

ORDINANCE NO. C-26-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO INCREASE WATER FIXED-COST RECOVERY, ESTABLISH MULTIFAMILY FIXED CHARGES BASED ON DWELLING UNITS BEHIND THE METER, REVISE IRRIGATION VOLUMETRIC TIERS, UPDATE WATER CAPITAL EXPANSION AND MISCELLANEOUS FEES, AND REVISE LEAK AND UNUSUAL CONSUMPTION CREDIT PROVISIONS, PROVIDE FOR SEVERABILITY; PROVIDE FOR REPEAL OF ALL ORDINANCES IN CONFLICT; AND PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, on September 19, 2023, the City Commission approved Ordinance No. C-23-35 which amended Chapter 28 of the Code to provide for alignment of charges for FY 2004 through 2028 and beyond to water and wastewater cost of services, and to provide for increases to tapping charges, water rates, wastewater rates, master meter charges, service availability charges, sprinkling meter charges, and private fire service charges and the approved ordinance resulted in twenty-two and a half percent (22.5%) annual increase in water rates for FY 2024 and 2025, nine percent (9%) in FY 2026 and 2027, and five percent (5%) thereafter; it also included a nine percent (9%) annual increase to wastewater rates from FY 2024 through 2026 and five percent (5%) thereafter; and

WHEREAS, the City engaged Stantec in late 2024 to conduct a Water and Wastewater Comprehensive Rate Study with the intent of producing a revenue-neutral Fiscal Year (FY) 2027 rate structure and to evaluate the current and projected financial sustainability of the City's Water and Wastewater Enterprise Fund over a ten (10) year period; and

WHEREAS, Stantec's study focused on recommended changes to the City's rate design, which may affect how revenue requirements are allocated across customer classes but would not result in a straightforward percentage-based rate increase. The study provided background information and supporting analysis for implementing the recommended changes necessary to ensure sufficient and sustainable revenue to support the utility operations and infrastructure needs throughout the projection period; and

WHEREAS, on June 2, at the City Commission Conference Meeting, Stantec presented the findings of the Water and Wastewater Comprehensive Rate Study with proposed amendments to Chapter 28;

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

SECTION 1. That Section 28-1A. - Water Shortage – Declaration of Emergency; Emergency Restrictions, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-1A. – Water Shortage – Declaration of emergency; emergency restrictions.

- (a) *Declaration.* The city manager is hereby authorized, after consultation with the public works director or designee to have appropriate personnel enforce the provisions or restrictions of any declaration of the South Florida Water Management District pertaining to a water shortage.
- (b) *Restrictions.* Whenever activated by the South Florida Water Management District in times of a water shortage those provisions of chapter 40E-21 of the Florida Administrative Code as they relate to water usage restrictions, will be enacted. It shall be unlawful for any person to fail to comply with said restrictions.
- (c) *Surcharges.* In the event the South Florida Water Management District declares a water shortage and mandates water restrictions in one (1) of the four (4) established water shortage phases, the City of Fort Lauderdale will implement a surcharge on the water, wastewater, and sprinkling meter commodity charges established in sections 28-76, 28-143 and 28-144 of the Code of Ordinances and on the industrial user charges established in section 28-78 of the Code of Ordinances. The amount of surcharge shall be based on the level of declaration of a Phase I, Phase II, Phase III or Phase IV level of water restrictions as provided in this subsection and the number of gallons generated by the user with priority consideration given to the purpose of the usage. If a declaration of any phase level of water restriction is issued prior to or on the 15th of the month, the prescribed surcharge for that level of water restriction shall appear on the first utility billing processed on or after the 1st day of the following month. If such declaration is issued after the 15th of the month, the prescribed surcharge shall appear on the first utility billing issued on or after the 1st day of the month following a thirty-day period after the declaration date. When a declaration of water restrictions is rescinded by the South Florida Water Management District, surcharges shall be rescinded with the adjustment appearing on the first utility billing issued on or after the 1st day of the month following the date the declaration is rescinded. All surcharge adjustments, including the initial imposition, any increases and decreases, and the

rescinding of the surcharge shall be implemented as described above. Surcharges shall be charged as follows in the chart below:

