

The following page(s) contain the backup material for Agenda Item: Ordinance 607-H, an ordinance relating to utility rates and charges; amending Chapter 27, Subsection 27-6 of the St. Petersburg City Code; amending the water charges for leak adjustment relief; adding adjustment relief for abnormal events; adding adjustment relief for abnormal events following a declared state of local emergency; providing an explanation of words struck through and underlined; establishing a date to begin calculating new charges and applying new adjustment relief for billing purposes; and providing an effective date.

Please scroll down to view the backup material.



J-4

MEMORANDUM

Council Meeting of March 27, 2025

TO: The Honorable Copley Gerdes, Chair, and Members of City Council

FROM: Jane Wallace, City Attorney's Office

DATE: March 14, 2025

SUBJECT: Amending City Code Section 27-6 related to utility bill adjustment relief

At the Committee of the Whole on February 20, 2025, the Committee received a presentation on utility bills and adjustment relief. The Committee reviewed potential changes to City Code Section 27-6 and requested a draft ordinance be presented to full Council on March 6, 2025. The draft ordinance was to include language changing the water rate utilized for leak adjustment relief, adding additional possible relief for abnormal events, and adding additional possible relief for abnormal events following a declared state of emergency for a hurricane or flooding event.

At First Reading on March 6, 2025, City Council approved the title of the proposed changes to the ordinance and set the Public Hearing for March 27, 2025.

Following First Reading, changes were made to proposed City Code Section 27-6(h) to provide language conformity with the City's Emergency Code. The title was not changed.

All fees, charges, and adjustment relief established by this ordinance will go into effect for utility bill water meter reads beginning on May 27, 2025.

Attachments: Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE RELATING TO UTILITY RATES AND CHARGES; AMENDING CHAPTER 27, SUBSECTION 27-6 OF THE ST. PETERSBURG CITY CODE; AMENDING THE WATER CHARGES FOR LEAK ADJUSTMENT RELIEF; ADDING ADJUSTMENT RELIEF FOR ABNORMAL EVENTS; ADDING ADJUSTMENT RELIEF FOR ABNORMAL EVENTS FOLLOWING A DECLARED STATE OF LOCAL EMERGENCY; PROVIDING AN EXPLANATION OF WORDS STRUCK THROUGH AND UNDERLINED; ESTABLISHING A DATE TO BEGIN CALCULATING NEW CHARGES AND APPLYING NEW ADJUSTMENT RELIEF FOR BILLING PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. Subsection 27-6 of the St. Petersburg City Code is hereby amended to read as follows:

Sec. 27-6. Adjustments to accounts.

- (a) *Water rate adjustment for repaired involuntary leak.* Customers who experience an involuntary use of water due to a leak may apply for an adjustment. Voluntary uses of water such as lawn watering and pool filling, including through use of automatic sprinkler systems or swimming pool auto-fill devices, will not provide the basis for a water charge adjustment. Water charges for use in excess of the customer's three-month average prior to the occurrence of the leak, as determined from a review of account records, may be calculated at the cost of water from Tampa Bay Water. ~~lowest applicable rate block.~~ In order to obtain a water charge adjustment, the customer must provide a written request seeking the adjustment and submit documentation that a leak has occurred and has been repaired. Water charge adjustments shall be limited to a two-month period prior to repair of the leak.
- (b) *Sewer volume adjustment for repaired involuntary leak.* Customers served by the City's sewer system who experience an involuntary use of water due to a leak may apply for an adjustment to the sewer charge. In order to obtain a sewer charge adjustment, the customer must provide a written request seeking the adjustment and submit documentation that a leak has occurred and has been repaired and that the water consumed as a result of the leak was

not discharged into the sewer system. Sewer charge adjustments shall be limited to a two-month period prior to repair of the leak and shall be calculated based on the average of the three months of water usage prior to the leak, as determined from a review of account records.

- (c) Water rate adjustment for abnormal event. Customers who experience a substantial increase in the volume of water that has flowed through the water meter to the customer in which the usage is unaccounted for, unexpected, or due to unusual or extenuating circumstances, including but not limited to plumbing system damage due to accidents, vandalism, water theft, or other occurrences generally beyond a customer's control may apply for an adjustment. Water charges for use in excess of three (3) times the customer's three-month average prior to the occurrence of the event, as determined from a review of account records, may be calculated at the cost of water from Tampa Bay Water. In order to obtain a water charge adjustment, the customer must provide a written request seeking the adjustment and submit documentation of the abnormal event. Water charge adjustments shall be limited to a two-month period following the abnormal event.
- (d) Sewer volume adjustment for abnormal event. Customers served by the City's sewer system who experience a substantial increase in the volume of water that has flowed through the water meter to the customer in which the usage is unaccounted for, unexpected, or due to unusual or extenuating circumstances, including but not limited to plumbing system damage due to accidents, vandalism, water theft, or other occurrences generally beyond a customer's control may apply for an adjustment to the sewer charge. Sewer charge adjustments shall be calculated per month based on three (3) times the average of the three-months of water usage prior to the event, as determined from a review of account records, as follows:

