

**ORDINANCE NO. 2026-2350**

**AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR AMENDMENT OF ARTICLE II OF CHAPTER 24, OF THE NEW PORT RICHEY CODE OF ORDINANCES; PERTAINING TO UTILITY DEPOSITS, RATES AND CHARGES; PROVIDING FOR PROPERTY OWNER ONLY ACCOUNTS; PROVIDING FOR THE SETTING OF RATES BY RESOLUTION; PROVIDING FOR ELIMINATION OF DEPOSIT INTEREST; PROVIDING FOR TRANSITION FOR ACCOUNTS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City's administration has reviewed Chapter 24, Utilities, in the City's Code of Ordinances with the intent to revise outdated sections and practices and strengthen its support for outstanding bond covenants and obligations as it relates to utility billing and collection;

**WHEREAS**, ensuring all utility services accounts, including water, sewer, reclaimed water, and solid waste, are established in the name of the property owner, and clarifying related procedures for debt collection and payment allocation promotes accountability and supports the efficient and reliable operation of the City's utility systems;

**WHEREAS**, the amendments to the utility code are in the best interest of the public health, safety, and general welfare by strengthening the City's ability to maintain continuous service, recover unpaid charges, and protect the integrity and financial stability of the City's utility funds;

**WHEREAS**, implementing these changes through a phased approach provides adequate notice, diminishes any claimed hardship, and satisfies constitutional principles of due process and allows for existing contracts to be performed;

**WHEREAS**, these regulations are solely intended to govern the administration of utility accounts and the collection of utility charges and do not relate to, limit, or amend land development regulations or the comprehensive plan and are therefore not governed by section 252.422(2)(b), Florida Statutes, and

**WHEREAS**, it is declared as a matter of legislative determination and public policy that the provisions and prohibitions herein are necessary in the public interest; and it is further declared that the provisions and prohibitions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police powers.

**NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:**

**SECTION 1. Ratification of Findings.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby incorporated as the findings of the City Council and made a part of this Ordinance as if set forth fully herein.

**SECTION 2. Amendments to Chapter, 24 – Utilities.** The following sections of Chapter 24, Article II, of the Code of Ordinances, pertaining to utility deposits, rates and charges and providing as follows, is hereby amended as follows (strikeout text is deleted and underlined text is added):

**Sec. 24-18 – Definitions.**

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*Utility Service* means water, sewer, ~~and/or~~ reclaimed water, and/or solid waste service provided by the city.

...

**Sec. 24-20. - Bulk rates/water; bulk rates/wastewater.**

(a) Absent a contract or service agreement specifying an alternative rate structure, any bulk customer who meets the definition of a bulk customer and purchases water from the city and its municipal water system thereof, shall purchase the water at the ~~following~~ rates established by resolution of the city council.

<b>Bulk Water Rate (per 1,000 gallons) (effective October 1, 2020 and thereafter)</b>	
<del>Purchased Water Element:</del>	\$2.5590
<del>Treatment and Transmission Element:</del>	\$2.3052
<del>Combined Bulk Rate</del>	\$4.8642

(b) Any bulk wastewater customer shall pay the ~~following~~ as established by resolution of the city council for the treatment of bulk wastewater, based upon two (2) major elements: an operating element and a development impact fee ("capital recovery") element. Each rate element is ~~shall be~~ further subdivided into a treatment component and a transmission component.

<b>Bulk Wastewater Rate (per 1,000 gallons) (effective October 1, 2020)</b>			
	<del>Treatment</del>	<del>Transmission</del>	<del>Total</del>

Operating Element	\$3.4310	\$0.7250	\$4.1560
Capital Recovery Element	1.34	0.27	1.61
Combined Bulk Rate	4.771	0.995	5.766

(c) The capital recovery element is to be paid only by those bulk wastewater customers which may not be required to pay impact fees prior to connection to the city's wastewater system. Such capital recovery elements shall be accounted for separately and shall be deposited in the water and sewer renewal and replacement fund and shall be expended from that fund only for the purpose of making emergency repairs, extending or oversizing, separating, or constructing new additions to the city's wastewater facilities.

(d) The treatment component is designed to recover such fiscal and/or capital costs associated with the treatment and disposal of bulk wastewater. The transmission component is designed to recover the expenses and costs related to delivering the bulk wastewater from the point of connection to the treatment plant associated with main transmission facilities only (sewer mains, pump stations, etc.) and does not include costs associated with localized collection facilities. The treatment component and the transmission component have been separated in order to provide a mechanism to charge bulk wastewater customers based upon the services required and the applicable impact upon system facilities.