Sec. 28-76. WASTEWATER USER RATES		Phase I	Phase II	Phase III	Phase IV
Sec. 28-76(b)(2) Single-Family Residences					
Block 1	0—3,000 gallons	0%	0%	0%	0%
Block 2	4,000—20,000 gallons	0%	0%	29%	43%
Block 3	>20,000 gallons	N/A	N/A	N/A	N/A
Sec. 28-76(b)(3) Multifamily Residential Dwelling Units (1,000 gallons per month × number of dwelling units)					
Block 1	0—1,000 gallons	0%	0%	0%	0%
Block 2	2,000—8,000 gallons	0%	0%	29%	43%
Block 3	>8,000 gallons	N/A	N/A	N/A	N/A
Sec. 28-76(b)(4) All Others					
All Usage		0%	0%	29%	43%

Sec. 28-78. Industrial User Charges	Phase I	Phase II	Phase III	Phase IV
All Usage	0%	0%	29%	43%

Sec. 28-143. WATER RATES		Phase I	Phase II	Phase III	Phase IV
Sec. 28-143(a)(2) Single-Family Residences					
Block 1	0—3,000 gallons	0%	0%	0%	0%
Block 2	4,000—8,000 gallons	0%	0%	17%	31%
Block 3	9,000—12,000 gallons	0%	0%	17%	31%
Block 4	13,000—20,000 gallons	0%	0%	17%	31%
Block 5	>20,000 gallons	0%	0%	17%	31%
Sec. 28-143(a)(3) Multifamily Residential Dwelling Units (1,000 gallons per month × number of dwelling units)					

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Block 1	0—1,000 gallons	0%	0%	0%	0%
Block 2	2,000—3,000 gallons	0%	0%	0%	0%
Block 3	4,000—5,000 gallons	0%	0%	17%	31%
Block 4	6,000—8,000 gallons	0%	0%	17%	31%
Block 5	>8,000 gallons	0%	0%	17%	31%
Sec. 28-143(a)(4) All Others					
All Usage		0%	0%	17%	31%
Sec. 28-143(b)(2) Master <u>Wholesale</u> Meter					
All Usage		0%	0%	17%	31%
Sec. 28-143(c) Retail Consumers Receiving Water Outside the Corporate Limits					
Single-Family	Refer to chart Sec. 28-143(a)(2) above				
Multifamily	Refer to chart Sec. 28-143(a)(3) above				
All Others	Refer to chart Sec. 28-143(a)(4) above				

Sec. 28-144(b) SPRINKLING METER CHARGES		Phase I	Phase II	Phase III	Phase IV
(1,000 gallons per month × the Meter Equivalency Factor)					
Block 1	0—12,000 gallons	0%	0%	40%	50%
Block 2	13,000—20,000 gallons	0%	0%	40%	50%
Block 3	>20,000 gallons	0%	0%	40%	50%

SECTION 2. That Section 28-76. – Wastewater User Rates, 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.

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- (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 10/1/2023 <u>6</u>	On 10/1/2024, and 10/1/2025 charges shall be adjusted by increasing the prior year's charge by 9%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
$\frac{5}{8}$	\$15.14 <u>18.32</u>	
$\frac{3}{4}$	\$21.12 <u>25.38</u>	
1	\$33.10 <u>39.52</u>	
1½	\$63.01 <u>74.81</u>	
2	\$98.92 <u>117.17</u>	
3	\$212.62 <u>251.32</u>	
4	\$362.20 <u>427.83</u>	
6	\$810.99 <u>957.35</u>	
8	\$960.58 <u>1,133.86</u>	
10	\$2,516.40 <u>2,969.57</u>	
12	\$3,174.65 <u>3,746.25</u>	
16	\$3,656.54 <u>4,314.84</u>	

- (2) A per bill monthly fee of four dollars and twenty cents (\$4.20) will be applied to each bill and a fixed monthly charge per unit against each dwelling unit served by a connected service to a multifamily dwelling unit, cooperative or condominium apartment, as follows:

Meter Sizes	Multi-Family Wastewater Fixed Monthly Charges Per Unit 28-76(b)(2)	
(inches)	Effective	On October 1 of each year thereafter, charges shall be

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	<u>10/1/2026</u>	<u>adjusted by increasing the prior year's charge by 5%.</u>
All sizes	<u>\$7.77</u>	

(23) 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)(23)			
Ranges	Water (per unit)	Wastewater Residences	Monthly Usage Charges - Single-Family
	(1,000 gallons per month x number of dwelling units)	Effective 10/1/202<u>36</u>	On 10/1/2024, and 10/1/2025 charges shall be adjusted by increasing the prior year's charge by 9% and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
Tier 1	0—3,000	\$5.55 <u>6.93</u>	
Tier 2	>3,000	\$12.27 <u>15.32</u>	

(34) 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)(34)			
Tier Ranges	Water (per unit)	Wastewater Monthly Usage Charges	
	(1,000 gallons per month x number	Effective 10/1/202<u>36</u>	On 10/1/2024, and 10/1/2025 charges shall be adjusted by increasing the prior year's charge by 9% and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.

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	of dwelling units x .55)		
Tier 1	3,000	\$5.55	6.93
Tier 2	>3,000	\$12.27	15.32

(45) 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)(45)		
	Effective 10/1/2023	On 10/1/2024, and 10/1/2025 charges shall be adjusted by increasing the prior year's charge by 9% and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
All Usage	\$9.86	11.72

SECTION 3. That Section 28-140. - Fees for Connections, Disconnections and Name Changes, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-140. – Fees for connections, disconnections and name changes.

- (a) The service fee for a consumer requesting water service connection or disconnection shall be ~~ten~~thirty dollars (\$~~430~~30.00). The service fee for the reconnection or disconnection of water service for accounts which are delinquent shall be ~~twenty~~thirty dollars (\$~~230~~30.00).
- (b) The charge for reestablishment of water service requiring the water meter to be reinstalled shall be ~~thirty-five~~forty dollars (\$~~3540~~40.00).

SECTION 4. That 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.

- (a) Billing statements shall be submitted monthly or bimonthly to the consumers. The

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following schedule of rates and charges shall be imposed for the water service furnished by the city for consumers located within the corporate limits:

- (1) 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 10/1/2023 <u>36</u>	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
$\frac{5}{8}$	\$10.12 <u>14.32</u>	
$\frac{3}{4}$	\$13.46 <u>19.33</u>	
1	\$20.16 <u>29.34</u>	
1½	\$36.92 <u>54.40</u>	
2	\$57.00 <u>84.43</u>	
3	\$120.65 <u>179.61</u>	
4	\$204.38 <u>304.84</u>	
6	\$455.72 <u>680.72</u>	
8	\$539.33 <u>805.73</u>	
10	\$1,410.21 <u>2,108.10</u>	
12	\$1,778.64 <u>2,659.08</u>	
16	\$2,046.60 <u>3,059.79</u>	

- (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)	Effective 10/1/2023 <u>36</u>	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on

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	per month x number of dwelling units)		10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
Tier 1	0—3,000	\$3.68 <u>5.30</u>	
Tier 2	4,000—8,000	\$8.09 <u>11.64</u>	
Tier 3	9,000—12,000	\$10.12 <u>14.57</u>	
Tier 4	13,000—20,000	\$13.66 <u>19.65</u>	
Tier 5	>20,000	\$19.83 <u>28.53</u>	

- (3) A per bill monthly fee of four dollars and thirty cents (\$4.30) will be applied to each bill and a fixed monthly charge per unit against each dwelling unit served by a connected service to a multifamily dwelling unit, cooperative or condominium apartment, as follows:

Meter Sizes	Multi-Family Water Fixed Monthly Charges Per Unit	
(inches)	Effective 10/1/2026	28-143(a)(3)
		On October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
All sizes	<u>\$5.51</u>	

- (34) Multifamily residential dwellings having more than one dwelling unit shall be assessed as follows:

Water Commodity Charges - Multifamily Residential Dwelling Units			
28-143(a)(34)			
Tier Ranges	Water (per unit)	Water Monthly Usage Charges	
	(1,000 gallons)	Effective 10/1/2023	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on

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	per month x number of dwelling units x .55)		10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
Tier 1	3,000	\$3.68 <u>5.30</u>	
Tier 2	4,000— 8,000	\$8.09 <u>11.64</u>	
Tier 3	9,000— 12,000	\$10.12 <u>14.57</u>	
Tier 4	13,000— 20,000	\$13.66 <u>19.65</u>	
Tier 5	>20,000	\$19.83 <u>28.53</u>	

(45) All others shall be assessed as follows:

Water Commodity Charges – Commercial 28-143(a)(45)		
	Effective 10/1/2023	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
All Usage	\$8.37 <u>12.04</u>	

- (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 wholesale meter or master wholesale 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 wholesale meter against each master wholesale meter connected to the City water system, as follows:

Meter Sizes	<u>MasterWholesale</u> Meter Water Fixed Monthly Charges 28-143(b)(1)
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(inches)	Effective 10/1/2023 <u>6</u>	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
$\frac{5}{8}$	\$ <u>58.07</u> 86.01	
$\frac{3}{4}$	\$ <u>85.41</u> 126.92	
1	\$ <u>140.07</u> 208.65	
1½	\$ <u>276.73</u> 413.02	
2	\$ <u>440.73</u> 658.28	
3	\$ <u>960.03</u> 1,434.88	
4	\$ <u>1,643.33</u> 2,456.72	
6	\$ <u>3,693.22</u> 5,522.25	
8	\$ <u>4,376.50</u> 6,544.07	
10	\$ <u>11,482.73</u> 17,171.17	
12	\$ <u>14,489.21</u> 21,667.25	
16	\$ <u>16,675.77</u> 24,937.16	

- (2) A commodity charge for each one thousand (1,000) gallons or fraction thereof recorded shall be as follows:

MasterWholesale Meter 28-143(b)(2)		
	Effective 10/1/2023 <u>6</u>	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
All Usage	\$ <u>4.15</u> 6.71	

- (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) for like service and quantity of water used by consumers within the city limits.
- (d) For Residential accounts only. 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 (1)-time billing adjustment to the customer ~~for the overage above the twelve (12)-month average at the lowest tiered rate, at a rate that results in a bill equivalent to their billing average during the previous twelve (12)-month period,~~ for a maximum of two (2) months. This one (1)-time credit is for the life of the account at the location for which such a credit is granted.

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- (1) In order to be considered for the one (1)-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 be recorded by an accurate meter as the result of an identified leak, the finance director or designee, upon receipt of the supporting documentation of the repaired leak, may adjust the rate for the overage to a rate that results in a bill equivalent to their billing average during the previous twelve (12)-month period ~~that is above the twelve (12) month average to the lowest tiered rate~~, for a maximum adjustment period of two (2) months. To be considered for such an adjustment, the consumer's account must have monthly usage exceeding two (2)-times its average monthly usage for the previous twelve (12) 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.
- (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 10/1/2023 <u>6</u>	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
$\frac{5}{8}$	\$10.12 <u>14.32</u>	
$\frac{3}{4}$	\$13.46 <u>19.33</u>	
1	\$20.18 <u>29.34</u>	
1½	\$36.93 <u>54.40</u>	
2	\$57.01 <u>84.43</u>	
3	\$120.65 <u>179.61</u>	
4	\$204.40 <u>304.84</u>	

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6	\$455.74 <u>680.72</u>	
8	\$539.34 <u>805.73</u>	
10	\$1,410.21 <u>2,108.10</u>	
12	\$1,778.64 <u>2659.08</u>	
16	\$2,046.61 <u>3,059.79</u>	

- (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 development services 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 5. That 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:

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Meter Sizes (inches)	Sprinkling 28-144(a) Effective 10/1/2023 6	Fixed Monthly Charges
$\frac{5}{8}$	\$10.12 <u>16.83</u>	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
$\frac{3}{4}$	\$13.46 <u>23.09</u>	
1	\$20.16 <u>35.60</u>	
1½	\$36.92 <u>66.92</u>	
2	\$57.00 <u>104.47</u>	
3	\$120.65 <u>223.44</u>	
4	\$204.37 <u>379.97</u>	
6	\$455.72 <u>849.82</u>	
8	\$539.33 <u>1,006.09</u>	
10	\$1,410.21 <u>2,634.06</u>	
12	\$1,778.64 <u>3,322.78</u>	
16	\$2,046.60 <u>3,823.66</u>	

- (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 10/1/2023 6	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
Tier 1	0— 128,000	\$40.12 <u>11.64</u>	
Tier 2	138,000 <u>1—2012,000</u>	\$43.66 <u>14.57</u>	
Tier 3	>2012,000 <u>1—20,000</u>	\$49.83 <u>19.65</u>	
Tier 4	>20,000	\$28.53	

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Meter 28-144(b)	Equivalency	Factor
Meter (inches)	Size	Factor
$\frac{5}{8}$		1.00
$\frac{3}{4}$		1.50
1		2.50
$1\frac{1}{2}$		5.00
2		8.00
3		15.00
4		25.00
6		50.00
8		80.00
10		115.00
12		215.00

- (c) Should excessive water consumption be recorded by an accurate meter as the result of an identified leak, the finance director or designee, upon receipt of the supporting documentation of the repaired leak, may adjust the rate for the overage to a rate that results in a bill equivalent to their billing average during the previous twelve (12)-month period ~~above the twelve (12) month average to the lowest tiered rate~~, for a maximum adjustment period of two (2) months. To be considered for such an adjustment, the consumer's account must have monthly usage exceeding two (2)-times its average monthly usage for the previous twelve (12) 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.
- (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 (1)-time billing adjustment to the customer ~~for the overage above the twelve (12) month average at the lowest tiered rate~~, at a rate that results in a bill equivalent to their billing average during the previous twelve (12)-month period, for a maximum of two (2) months. This one (1)-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 (1)-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 6. That Section 28-145. – Private Fire Service Protection, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-145. - Private fire service protection.

- (a) The fixed monthly charge for special private fire service protection shall be based upon the size of the fire service line connected within the city's water distribution system as follows:

Meter Sizes	Fire Service	Fixed Monthly Charges
(inches)	Effective 10/1/2023	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
2	\$72.21	
3	\$134.55	
4	\$222.61	
6	\$442.73	
8	\$706.85	
10	\$1,014.97	
12	\$1,895.42	
16	\$3,083.99	

- (b) The City shall install fire line connections up to the property line upon application made to the appropriate City department. The property owner is responsible for installation and maintenance of the fire line on his/her/its property. The owner shall apply for service and prepay the estimated cost of the installation from the main to the curblin (plus the extension of the properly sized main, if necessary), including labor, materials, valves, street repairs, sidewalk repairs, and such other costs as may be incurred in rendering service. The property owner shall be subject to the following regulations:

- (1) *Use for fire purposes only.* This connection is to be used for fire purposes only and is to have no connection whatsoever with any taps that may be used for

other than fire purposes and, because of the danger of pollution, shall have no connection with any other source of supply unless a tank or fire pump is installed as a secondary supply. There shall be a backflow prevention assembly installed in each city connection to prevent the water from these secondary supplies running back into the city mains in accordance with chapter 28, article III, and division 2, "Backflow Prevention."

