

The City of Daytona Beach
AGENDA SUMMARY
January 18, 2023 - City Commission



TITLE: Utilities Department –Ordinance Amending Chapter 98 – City Code of Ordinances
DEPARTMENT: Utilities Department
STAFF CONTACT: Shannon Ponitz, Utilities Director
ACTION: Ordinance - Introduction on first reading

Second Meeting Date: February 1, 2023

REQUEST:

Introduction of Ordinance on first reading amending Chapter 98 – Utilities, in the City’s Code of Ordinances to be consistent with Section 163.31801(12), Fla Stat. (2021), including:

- Amend the definition of “connection fees” to include water and sewer capital facilities fees.
- Include “connection fees” in the fees and charges that receive an automatic annual adjustment based on the annual changes to the Consumer Price Index (CPI) for utilities.

Action: Commission questions and comments.

Note: Public Hearing and final action on February 1, 2023.

CONSIDERATION/BACKGROUND:

Ordinance 2021-68, adopted on February 17, 2021, created Article VII, Public Utility Capital Facility Fees, in Chapter 98, City Code, to establish current water and wastewater capital facilities fees. After Ordinance 2021-68 was adopted by the City Commission, during the 2021 Legislative Session, the Florida Legislature adopted House Bill 37 amending Sec. 163.31801, Fla. Stat., which established limits on local government’s ability to increase impact fees more frequently than once every four years, including increases based upon the application of a Consumer Price Index to account for inflation. However, the statutory amendment expressly provides an exemption from those limitations for “water and sewer connection fees.”

This ordinance will clarify that the definition of water and sewer “connection fees” includes water and sewer capital facilities fees. Therefore, water and sewer capital facilities fees will be included with other fees and charges that automatically adjust annually based on CPI.

STRATEGIC PRIORITIES:

Infrastructure: To ensure that the citizens of Daytona Beach have the services and infrastructure needed to maintain and enhance their quality of life..

Shannon Ponitz, Utilities Director
Kira Honse, Assistant City Attorney

Approved - Dec 28 2022
Approved - Dec 29 2022

Letitia LaMagna, City Clerk
Deric C. Feacher, City Manager

Approved - Jan 03 2023
Approved - Jan 04 2023