(e) The rates established above shall be adjusted as follows:

(1) Annually, on or before October 1, the city shall adjust its bulk water rates and bulk wastewater rates (not including the purchased water or capital recovery elements) by increasing such charges at a rate of four (4) percent per annum as follows:

- The increases shall be applied to such rates and charges which are in effect immediately prior to the effective date of each such annual increase. The effective date of the adjusted rates and charges shall be October 1 of each year.
- The purpose of such annual rate increases is to provide annual rate adjustments substantially commensurate with the city's historical average escalation of utility operating expenditures and inflation.

(2) The capital recovery elements of the bulk wastewater rate will be adjusted whenever the sewer service development fee is adjusted.

(3) The purchased water element of the bulk water rates shall be adjusted as necessary to reflect the current unitary rate charged by Tampa Bay Water, or such other entity from which the city purchases water.

**Sec. 24-21. - Water and wastewater rates—Within the city limits.**

(a) *Minimum monthly base charge.* All customers, whether residential or commercial, will be billed and are obligated to pay a minimum monthly base charge for service availability, whether or not consumption has occurred.

(b) *Residential customers.*

(1) *Water rates.* Any person who is a resident of this city and who purchases water from the city and the municipal water system thereof for his or her residential dwelling unit within the city limits shall purchase the water for a rate calculated:

- a. At a monthly base charge determined by the size of each meter or in the case of multifamily customers based upon the number of equivalent units (i.e. actual number of units times eighty (80) percent); and
- b. At a monthly consumptive use charge based upon each one thousand (1,000) gallons of water used during that month as indicated by the meter(s) serving that property; and
- c. At a monthly billing charge.

Said consumptive use charge is a conservation rate designed to encourage lower consumption of water by increasing the costs to higher volumetric water users. The base charge, billing charge and consumptive use charges are set forth by resolution of the city council (in Table 1), which is incorporated herein following [section 24-22](#).

(2) *Wastewater rates.* Any such resident who is receiving sanitary sewerage service from the city and the municipal wastewater system thereof shall purchase the sanitary sewerage services which are being received within the city limits for a rate calculated:

- a. At a monthly base charge determined by the size of each meter or in the case of multifamily customers based upon the number of equivalent units (i.e. actual number of units times eighty (80) percent); and
- b. At a monthly consumptive use charge based upon each one thousand (1,000) gallons of water used during that month as indicated by the meter(s) serving that property; and
- c. At a monthly billing charge.

The base charge, monthly billing charge and consumptive use charges are set forth by resolution of the city council (in Table 2), which is incorporated herein following [section 24-22](#). It is further provided that the maximum monthly consumption charge for residential wastewater use by customers located inside the city limits shall be that amount charged for fifteen thousand (15,000) gallons for

single family and fifteen thousand (15,000) gallons multiplied by the number of units multiplied by eighty (80) percent for each multifamily dwelling unit.

(c) *Commercial and business customers.*

(1) *Water rates.* Any person who operates a commercial or business enterprise in the city, which shall purchase water from the city and the municipal water system thereof, for each such business said person shall purchase the water for use within the city limits for a rate calculated:

- a. At a monthly base charge determined by the size of each meter; and
- b. At a monthly consumptive use charge based upon each one thousand (1,000) gallons of water used during that month as indicated by the meter(s) serving that property; and
- c. At a monthly billing charge.

Said consumptive use charge is a conservation rate designed to encourage lower consumption of water by increasing the costs to higher volumetric water users. The base charge, monthly billing charge and consumptive use charge are set forth by resolution of the city council (in Table 1), which is incorporated herein following [section 24-22](#).

(2) *Wastewater rates.* Each such person who is receiving sanitary sewerage services from the city and the municipal wastewater system thereof shall purchase the sanitary sewerage services within the city limits for a rate calculated:

- a. At a monthly base charge determined by the size of each meter; and
- b. At a monthly consumptive use charge based upon each one thousand (1,000) gallons of water used during that month as indicated by the meter(s) serving that property; and
- c. At a monthly billing charge.

The base charge, monthly billing charge and consumptive use charge are set forth by resolution of the city council (in Table 2), which is incorporated herein following [section 24-22](#).

(d) *Rate adjustments.* The rates established in subsections (a) and (b) above for water and sewerage services shall be adjusted as follows:

(1) For all water and wastewater rates and charges, annually, on or before October 1, the city shall adjust its base charges and consumptive use charges by increasing such charges at a rate of four (4) percent per annum as follows:

The increases shall be applied to such rates and charges which are in effect immediately prior to the effective date of each such annual increase. The effective date of the adjusted rates and charges shall be October 1 of each year.

The purpose of such annual rate increases is to provide annual rate adjustments substantially commensurate with the city's historical average escalation of utility operating expenditures and inflation.

(2) For water rates only, the city shall pass through in its consumptive use charges all increases in costs of water charged by Tampa Bay Water, or such other entity from which the city purchases water, to the city at a cost equal to the amount of the increase, which increase shall be effective immediately.