- (2) *Tests.* The owner shall not draw any water whatever through this connection for any purpose except the extinguishment of fires or for periodic tests of the fire system, which tests shall be made in the presence of a representative of the City.
- (3) *Equipment inspection.* The City fire inspector and any authorized city representative shall have free access to the building at any reasonable time for the purpose of inspecting any of the equipment.
- (4) *Backflow prevention assembly.* At the time of installation of the fire line, the owner shall install at owner's sole expense a backflow prevention assembly on owner's property at a location designated by the city fire plans examiner as close as practical to the property line. Such backflow prevention assembly shall be fitted with a detector assembly bypass, on which shall be set a meter, the purpose of which shall be to indicate whether water is being used through this connection and for the further purpose of showing if there is leakage. Whether backflow prevention is required shall be determined by the provisions of chapter 28, article III, division 2 Backflow Prevention and subparagraph (5) below.
- (5) *Backflow prevention.* At the time of application by the owner for fire service, the fire plans examiner may require an approved backflow prevention assembly to be installed by owner at owner's sole expense on each fire line at or near the property line. American Waterworks Association Manual M-14, as it may be amended from time to time is hereby adopted by reference and applicable provisions of division 2 of this article shall govern the installation of backflow prevention assemblies on fire lines. Nothing herein shall be construed to require backflow prevention on existing fire lines; provided that the fire service was installed prior to May 5, 2014 and adheres to the current Florida Administrative Code governing cross-connection control, however, the public works director or city fire marshal shall have the authority to make a determination whether the owner shall have a backflow prevention assembly installed on an existing fire

line to protect the public potable water system.

- (6) *Repairs, alterations and relocations.* The owner shall be responsible for repairs, alterations or relocations to fire lines and backflow prevention assemblies on fire lines, pay applicable fees, provide certifications and recertifications and meet the provisions of Chapter 28, "Water, Wastewater and Stormwater," Article III, "Municipal Water Supply System," Division 2, "Backflow Prevention." The City of Fort Lauderdale reserves the right to shut off the water supply at any time in case of accident or to make alterations, extensions, connections or repairs, and, if possible, the public works department will attempt to provide a twenty-four (24) hour notice prior to discontinuing service.
- (7) *Pressure not guaranteed.* The city shall not make any guarantee as to a certain pressure in this pipe or in the main supplying the same, and shall not be, under any circumstances, held liable for loss or damage to the owner for a deficiency or failure in the supply of water, whether occasioned by shutting off of water in case of accident or alterations, extensions, connections or repairs or for any cause whatsoever.
- (8) *Resealing valves and connections.* When fire line valves or connections are used in case of fire or for any other reason whatsoever, the owner shall immediately notify the public works department and the public works division shall forthwith reseal the used valves or connections.
- (c) Upon the application of the owner for private fire service, tapping charges shall be paid as follows:

Fire Service Tapping Charges 28-145(c)		
	Effective 10/1/20236	On 10/1/2024, charges shall be adjusted by increasing the prior year's charge by 22.5% on 10/1/2025 and 10/1/2026 charges shall be adjusted by increasing the prior year's charge by 9.0%, and on October 1 of each year thereafter, charges shall be adjusted by increasing the prior year's charge by 5%.
2-inch tap and service	\$6,368.70 <u>\$3,510.00</u>	
4-inch tap and service	\$15,053.28 <u>\$4,730.00</u>	
6-inch tap and service	\$16,790.25 <u>\$8,240.00</u>	
8-inch tap and service	\$24,316.90 <u>\$10,530.00</u>	

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For sizes greater than an eight-inch tap and service, such charges shall be estimated and billed upon a basis of actual cost, including materials, labor, equipment and a percentage allowance for administrative and overhead costs. All tapping and service charges shall be paid in full before the fire service is installed.

SECTION 7. That Section 28-148. – Diverting Water from City's Distribution System, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-148. – Diverting water from City's distribution system.

