Legislation Text

File #: ORD 2019-037, **Version:** 1

AGENDA ITEM REPORT

TITLE:

AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 20, "UTILITIES," ARTICLE III, "WATER AND WASTEWATER REGULATIONS," SECTION 20-34, "LIMITATION OF USE," TO PROVIDE CLARIFICATION THAT THE CITY PROHIBITS RESALE OF WATER OR SEWER SERVICE UNLESS IT IS SOLD AS A DIRECT PASS-THROUGH COST TO THE END-USER, AND TO PROVIDE THAT THE CITY MAY AUDIT ANY CUSTOMER THAT ENGAGES IN REMETERING AND RESALE OF WATER/SEWER TO SERVE AN END-USER; AND PROVIDING FOR PENALTIES. (SECOND READING)(PUBLIC HEARING)

BACKGROUND:

This item was approved on First Reading at the October 24, 2019, City Commission Meeting.

In 1986, the City enacted an ordinance to limit the unauthorized use of the City's water/sewer services, among other things. Recently, it has come to the attention of City staff that the language in Section 20-34, "Limitation of Use," needs clarification to ensure practical compliance in the community.

DISCUSSION:

There are currently instances of remetering and resale of water/sewer within the City, and to the extent that such activity does not result in any increased fees or charges, aside from those directly billed from the City of Coconut Creek's Utility Billing Division, no written agreement is necessary to meet the underlying intent of Section 20-34 of the City's Code. The proposed ordinance clarifies that such remetering and resale activity is prohibited except when such resale is limited to a direct pass-through cost, originating from the City, billed to the end-user through the reseller, and the City has the opportunity to audit the reseller's records to ensure compliance, should the need arise. This amendment to the existing code section allows the City to enforce the provisions of the Code in a more practical way, rather than requiring a written agreement to serve the same purpose.

RECOMMENDATION:

Staff recommends approval of the ordinance.

FISCAL IMPACT: N/A