(e) *Fire suppression, sprinkler system customers.* Any customer, regardless of customer classification, who owns, operates, maintains or receives benefits from a fire suppression, sprinkler system on his/her/its property or premises inside the city limits shall pay an additional water charge at a rate calculated at a monthly base charge determined by the size of each meter. The base charge is set forth in by resolution of the city council (Table 1), which is incorporated herein following section 24-22.

**Sec. 24-22. - Same—Outside city limits.**

(a) *Minimum monthly base charge.* All customers, whether residential or commercial, will be billed and are obligated to pay a minimum monthly base charge for service availability, whether or not consumption has occurred.

(b) *Residential customers.*

(1) *Water rates.* Any person who is a nonresident of this city and who purchases water for his or her dwelling unit outside the city limits from the water system of this city shall purchase the water for a rate calculated:

- a. At a monthly base charge determined by the size of the meter or in the case of multifamily customers based upon each unit; and
- b. At a monthly consumptive use charge based upon each one thousand (1,000) gallons of water used during that month as indicated by the meter serving that property; and
- c. At a monthly billing charge.

Said consumptive use charge is a conservation rate designed to encourage lower consumption of water by increasing the costs to higher volumetric water users. The base charge, monthly billing charge and consumptive use charges are set forth by resolution of the city council (in Table 1), which is incorporated herein following section 24-22.

(2) *Wastewater rates.* Any such nonresident who is receiving sanitary sewerage services from the city and the municipal wastewater system thereof shall purchase the sanitary sewerage services which are being received outside of the city limits for a rate calculated:

- a. At a monthly base charge determined by the size of the meter or in the case of multifamily customers based upon the number of units; and
- b. At a monthly billing charge: based upon each ~~{~~One thousand (1,000) gallons of water used during that month as indicated by the meter(s) serving that property; and~~}~~
- c. At a monthly billing charge.

The base charge, monthly billing charge and consumptive use charges are set forth by resolution of the city council (in Table 2), ~~which is incorporated herein by reference and~~ available for public inspection at the city. It is further provided that the maximum monthly consumption charge for residential wastewater use by customers located outside the city limits shall be that amount charged for fifteen thousand (15,000) gallons for single-family and fifteen thousand (15,000) gallons multiplied by the number of units multiplied by eighty (80) percent for each multifamily dwelling unit.

(c) *Commercial and business customers.*

(1) *Water rates.* Any person who operates a commercial or business enterprise outside of this city, who shall purchase water from this city and the municipal water system thereof, for each such business said person shall purchase the water for use outside the city limits for a rate calculated:

- a. At a monthly base charge determined by the size of the meter; and
- b. At a monthly consumptive use charge based upon each one thousand (1,000) gallons of water used during that month as indicated by the meter serving that property; and
- c. At a monthly billing charge.

Said consumptive use charge is a conservation rate designed to encourage lower consumption of water by increasing the cost to higher volumetric water users. The base charge, monthly billing charge and consumptive use charges are set forth by resolution of the city council (in Table 1), ~~which is incorporated herein following~~ section 24-22.

(2) *Wastewater rates.* Every such customer who is receiving sanitary sewerage services from this city and the municipal wastewater system thereof at such business shall purchase the sanitary sewerage services outside the city limits for a rate calculated:

- a. At a monthly base charge determined by the size of the meter; and
- b. At a monthly consumptive use charge based upon each one thousand (1,000) gallons of water used during that month as indicated by the meter serving that property; and

c. At a monthly billing charge.

The base charge, monthly billing charge and consumptive use charges are set forth by resolution of the city council (~~in Table 2~~), which is ~~incorporated herein by reference and~~ available for public inspection at the city.

(d) *Rate adjustments.* The rates established in subsections (a) and (b) above for water and sewerage services shall be adjusted as follows:

(1) For all water and wastewater rates and charges, annually, on or before October 1, the city shall adjust its base charges and consumptive use charges by increasing such charges at a rate of four (4) percent per annum as follows:

The increases shall be applied to such rates and charges which are in effect immediately prior to the effective date of each such annual increase. The effective date of the adjusted rates and charges shall be October 1 of each year.

The purpose of such annual rate increases is to provide annual rate adjustments substantially commensurate with the city's historical average escalation of utility operating expenditures and inflation.

(2) For water rates only, the city shall pass through in its consumptive use charges all increases in costs of water charged by Tampa Bay Water, or such other entity from which the city purchases water, to the city at a cost equal to the amount of the increase, which increase shall be effective immediately.

(e) *Fire suppression, sprinkler system customer.* Any customer, regardless of customer classification, who owns, operates, maintains or receives benefits from a fire suppression, sprinkler system on his/her/its property or premises outside the city limits shall pay an additional water charge at a rate calculated at a monthly base charge determined by the size of the potable water meter. The base charge is set forth by resolution of the city council (~~in Table 1~~), which is ~~incorporated herein following~~ [section 24-22](#).

TABLE 1  
Water System Rates

~~Residential Service and Commercial:~~

~~Single-family:~~

		<b>Meter Size (inches)</b>	<b>Inside City</b>	<b>Outside City</b>
(a)	<del>Monthly base charge:</del>			

		<b>Meter Size (inches)</b>	<b>Inside City</b>	<b>Outside City</b>
		<del>5/8</del>	<del>\$ 7.79</del>	<del>\$ 9.73</del>
		1	19.45	24.31
		1½	38.91	48.64
		2	62.23	77.79
		3	124.49	155.61
		4	194.50	243.13
		6	388.99	486.24
(b)	Billing charge:	Per account	\$0.93	\$1.16
(e)	Consumptive use charge/1,000 gallons block:			
	(i) Single family _____ and commercial			
		1	\$2.49	\$3.11
		2	3.19	3.98
		3	4.38	5.47
		4	6.17	7.71

		<b>Meter Size (inches)</b>	<b>Inside City</b>	<b>Outside City</b>
		5	8.86	11.07
	(ii) Potable irrigation	1	4.38	5.47
		2	4.38	5.47
		3	4.38	5.47
		4	6.17	7.71
		5	8.86	11.07

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**Multifamily:**

			<b>Inside City</b>	<b>Outside City</b>
(a)	Monthly base charge:			
		Per unit	\$ 6.23	\$ 7.78
(b)	Billing charge:	Per account	0.74	0.93
(c)	Consumptive use charge/1,000 gallons block:			
		1	2.49	3.11
		2	3.19	3.98

			<b>Inside City</b>	<b>Outside City</b>
		3	4.38	5.47
		4	6.17	7.71
		5	8.86	11.07

Sprinkler/fire suppression rates:

All customer classes:

		<b>Meter Size (inches)</b>	<b>Inside City</b>	<b>Outside City</b>
(a)	Monthly base charge:			
		$\frac{5}{8}$	\$ 5.69	\$ 7.08
		1	14.21	17.76
		1½	28.43	35.53
		2	45.47	56.84
		3	90.96	113.69
		4	142.12	177.65
		6	284.23	355.29
		8	454.79	568.47

		<b>Meter Size (inches)</b>	<b>Inside City</b>	<b>Outside City</b>
		10	710.58	888.23

No billing or consumptive use charge for sprinkler/fire suppression services shall be incurred by customers.

Monthly usage limits for block rates

*Single-family residential, commercial and potable irrigation:*

<b>Meter Size</b>	<b>Block 1</b>		<b>Block 2</b>		<b>Block 3</b>		<b>Block 4</b>		
	<b>(inches)</b>	<b>Low</b>	<b>High</b>	<b>Low</b>	<b>High</b>	<b>Low</b>	<b>High</b>	<b>Low</b>	<b>High</b>
5/8	0	5,000	5,001	10,000	10,001	15,000	15,001	20,000	
1	0	12,000	12,001	25,000	25,001	37,500	37,501	50,000	
1½	0	25,000	25,001	50,000	50,001	75,000	75,001	100,000	
2	0	40,000	40,001	80,000	80,001	120,000	120,001	160,000	
3	0	80,000	80,001	160,000	160,001	240,000	240,001	320,000	
4	0	125,000	125,001	250,000	250,001	375,000	375,001	500,000	
6	0	250,000	250,001	500,000	500,001	750,000	750,001	1,000,000	
8	0	400,000	400,001	800,000	800,001	1,200,000	1,200,001	1,600,000	
10	0	625,000	625,001	1,250,000	1,250,001	1,875,000	1,875,001	2,500,000	

*Multifamily residential:-*

Per Equivalent Unit	0	5,000	5,001	10,000	10,001	15,000	15,001	20,000	20,001	and above ±
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TABLE \_\_\_\_\_ 2  
 Monthly Wastewater Rates

*Single-family, residential and commercial:-*

		Meter Size (inches)	Inside City	Outside City
(a)	Monthly base charge:			
		$\frac{5}{8}$	\$ 9.95	\$ 12.43
		1	24.87	31.07
		1½	49.72	62.16
		2	79.58	99.47
		3	159.12	198.89
		4	248.66	310.80
		6	497.28	621.59
		8	795.64	997.74
		10	1,243.22	1,554.01

		<b>Meter Size (inches)</b>	<b>Inside City</b>	<b>Outside City</b>
(b)	<del>Billing charge:</del>	Per account	\$0.93	\$1.16
(c)	<del>Consumptive use charge/1,000 gallons (*)</del>	All usage up to 15,000 gallons/month	\$3.98	\$4.97

~~(\*) Single-family residential wastewater rates include a maximum billing threshold of 15,000 gallons per month.~~