- (a) The owner at the premises shall pay to the City the sum of ~~one hundred fifty~~ seventy dollars (\$~~1570.00~~) for each and every time the seal on any meter or its coupling on or for such premises is found broken or a pipe has been installed to bypass a meter or utility lines have been tampered with to divert water around the meter. The owner shall pay to the City the sum of five hundred dollars (\$500.00) for each and every time a fire hydrant or fill station or a pipe has been installed to bypass a meter or utility lines have been tampered with to divert water around a hydrant meter, fill station meter contractor meter or backflow prevention assembly. After the first occurrence the appropriate City department shall notify the customer that his/her/its regular deposit has been increased to a special deposit as outlined in Section 28-186.
- (b) Upon the second occurrence of such offense, the City shall, at its option, shut off the supply and discontinue its service and may further refuse to turn the same on again and resume its service to such premises so long as the owner at the premises at the time of the breaking or removal of such seal shall continue to be the owner at the premises or discontinue its service to owner at the time of the breaking, bypass or removal of such meter or backflow prevention assembly.
- (c) The existence of any mechanical device or pipe having as its apparent object the diversion of water before reaching the meter and capable of such diversion and which has not been authorized by the city manager, and the existence of a broken meter, broken meter lock or broken metal seal, meter bypass, or lack of meter shall constitute prima facie evidence of the fraudulent appropriation of water, as the case may be, by the person on whose premises, vehicle, or equipment such device, pipe or tank was found or by the person occupying the premises, vehicle, or equipment being served with water, on which fire hydrant, fill station, or service line was found a broken meter, broken meter lock, broken meter seal, meter bypass, or missing meter.

SECTION 8. That Section 28-151. – Temporary Shutoffs; Claims Against City, of the

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Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-151. – Establish, restore, and Ttemporary shutoffs; claims against City.

The City of Fort Lauderdale and its representatives are not responsible for any and all damage, losses, economic losses, resulting from, or attributed to, connecting, disconnecting, or reconnecting of any water services in person or remotely.

The City reserves the right to shut off water temporarily whenever necessary for the purpose of making alterations or repairs. It is expressly stipulated by and between the city water division and consumers of water that no claim shall be made against the City for or on account of the bursting or breaking of any main or service pipe or on account of accidental failure of the supply.

It is the property owner(s) sole responsibility to ensure that no damage occurs on the inside or outside their property for any connection, disconnection, and reconnection of water services.

The City and its representatives are not, and will not be responsible, for any privately installed piping, fixtures, water treatment systems, filters, and water saving devices, installed by the owners including lawn systems.

Any water damage caused by the restoration of water service is not the responsibility of the City or its representatives.

SECTION 9. That Section 28-166. – Definitions, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-166. – Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Meter shall mean an instrument or device used to measure the quantity of water furnished by the City.

Sprinkling meter shall mean an instrument or device used to measure water furnished by

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the city for lawn sprinkling or other nonconsumptive uses in which the discharged water is nonpolluted and need not be discharged into the wastewater system.

~~Master~~Wholesale meter (also known as bulk meter) shall mean an instrument or device used to measure the quantity of water furnished and sold by the city to other municipalities, political subdivisions and privately owned public works under separate agreement approved by the City Commission.

SECTION 10. That Section 28-169. – Testing, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-169. – Testing.

All meters shall be carefully tested before being installed, and after installation should any customer question the accuracy of an analog meter through which service is provided, the water distribution division shall, upon the customer's written application, in which the customer agrees to a charge of ~~sixteen~~eighty dollars (\$~~1680.00~~) for first test in a twelve-month period and ~~seventy~~eighty dollars (\$~~780.00~~) for additional tests in a twelve-month period for each analog meter in question to cover cost of the test, remove the meter and test it. The date and time of the test will be coordinated with the customer where practicable to permit the customer or an authorized agent to witness the test. If the test shows that the analog meter has been over-registering more than two (2) percent, there will be no charge for the test, and the bill rendered, based on the last reading of such meter, shall be corrected accordingly. If the test shows that the analog meter is not over-registering more than two (2) percent, the charge shall be applied to the utility bill by the City and, in addition thereto, if the test shows that the analog meter has been under-registering more than two (2) percent, the bill rendered shall be corrected accordingly. Advanced Metering Infrastructure (AMI) meters provide continuous consumption data and advanced diagnostic capabilities. Accordingly, the City will not perform accuracy testing of AMI meters.

