

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AMENDING CHAPTER 74 OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, ENTITLED "UTILITIES" BY AMENDING SECTION 74-202(1)a-e, ENTITLED "OTHER CHARGES", TO ADJUST SEWER SERVICE CALL CHARGES INCLUDING MINIMUM CHARGES, LABOR RATES, AND EQUIPMENT RATES; AMENDING SECTION 74-246.(a) (b) and (e), ENTITLED "ANNUAL SEWER RATES," TO TRANSITION THE CITY'S USE OF (CPI-U) TO (CPI-WST) TO CALCULATE ANNUAL RATE INCREASES FOR RESIDENTIAL SEWER SERVICES AND AMEND THE AVERAGE RESIDENTIAL MONTHLY WASTEWATER PRODUCTION BASE CHARGE UNIT (BCU) FROM 3,600 TO 3,400 GALLONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, operational costs to provide sewer, stormwater and solid waste services increase every year. The City currently uses the Consumer Price Index for all Urban Consumers (CPI-U) to calculate annual sewer rate increases. The index reflects general consumer inflation, which is volatile and less accurate for predicting actual costs of services, which leads to erratic rate changes; and

WHEREAS, it is in the best interest of the City to transition to using the Consumer Price Index for Water, Sewer, Trash (CPI-WST) to calculate annual residential rate increases for sewer services as it specifically reflects the cost of providing water, sewer and trash services allowing for stable and more accurate rate adjustments; and

WHEREAS, without an annual rate adjustment based on the actual cost of service, infrastructure cannot be properly maintained or improved and, in some instances, a reduction in services may be necessary; and

WHEREAS, to initiate the transition from the City's utilization of the Consumer Price Index for all Urban Customers (CPI-U) to the Consumer Price Index for Water, Sewer Trash (CPI-WSDT) to calculate annual residential rate increases for sewer services requires the City adoption of an amending ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA AS FOLLOWS:

Section 1: That Sec. 74-202(1)a.-e.-*Other Charges.*, Subdivision I.-*In General.*, DIVISION 5.-*SERVICE RATES, CHARGES, BILLING PROCEDURE.*, ARTICLE II.-*SANITARY SEWER SYSTEM.*, CHAPTER 74.-*UTILITIES.*, SUBPART A.-GENERAL ORDINANCES. of the Code of Ordinances of the City of Key West, Florida is hereby amended to read as follows\*\*:

**"Sec. 74-202. - Other charges.**

Other sewer charges are as follows:

(1) *Service calls.* Charges for service calls are as follows:

- a. Minimum of ~~\$36.00~~ \$100.00 plus ~~\$15.00~~ 45.00 per hour, unless the basis for the call is found to be defective sewer utility facilities.
- b. Labor, ~~\$18.00~~ 45.00 per hour, per person, after the first hour.
- c. Equipment, such as Aqua Tech, sewer cleaning truck, ~~\$56.00~~ 195.00 per hour.
- d. Backhoe/front loader, ~~\$30.00~~ 100.00 per hour.

- e. General equipment, such as electric snake, sewer rodder, street saw, mud pump, compactor, etc., ~~\$15.00~~ 50.00 per hour, plus material."

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\*\* (Coding: Added language is underlined; deleted language is ~~struck through~~ at first reading. Added language is double underlined and ~~double struck through~~ at second reading.)

Section 2: That Sec. 74-246.(a) (b) and (e) *Annual Sewer rates and Charges.*, Subdivision II.-*Monthly Rates and Charges.*, DIVISION 5.-*SERVICE RATES, CHARGES, BILLING PROCEDURE.*, ARTICLE II.-*SANITARY SEWER SYSTEM.*, CHAPTER 74- *UTILITIES.*, SUBPART A.-GENERAL ORDINANCES. of the Code of Ordinances of the City of Key West, Florida is hereby amended to read as follows\*\*:

**"Sec. 74-246.- Annual sewer rates, charges and components.**

- (a) The base charge component (BCU) of the sewer service user charge is determined to be \$28.89. The BCU may be adjusted each October 1, by resolution of the city commission by up to 100 percent of the percentage increase in the CPI-~~(U)~~ (WST), U.S. City Averages (as of ~~June~~ May). The city commission shall enact an ordinance amendment to this section in order to increase the BCU in excess of the CPI.
- (b) The proportional use charge component of the sewer service user charge is determined to be \$5.72 per 1,000 gallons per month of actual or estimated sewage flow per user. The proportional use charge may be adjusted each October 1, by resolution of the city commission by up to 100 percent of the percentage increase in the CPI-~~(U)~~ (WST), U.S. City Averages (as of ~~June~~ May). The city commission shall enact an ordinance amendment to this section in order to increase the proportional use charge in excess of the CPI.
- (c) The extra-normal strength charge component of the sewer service user charge is determined to be \$0.69 per pound of biochemical oxygen demand (BOD) and \$0.32 per pound of total suspended solids (TSS) contributed per month per user in excess of the amount accounted for in waste at a rate of 350 mg/l for BOD and for TSS.

- (d) The flat monthly alternative water surcharge is determined to be \$11.43.
- (e) The assumed percentage of water being contributed to the sewer system, as referred to in Ordinance No. 89-33, subsection (b)(1), continues to be 80 percent. This figure times the average monthly residential water consumption, the product then divided by the average number of residential dwelling units, yields an average residential monthly wastewater production (rounded to the nearest hundred gallons) or monthly base charge unit (BCU) of ~~3,600~~ 3,400.

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Section 3: If any section, provision, clause, phrase or application of this Ordinance is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the remaining provisions of this Ordinance shall be deemed severable therefrom and shall be construed as reasonable and necessary to achieve the lawful purposes of this Ordinance.

Section 4: All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 5: This Ordinance shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held  
this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Read and passed on final reading at a regular meeting held  
this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Authenticated by the presiding officer and Clerk of the  
Commission on the \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Filed with the Clerk \_\_\_\_\_, 2026.

Mayor Danise Henriquez	_____
Vice Mayor Donald "Donie" Lee	_____
Commissioner Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Sam Kaufman	_____
Commissioner Greg Veliz	_____

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DANISE HENRIQUEZ, MAYOR

ATTEST:

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KERI O'BRIEN, CITY CLERK