~~Multifamily residential:~~

			<b>Inside City</b>	<b>Outside City</b>
(a)	<del>Monthly base charge: Per equiv. unit (*)</del>		\$7.96	\$9.95
(b)	<del>Monthly billing charge: Per account</del>		\$0.93	\$1.16
(c)	<del>Consumptive use charge/1,000 gallons (**)</del>	All usage up to 15,000 gallons/month	\$3.98	\$4.97

~~(\*) Number of units multiplied by eighty (80) percent.~~

~~(\*\*) Multifamily residential wastewater rates include a maximum billing threshold of fifteen thousand (15,000) gallons per month per equivalent unit (i.e. actual number of units times eighty (80) percent).~~

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**Sec. 24-24. - Security deposits for utility service.**

(a) *Amount of deposit required.* All persons who ~~from and after the effective date of the ordinance from which this section was derived~~ request utility service from the city, whether for temporary construction purposes or on a permanent basis, shall at the time of the establishment of their respective utility accounts post the following security deposit with the billing and collection division of the finance department. Governmental agencies will not be required to post a security deposit.

(1) ~~Water and sewer~~ Utility service security deposits. All customers for utility service, except for solid waste, shall post a security deposit in an amount established by resolution of the city council.

a. ~~Multifamily customers using one (1) meter.~~ Multifamily customers for which utility service is measured by reference to a single meter shall post a security deposit equal to ninety dollars (\$90.00) per unit. (Security deposit = Ninety dollars (\$90.00) × number of units utilizing a single meter)

b.

~~Utility customers other than multifamily customers.~~

Size of meter	Deposit
<del>5/8 inch or 3/4 inch (water only)</del>	<del>\$100.00</del>
<del>5/8 inch or 3/4 inch (water only) Renter</del>	<del>175.00</del>
<del>5/8 inch or 3/4 inch (water and sewer)</del>	<del>125.00</del>
<del>5/8 inch or 3/4 inch (water and sewer) renter</del>	<del>200.00</del>
<del>1 inch</del>	<del>250.00</del>
<del>1 1/2 inches</del>	<del>450.00</del>
<del>2 inches</del>	<del>600.00</del>
<del>3 inches</del>	<del>1,000.00</del>
<del>4 inches</del>	<del>3,000.00</del>
<del>6 inches</del>	<del>4,000.00</del>
<del>8 inches</del>	<del>6,000.00</del>

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(2)

~~Reclaimed water security deposits:~~

Size of meter	Deposit
<del>5/8 inch or 3/4 inch</del>	<del>\$ 0.00</del>
<del>1 inch</del>	<del>45.00</del>

Size of meter	Deposit
1½ inch	135.00
2 inches	225.00
3 inches	550.00
4 inches	1,000.00
6 inches	2,100.00
8 inches	3,800.00

(b) *Refunds.* Security deposits shall be refunded only to property owners less any amount due on the utility account or on any other account for which the customer may be liable in accordance with the terms of this section when the account is closed: provided, however, that the customer shall notify the city of ~~the~~his intent to close the account five (5) working days prior to finalizing the account. After a period of two (2) years of demonstrated consecutive good payment history on a utility account of a customer, the security deposit may be refunded or applied as a credit to existing charges.

If a utility account becomes delinquent and service is disconnected for nonpayment after refund or application of a security deposit, a new security deposit shall be required at the prevailing rate with no provision for refund or credit until the account is closed.

(c) Property owners requesting service at a new address will not be required to pay a new security deposit if the property owner as customer has two (2) years of demonstrated consecutive good payment history.

(d) Property owners having existing water service are not required to post an additional deposit for a potable water or reclaimed irrigation meter at the same location.

(e) All deposits held by the city shall be placed in a non-interest bearing account and the city shall not be responsible for payment to any customer for interest on any deposit held, nor shall the city collect any interest on any deposit held ~~an account bearing interest and said interest shall accrue to the deposit. Said interest shall be applied to the customer's account no less frequently than once per year or when said deposit is refunded.~~

**Sec. 24-25. - User of city utility services to contract with city.**

(a) Prior to the provision of utility services to a customer, or if an existing customer's account becomes delinquent, the user of the city's services shall enter into a service agreement with the city, and pay the deposit specified in [section 24-24](#) above. The new customer shall be responsible for all charges remaining due from utility services provided to the previous customer for the subject property. All utility service accounts, including water, sewer, reclaimed water, and solid waste accounts, shall be established in the name of the property owner only. No utility services will be provided to new or delinquent customer accounts without an executed contract by the customer. Prior to the customer executing the contract, customer shall offer the city proof in a form acceptable to the city of ownership of the property receiving the service ~~or rental agreement~~. Customer shall provide a social security number or federal tax identification number, and driver's license or proof of identification. It shall be the responsibility of the customer to notify the city of a change in account. Unless the city is otherwise notified of a change of ownership, the prior owner of property shall remain liable for all charges rendered at a serviced property. Nothing contained herein shall prevent the city from providing courtesy notices to a tenant upon proof of a rental agreement provided to the city and payment of an additional administrative fee in an amount established by resolution of the city council. However, the property owner shall remain the customer responsible for all charges rendered at the serviced property.

(b) The service agreement shall include the following:

- (1) The amount of deposit as established in this article, as well as the return policy as established by this chapter.
- (2) The payment policy as established by this chapter as well as any rules and regulations of the city's finance department.
- (3) A requirement that delinquent accounts will require a new security deposit if one is not held by the city at the time of delinquency.
- (4) A requirement that the owner notify the city five (5) working days prior to finalizing his account.
- (5) A requirement that delinquent payments may be collected by the city in court and the city may, upon successful completion of the litigation, collect attorneys' fees and cost.
- (6) Charges for utility services shall be rendered to the utility customer on one bill with all utility services separately itemized thereon.
- (7) Property owners shall provide reasonable access to the city's water meters and equipment at all times.

**Sec. 24-26. - Monthly billing for all utility service accounts.**

All bills for utility service shall be rendered by the city to each of its customers on a monthly basis. All payments for utility bills shall be applied first to the oldest outstanding portion of any bill, including penalties, fees, and interest, and shall be applied to current balances only after such previous balances have been satisfied.

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**Sec. 24-29. - Disconnection of utility service; reconnection charges; dispute of bill.**

(a) The utility service rendered by the city to any customer either within or without the city limits may be turned off or disconnected under the following conditions:

(1) Billing is for services previously rendered. Payment for utility services is due upon billing. Payments are delinquent if not paid within twenty (20) days after billing. Utility service will be disconnected following the procedures set forth below and a penalty will be assessed if payment is not received by the city on or before the delinquent date. All notices shall include the customer's right of appeal as provided in subsection (f).

(2) If any such customer fails to pay any charge within fifteen (15) days after the delinquent date, the city shall send to such person by regular U.S. mail a notice of intent to discontinue service which shall state that the utility charges have not been paid and the account is delinquent and that if the utility charges have not been paid within five (5) days from the date thereof, the service shall be discontinued.

(3) If such delinquent sewer, water and/or reclaimed water charges are not paid within five (5) days from the date of the notice of intent to discontinue service, the sewer service, water service, and/or reclaimed water service shall be turned off, disconnected and discontinued without further notice and such service or services shall not be reconnected or re-established until all delinquent bills and the following charges have been paid:

a. ~~Any person, firm or corporation whose utility account becomes delinquent under the terms of this section shall pay a~~ A monthly service charge ~~five dollars (\$5.00) or five (5) percent of the water, wastewater, and/or reclaimed water charge, whichever is higher, in the amount established by resolution of the city council for each month the account is delinquent.;~~

b. ~~A twenty five dollar re-establishment fee in the amount established by resolution of the city council for utility service when the re-establishment is provided by the city during normal business hours from 8:00 a.m. to 4:00 p.m. during weekdays. A one hundred dollar re-establishment fee for utility and sewage service when the re-establishment is provided by the city on weekends, holidays or before or after normal business hours.;~~

c. A security deposit, the amount of which shall be equal to and determined in accordance with the security deposit rate schedule contained in the resolution established pursuant to subsection 24-24(a)(1) of this article, as amended from time to time, regardless of the customer's prior payment history, shall be posted with the billing and collection division of the finance department prior to connection or reconnection of city water, wastewater and/or reclaimed water services; and

d. For Any person, firm or corporation whose outstanding utility balance exceeds the deposit amount for a period of sixty (60) days, ~~is subject to an~~ increased security deposit in an amount equal to one and one-half (1.5) times the initial deposit amount.

(b) Where a water customer contends that there has been an erroneous bill or charge for water and sewer services due to an alleged malfunction or defect in a water meter associated with such customer's account, the city through the public works department shall test the water meter for accuracy; provided, however, that prior to any such test being made, the customer shall deposit a ~~twelve-dollar~~ meter testing fee in an amount to be established by resolution of the city council with the billing and collection office; provided, further, that if such a defect is found to be in existence by the public works department and, such defect is causing, or has caused, the customer's bill to be higher than it would have been had the water meter been operating properly, the city's finance director may, adjust the bill accordingly and refund the ~~twelve-dollar~~ meter testing fee to the customer.

(c) ~~The finance director~~ city manager or designee may, in the case of a leak or malfunction in water or sewer lines, adjust or reduce a charge to a customer for water or sewer services when the circumstances demonstrate that the charge would be unfair based upon such circumstances that include but are not limited to the following:

(1) The property owner was not or could not have been aware as a reasonably prudent person of the leak or malfunction.

(2) The consumption is more than twice the average consumption of the customer based upon the average use of water or sewer during the year prior to such consumption being incurred.