SECTION 11. That Section 28-190. – When Bills Due and Payable; Disconnection of Service; Liens for Unpaid Fees and Service Charges, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-190. – When bills due and payable; disconnection of service; liens for unpaid fees and service charges.

- (a) All accounts shall be due and payable on the date statements are submitted to the consumers and, in the event of the failure of any consumer of water supplied by the

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City to pay the account within thirty (30) days after the same shall become due and payable, the city manager or his designee is hereby authorized to disconnect such consumer's water supply.

- (b) Prior to actual disconnection of a consumer's water supply, the consumer shall be given written notice of the pending termination of water and sewer service, the date of proposed termination and the specific reason(s) therefor. Such notice shall also advise the consumer that he may protest the proposed termination of water and sewer service as unjustified and may meet with a designated city employee for the purpose of presenting objections to such proposed termination.
- (c) In the event that a water customer whose water service has been cut off by reason of: 1. nonpayment of water or sewer bill, 2. the lack of backflow prevention assembly, inspection, testing or recertification, or 3. violations or provisions of chapter 28, "Water, Wastewater, and Stormwater" and who requests to have water service reestablished, the customer shall pay the entire amount of such delinquent water or sewer bill, together with a twenty dollar (\$20.00) fee for a service call to disconnect the customer's water supply and a twenty dollar (\$20.00) fee for a service call to reestablish such water service.
- (d) Water service shall not be established or reestablished at the request of a customer whose service has been terminated for: 1. nonpayment of water or sewer bill, 2. the lack of backflow prevention assembly, inspection, testing or recertification, or 3. violations or provisions of chapter 28, "Water, Wastewater, and Stormwater" until all amounts due for water or sewer service, together with any charges for disconnection or reestablishment of such customer's water supply, have been paid in full. When service has been disconnected at the water main by the City, an additional fee of ~~three hundred sixty~~ one thousand thirty dollars (~~\$361,030.00~~) shall be paid by the customer for the reestablishment of the water service.
- (e) The City shall have a lien on all lands or premises served by its water or sewer system for all fees and service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises, except the lien of state, county and municipal taxes, and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than thirty (30) days, may be foreclosed by the City in the manner provided by state law for the foreclosure of mortgages on real property.

SECTION 12. That Section 28-256. – Potable Water Plant and Distribution Capital Expansion Fee, of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby amended as follows:

Sec. 28-256. – Potable water plant and distribution capital expansion fee.

- (a) An applicant for a building permit to construct a new facility, expand or change the existing use requiring additional capacity for the applicant's property shall pay appropriate capital expansion fees of ~~six dollars and fifty nine cents (\$6.59)~~ seven dollars and sixty-eight cents (\$7.68) per gallon or ~~one thousand nine hundred seventy-seven dollars (\$1,977.00)~~ two thousand three hundred three dollars (\$2,303.00) per equivalent residential connection (three hundred (300) maximum gallons per day) as determined in accordance with Table A 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.
- (b) Capital expansion fees as provided in this section shall be collected and held in a separate fund of the City to be used to pay only the cost, expenses and fees associated with capital expenditures and existing debt service related to system expansion for the potable water system required to meet the needs of development occurring on or after the effective date of this section.

SECTION 13. At the direction of the City Attorney, the publisher of the Code of Ordinances of the City of Fort Lauderdale, Florida, is authorized to conform chapter, article, section, subsection, and clause numbers and letters, and capitalization, set forth in the Code of Ordinances of the City of Fort Lauderdale, Florida, and to correct any non-substantive scrivener's errors in the codification of this Ordinance without the need for a public hearing.

SECTION 14. 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 15. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 16. That this Ordinance shall be in full force and effect upon passage.

PASSED FIRST READING this _____ day of _____, 2026.

PASSED SECOND READING this _____ day of _____, 2026.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN