20,000	\$9.13	
Tier 5	>20,000	\$13.25	

- (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 dwelling units x .55)	Effective 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 3.6%.
Tier 1	3,000	\$2.45	
Tier 2	4,000— 8,000	\$5.41	
Tier 3	9,000— 12,000	\$6.77	
Tier 4	13,000— 20,000	\$9.13	
Tier 5	>20,000	\$13.25	

(4) All others shall be assessed as follows:

Water Commodity Charges - Commercial 28-143(a)(4)		
	Effective 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 3.6%.
All Usage	\$5.59	

(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 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 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 3.6%.
5/8	\$38.81	
3/4	\$57.07	
1	\$93.59	

1½	\$184.89	
2	\$294.46	
3	\$641.41	
4	\$1,097.92	
6	\$2,467.45	
8	\$2,923.96	
10	\$7,671.67	
12	\$9,680.32	
16	\$11,141.16	

- (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 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 3.6%.
All Usage	\$2.77	

- (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 (a**b**) for like service and quantity of water used by consumers within the city limits.
- (d) For Residential accounts only. Should excessive water consumption of an unusually and inexplicably large volume 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 City Manager Finance Director or designee may, of a sworn affidavit from the customer that the customer knows of no reason for such high consumption and a statement by a licensed plumber that there are no leaks in the customer's plumbing system, modify the customer's bill by reducing the rate applied to the excessive usage quantity to a rate equal to the customer's previous twelve-month average consumption rate. 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 resulting in a large volume be recorded by an accurate meter as the result of an identified leak which was repaired by a licensed contractor, the Finance Director City Manager or designee may, upon receipt of a sworn affidavit from the customer stating that the excessive usage was caused by a leak which was repaired, evidenced by means of a copy of the repair invoice from a licensed plumber describing the type and location of the leak, and the repairs made, may modify the customer's bill by reducing the rate applied to the excessive usage quantity to a rate equal to the customer's previous twelve-month average consumption rate the supporting documentation of the repaired leak, may adjust the rate for the 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. Consumers are limited to one utility adjustment per year.

- (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 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 3.6%.
$\frac{5}{8}$	\$6.77	
$\frac{3}{4}$	\$9.00	
1	\$13.48	
1½	\$24.67	
2	\$38.09	
3	\$80.61	
4	\$136.56	
6	\$304.48	

8	\$360.34	
10	\$942.17	
12	\$1,188.32	
16	\$1,367.35	

- (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:
- 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.
 - Request that the water meter(s) involved be removed.
 - Notify both the city sustainable development 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.
 - 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

SECTION 3. 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 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 3.6%.	
5/8	\$6.77		
3/4	\$9.00		
1	\$13.48		
1½	\$24.67		
2	\$38.09		
3	\$80.61		
4	\$136.56		
6	\$304.48		
8	\$360.34		
10	\$942.17		
12	\$1,188.32		
16	\$1,367.35		

- (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:

**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 10/1/2019	On 10/1/2020, and October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 3.6%.
Tier 1	0—12,000	\$6.77	
Tier 2	13,000—20,000	\$9.13	
Tier 3	>20,000	\$13.25	

**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

- (c) ~~Should excessive water consumption resulting in a large volume be recorded by an accurate meter for a customer as the result of an identified leak which was repaired by a licensed contractor, the City Manager Finance Director or designee, upon receipt of the supporting documentation of the repaired leak may, upon receipt of a sworn affidavit from the customer stating that the excessive usage was caused by a leak which was repaired, evidenced by means of a copy of the repair invoice from a licensed plumber describing the type of leak, the location of the leak, and the repairs made, 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 modify the customer's bill by reducing the rate applied to the excessive usage quantity to a rate equal to the customer's previous twelve month average consumption rate. 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. Consumers are limited to one utility billing adjustment per year.~~
- (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 4. That Chapter 28 – Water, Wastewater and Stormwater - Section 28-173. – Unexplained water consumption., of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby deleted:

~~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 (12) 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 (12) months' consumption to the Block 2 rate as set forth in subsection 28-144(b).~~

SECTION 5. That Chapter 28 – Water, Wastewater and Stormwater - Section 28-174. – One-time credit on the utility bill., of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby deleted:

~~Sec. 28-174. – One-time credit on the utility bill.~~

- ~~(a) — Except as provided in subsection (b), and subject to the requirements set forth in subsection (c), the city manager or the city manager's designee is authorized to grant a one-time billing adjustment to a customer who is not eligible for a credit under subsections 28-173(a) or (b). This one-time credit is for the life of the account at the location for which such credit is granted.~~
- ~~(b) — A one-time billing adjustment is not authorized in cases in which:~~
- ~~(1) — There exists a cross connection with a well or other water source on the subject property; or~~
 - ~~(2) — The high usage was caused by equipment which was improperly installed, malfunctioned due to manufacturer's defect, or that is covered by any written warranty; or~~

- ~~(3) The customer has had previous water services within the city and has a history of monthly consumption that, during a twelve (12) month period, fluctuated more than twenty five (25) percent each month, or the customer's account is not in good standing. Good standing, for purpose of this section, means that the account is not delinquent as of the billing period immediately preceding the billing period for which the one-time billing adjustment is requested.~~
- ~~(c) In order to be considered for the one-time billing adjustment, the customer must submit to the utility billing and collections division within sixty (60) days of the date of the bill indicating high usage, a verified application, together with an affidavit from a licensed plumber stating that the licensed plumber knows of no reason for the high consumption at the subject property. The customer must swear or affirm that the high usage is not the result of an apparent or deliberate act of the customer such as pool filling, frequent use of sprinklers, or hoses left running. In addition, the customer must agree:~~
- ~~(1) That public works department personnel have the right to interview the customer and, if applicable, any workers or contractors who were on the property during the high usage period, in addition to inspecting the premises; and~~
- ~~(2) That, if the application is approved, the customer will not be eligible for the one-time credit again for the life of the account at the subject property; and~~
- ~~(3) To make monthly payments of at least one hundred (100) percent of the twelve-month average while the application is being reviewed and that failure to pay the utility bill or make payment arrangements may result in a disconnection of services and additional fees.~~
- ~~(d) If the one-time billing adjustment is granted, the city may modify the customer's bill by averaging the prior twelve (12) months' usage and applying a credit of one-half (1/2) over the prior twelve (12) month average usage.~~

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 upon final passage.

PASSED FIRST READING this ____ day of _____, 2021.

PASSED SECOND READING this ____ day of _____, 2021.

Mayor
DEAN TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI