



Cover Memorandum/Staff Report

File #: 23-1624

Agenda Date: 12/5/2023

Item #: 8.E.

TO: Mayor and Commissioners
FROM: Hugh B. Dunkley, Chief Financial Officer
THROUGH: Terrence R. Moore, ICMA-CM
DATE: December 5, 2023

ORDINANCE NO. 46-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, CHAPTER 50 "UTILITIES GENERALLY; PUBLIC SERVICE TAX", SUBHEADING "GENERAL PROVISIONS", BY CREATING A NEW SECTION 50.04, "REVIEW AND ADJUSTMENT OF USER CHARGES," TO ESTABLISH PROVISIONS FOR ADJUSTMENTS TO WATER CHARGES DUE TO LEAKS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING)

Recommended Action:

Staff recommends approval of Ordinance No. 46-23 on second reading.

Background:

Most public water utilities provide a credit adjustment due to leaks occurring on the customer's side of the water meter which was not caused by any act or omission of the customer or user, and the customer made needed repairs within a reasonable amount of time after discovering the leak or receiving their water bill. The City's Code of Ordinances currently does not specifically address this matter. Therefore, staff is recommending a revision to the pertinent section of the City Code to allow specifically for a leak adjustment credit. Water customers will be allowed to apply for a leak adjustment credit only once within a three-year period.

City Attorney Review:

Legal review is attached.

Funding Source/Financial Impact:

N/A

Time Sensitive:

N/A