<u>Tiers:</u>	<u>Available sewer adjustment relief per month:</u>	<u>Example based on average water usage of 4,000 gallons:</u>
<u>Up to three (3) times the average of water usage prior to the event.</u>	<u>No adjustment</u>	<u>0 – 12,000 gallons</u>
<u>The next 10,000 gallons of water usage.</u>	<u>Adjustment</u>	<u>12,000 – 22,000 gallons</u>
<u>Water usage in excess of three (3) times the average of water usage prior to the event.</u>	<u>No adjustment</u>	<u>Over 22,000 gallons</u>

In order to obtain a sewer charge adjustment, the customer must provide a written request seeking the adjustment and submit documentation of the abnormal event. Sewer charge adjustments shall be limited to a two-month period following the abnormal event.

- (e) ~~(e)~~ *Sewer volume adjustment for new swimming pools.* Customers who install new pools shall be entitled to a single adjustment of their sewer volume charges for the initial filling of a new swimming pool. In order to obtain a sewer charge adjustment, the customer must provide a written request seeking the adjustment and submit documentation establishing the date the pool was filled. In calculating the sewer charge adjustment, the sewer volume shall be reduced either to an amount equivalent to the customer's average sewer volume for the three-month period prior to filling of the pool or to an amount reflecting a reduction by the gallonage of the pool, whichever results in lesser adjustment. No adjustments shall be made to the water charges or volume for pool fillings.
- (f) ~~(d)~~ *Sewer volume adjustment for repaired swimming pools.* Customers who have pools and must drain the pool for structural or pipe repairs shall be entitled to a single adjustment of their sewer volume charges for the filling of the repaired swimming pool. In order to obtain a sewer charge adjustment, the customer must provide a written request seeking the adjustment and submit documentation that the pool has been repaired, establishing the date the pool was filled, and certifying that the pool was drained in compliance with City Code requirements for dechlorination and discharge of pool water. In calculating the sewer charge adjustment, the sewer volume shall be reduced either to an amount equivalent to the customer's average sewer volume for the three-month period prior to filling of the pool or to an amount reflecting a reduction by the gallonage of the pool, whichever results in lesser adjustment. No adjustments shall be made to the water charges or volume for pool fillings.
- (g) ~~(e)~~ *Water and sewer rate adjustments.* No more than three water and sewer rate adjustments shall be granted per calendar year per account which may consist of up to two adjustments for plumbing repairs or abnormal event, subsections (a) through (d) ~~and (b)~~ of this section, and one adjustment for pool installation/repair, subsections (e) and (f) ~~(e) and (d)~~ of this section.
- (h) *Water rate and sewer volume adjustment for abnormal event following a state of emergency.* In addition to any other relief available in this section, customers who experience excessive water usage that is unaccounted for, unexpected, or due to unusual or extenuating circumstances beyond a customer's control within the 60 days following the declaration of a state of emergency under the City's Emergency Code for a hurricane or flooding event may apply for a water and/or sewer adjustment. Water charge adjustments and sewer charge adjustments shall be limited to a two-month period following the hurricane or flooding event. Water charges for use over two (2) times the customer's three-month prior average, as determined from a review of account records, may be calculated at the cost of water from Tampa Bay Water. Sewer charge adjustments shall be calculated per month based on two (2) times the average of the three-months of water usage prior to the event, as determined from a review of account records, as follows:

<u>Tiers:</u>	<u>Available sewer adjustment relief per month:</u>	<u>Example based on average water usage of 4,000 gallons:</u>
<u>Up to two (2) times the average of water usage prior to the event.</u>	<u>No adjustment</u>	<u>0 – 8,000 gallons</u>
<u>The next 10,000 gallons of water usage.</u>	<u>Adjustment</u>	<u>8,000 – 18,000 gallons</u>
<u>Water usage in excess of two (2) times the average of water usage prior to the event.</u>	<u>No adjustment</u>	<u>Over 18,000 gallons</u>

In order to obtain a water and/or sewer adjustment, the customer must provide a written request seeking the adjustment and submit documentation of the abnormal event. Adjustments shall be limited to a two-month period following the hurricane or flooding event.

SECTION 2. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

SECTION 3. Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise. Sections of this ordinance that amend the City Code to add new sections or subsections are generally not underlined.

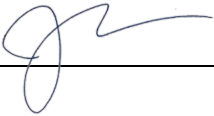
SECTION 4. All fees, charges, and adjustment relief established by this ordinance shall go into effect for utility bill water meter reads beginning on May 27, 2025.

SECTION 5. COMPLIANCE WITH § 166.041(4), FLORIDA STATUTES. Pursuant to City Council resolution 2023-507, a business impact estimate was prepared for this

ordinance and posted on the City's website no later than the date the notice of the proposed ordinance was published.

SECTION 6. In the event that this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

LEGAL:



00797147

ADMINISTRATION:

Thomas Greene
