

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

AN ORDINANCE OF THE CITY OF KEY WEST, FLORIDA AMENDING SEC. 74-246 ANNUAL SEWER RATES, CHARGES AND COMPONENTS OF THE CODE OF ORDINANCES, CITY OF KEY WEST, FLORIDA; ADJUSTING ANNUAL SEWER RATES, CHARGES AND COMPONENTS PURSUANT TO SEC. 74-246(a); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Sec. 74-245. *Annual Review of Rates and User Charges.*, the City of Key West has conducted its annual user charge rate study and finds it is necessary to adjust the annual sewer rates by amounts that are above the CPI, in order to cover the actual cost of providing sewer service; and

WHEREAS, pursuant to Sec. 74-246(a) of the City's Code of Ordinances, increases in annual sewer rates, charges and components in excess of CPI must be enacted by an amending ordinance adopted by the City Commission; and

WHEREAS, adoption of this ordinance amending the annual sewer rates set forth in Sec. 74-246. of the Code of Ordinances will provide continued sewer service and use of the City's sewer collection, transmission, treatment, and disposal system and promote the safety and welfare of the citizens and visitors of the City;

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

Section 1: That Section 74-246. *Annual sewer rates, charges and components.* 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 ~~\$27.51~~ \$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), U.S. City Averages (as of June). 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 ~~\$5.45~~ \$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), U.S. City Averages (as of June). 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 ~~\$0.66~~ \$0.69 per pound of biochemical oxygen demand (BOD) and ~~\$0.30~~ \$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 ~~\$10.89~~ \$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."

\*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: 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 3: 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 4: 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.

*\*\* REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK \*\**

Read and passed on first reading at a regular meeting held  
this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Read and passed on final reading at a regular meeting held  
this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Authenticated by the presiding officer and Clerk of the  
Commission on \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Filed with the Clerk \_\_\_\_\_, 2025.

Mayor Danise Henriquez	_____
Vice Mayor Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Donald "Donie" Lee	_____

\_\_\_\_\_  
Danise Henriquez, MAYOR

ATTEST:

\_\_\_\_\_  
Keri O'Brien, City Clerk