(3) Under no circumstances shall the ~~finance director~~ city manager or designee reduce the charge to the customer below the minimum charge for water and sewer service as set forth in sections 24-21 and 24-22.

(4) The finance director may waive any late charge imposed for failure to make a water or sewer payment when due provided that it is demonstrated that the failure to pay the charge when due was not the fault of the customer and provided further that the payment is made no later than five (5) days after the waiver.

(d) Violation of any provision of chapter 24, article II shall be enforced as otherwise provided in this code of ordinances for violations thereof. ~~through the city's code~~

~~enforcement board as established by the city's code enforcement ordinance found in the land development code; or through the uniform fine and citation system, established by the city or in conjunction with the county court system or pursuant to subsection (c) below.~~

(e) The city may pursue the collection of any fees, interest, service charges, fines or costs to which it is entitled which remain unpaid for 90 days or more by referring the account to a collection agent which is registered and in good standing pursuant to F.S. ch. 559. The collection fee paid to any collection agent may be added to the balance owed. In addition to the above, the city may collect in the county court or circuit court as appropriate for any delinquent utility charges. The city shall be permitted to recover attorneys' fees and costs in collecting delinquent utility service charges pursuant to this chapter ~~the contract~~.

(f) Any customer who disputes a utility bill pursuant to subsection (a) may appeal to the city council within twenty (20) days of the billing date. If the appeal is made within the twenty-day time period, city council shall, through its city manager, establish a public hearing date and time to hear the customer's appeal. After the public hearing, the city council will give a decision regarding the dispute, and determine whether to discontinue utility services to said customer if said customer is delinquent. If city council determines against the customer, the customer shall pay within five (5) days or have his service disconnected.

...

**Sec. 24-32. - Reclaimed water rates and fees.**

(a) *Residential customers.* The city hereby establishes a residential flat fee to all single-family three-quarter-inch connections ~~of nine dollars and seventy five cents (\$9.75) per month~~ in an be set by Resolution of the City Council.

(b) *Multifamily and commercial customers.* The fee schedule for reclaimed water for multifamily and commercial customers, and connection fees, shall be set by resolution of the city council.

~~(1) Reclaimed water flat fee structure.~~

<del>Line Size</del>	<del>Monthly Usage Level</del>	<del>Monthly Flat Fee</del>
<del>¾ inch</del>	<del>20,000</del>	<del>\$ 9.75</del>
<del>1 inch</del>	<del>50,000</del>	<del>24.60</del>
<del>1½ inch</del>	<del>150,000</del>	<del>73.80</del>

<b>Line Size</b>	<b>Monthly Usage Level</b>	<b>Monthly Flat Fee</b>
2 inch	250,000	123.00
3 inch	600,000	295.20
4 inch	1,100,000	541.20
6 inch	2,350,000	1,156.20
8 inch	Above	2,066.40

~~(2) *Estimated average monthly flow.* The customer shall present an anticipated monthly flow as certified by an engineer to the city. If the anticipated monthly flow exceeds the monthly usage level as indicated in the above chart the customer shall pay the monthly flat fee for the next higher category. Regardless of the report of the customer's engineer, the city reserves the right to make its own prediction as to anticipated monthly flow and fix the monthly flat rate accordingly. In no event shall the monthly flat rate be less than the rate established for each line size as indicated in the above chart.~~

~~(c) *Reclaimed water service connection fee.* The reclaimed water service connection fee is set at one hundred fifty dollars (\$150.00) for a three-quarter inch service connection. The reclaimed water service connection fee will be reduced to seventy-five dollars (\$75.00) in the case of converting a residential irrigation meter (on the potable water system) to reclaimed water service. For all connections requiring larger than a three-quarter-inch service lateral, the city will charge the customer the actual cost of the connection including labor, material and equipment; however, in no event, shall the connection fee be less than one hundred fifty dollars (\$150.00).~~

~~(c) *Rate adjustments.* For all reclaimed water rates and charges, annually, on or before October 1, the city shall adjust its flat rates by increasing such rates and fees at a rate of four (4) percent per annum as provided in this subsection, follows:~~

~~(1) The increases shall be applied to such rates and fees in effect immediately prior to the effective date of each such annual increase. The effective date of the adjusted rates and fees shall be October 1 of each year, exclusive of the year of adoption of this section.~~

- (2) The purpose of such annual rate increases is to provide annual rate adjustments substantially commensurate with the city's historical average escalation of utility operating expenditures and inflation.

(de) *Installation and cost of metering devices.* The city retains the right to require the installation of metering devices to measure the reclaimed water flow for each individual connection. At such time rates based on actual usage will be established. The cost of the installation of the metering devices shall be paid by the customer as determined by the city.

**Sec. 24-33. - Same—Installation/connection charges and payment plan options.**

(a) ~~Breakdown of costs:~~

~~3/4" residential reclaimed water service and meter installation/connection: \$150.00~~

~~3/4" backflow prevention assembly installation/assembly testing: \$150.00~~

~~Backflow prevention assembly repairs (if necessary): \$25.00~~

~~Replacement of backflow prevention assembly (if necessary): \$100.00~~

All residential reclaimed water service installations, reclaimed water meter installations, backflow prevention assembly installations, backflow prevention assembly testing, backflow prevention assembly repairs and backflow prevention assembly replacements will be completed by certified City of New Port Richey Public Works staff. The costs of residential reclaimed water service connection, meter installation, backflow prevention assembly, testing, repairs, and replacement shall be set by resolution of the city council.

(b) *Payment plan options:*

- (1) *One-time payment:* ~~A one-time payment of three hundred dollars (\$300.00) in an amount established by resolution of the city council made at the billing and collections office which will cover the cost of reclaimed water service installation, reclaimed water meter installation and backflow prevention assembly installation and testing.~~

\*Note: This does not include the monthly rate for reclaimed water.

- (2) *Monthly payments for one (1) year:* ~~A monthly payment of twenty-five dollars (\$25.00) in an amount established by resolution of the city council made at the billing and collections office which will cover the cost of reclaimed water service installation, reclaimed water meter installation and backflow prevention assembly installation and testing. A twenty-five dollars (\$25.00) This charge will be added to the customer's water bill until the three hundred dollars (\$300.00) total cost is met.~~

\*Note: This does not include the monthly rate for reclaimed water. Also note: Upon early termination of the reclaimed water account before payments are made in full, the remaining balance of the connection fee will be due in full before the account can be closed.

(3) *Monthly payments for two (2) years:* A monthly payment of ~~twelve dollars and fifty cents (\$12.50)~~ in an amount established by resolution of the city council made at the billing and collections office which will cover the cost of reclaimed water service installation, reclaimed water meter installation and backflow prevention assembly installation and testing. ~~A twelve dollar and fifty cent (\$12.50)~~ This charge will be added to the customer's water bill until the ~~three hundred dollars (\$300.00)~~ total cost is met.

\*Note: This does not include the monthly rate for reclaimed water. Also note: Upon early termination of the reclaimed water account before payments are made in full, the remaining balance of the connection fee will be due in full before the account can be closed.

#### **Sec. 24-34. - Backflow prevention assembly repair/replacement.**

If repairs need to be made to a residential backflow prevention assembly a ~~twenty-five dollar (\$25.00)~~ charge in an amount established by resolution of the city council will be added to the customer's water bill. If the backflow prevention assembly needs to be replaced an additional one hundred dollar (\$100.00) charge in an amount established by resolution of the city council will be added to the customer's water bill, however, this charge may be broken into monthly payments of ~~twenty-five dollars (\$25.00)~~ until the ~~one hundred dollars (\$100.00)~~ total cost of replacement is met.

\*Note: For further information pertaining to residential backflow assembly testing, repair, replacement and the governing agencies that require these guidelines to be enforced please refer to the City of New Port Richey's Cross-Connection Control Policy.

**SECTION 3. Transition.** Any existing account established in a tenant(s) name upon the effective date of this Ordinance shall be reestablished in the name of the property owner within one (1) year of the effective date of this Ordinance. Failure to reestablish an account within this time period will be subject to enforcement and penalties as provided by law. Any appeal to this phasing timeframe shall be filed with the city manager within thirty (30) days of the effective date of this Ordinance. The city manager may extend the time for establishment for up to one (1) additional year upon good cause shown. Failure to file an appeal within this timeframe shall be a waiver of any claims or defenses as to reestablishment of the account. Good cause, for purposes of this paragraph shall mean demonstration of pre-existing contract rights which extend beyond the phasing period established by this Ordinance. If not timely filed or good cause is not shown, the appeal shall be denied and there are no further local rights of appeal. Applicants for new customer accounts must complete the appropriate applications and follow the same guidelines as stated in city code section 24-25(a) above.

**SECTION 4. Accrued Interest.** Any interest accrued on any utility deposit held by the city upon the effective date of this Ordinance shall be applied to the customer's account within ninety (90) after the effective date of this Ordinance or refunded by the city if no balance in the utility account is due.

**SECTION 5. Severability.** If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

**SECTION 6. Conflicts.** All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

**SECTION 7. Effective Date.** This Ordinance shall be effective October 1, 2026.

The above and foregoing Ordinance was read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2026.

The above and foregoing Ordinance was read and approved on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

CITY OF NEW PORT RICHEY, FLORIDA

\_\_\_\_\_  
Judy Meyers, MMC, City Clerk  
(SEAL)

\_\_\_\_\_  
Alfred C. Davis, Mayor – Councilmember

APPROVED AS TO LEGAL FORM AND CONTENT

\_\_\_\_\_  
Timothy P. Driscoll, City Attorney CAA 6-5-26