

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 26-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA RELATING TO THE CITY'S STORMWATER UTILITY; MAKING FINDINGS; PROVIDING FOR AN AMENDED FEE SCHEDULE; AMENDING THE UNIT OF MEASUREMENT USED TO DETERMINE AN EQUIVALENT RESIDENTIAL UNIT (ERU); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Lakeland, Florida created a Stormwater Utility effective April 1, 2000 pursuant to the broad home rule powers granted to municipalities pursuant to Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, as well as the Federal Clean Water Act, 33 U.S.C. 1251 et seq., Section 403.0893, Florida Statutes, and other authority; and

WHEREAS, the Stormwater Utility was created to manage and control flooding and pollution caused by stormwater runoff within the incorporated limits of the City of Lakeland; and

WHEREAS, at the time of its creation, the City Commission provided for the funding of the Stormwater Utility through the imposition of a Stormwater Utility Fee and adopted a Rate Schedule, the unit of measurement to be utilized to determine an Equivalent Residential Unit ("ERU"), and the percentage credit to be applied to certain qualifying onsite stormwater facilities; and

WHEREAS, the lakes within the City of Lakeland have been and remain an integral part of the City's stormwater management system and the City is subject

to Total Maximum Daily Load (“TMDL”) requirements under the federal Clean Water Act requiring the City to improve the water quality of its lakes; and

WHEREAS, recent flooding events also indicate the need to expand and improve the City’s stormwater management system; and

WHEREAS, the City has commissioned a study of its stormwater rates by Geosyntec Consultants, Inc. and its subconsultant, Anser Advisory (collectively, “Consultant”), in order to determine whether the current rates are adequate to fund the necessary maintenance and improvement of the Stormwater Utility; and

WHEREAS, the Consultant, together with the City’s Lakes and Stormwater Division, have determined that increases to the stormwater rates, as set forth on Exhibit “A” hereto, are necessary in order to adequately maintain and improve the City’s stormwater management system; and

WHEREAS, the Consultant and the Lakes and Stormwater Division have also determined that the average impervious area of residential property within the City of Lakeland is 3,850 square feet and, as a result, the ERU utilized in the calculation of Stormwater Utility Fees in the City of Lakeland should be reduced from its current value of 5,000 square feet to 3,850 square feet, and have further determined that the percentage credit to be applied to certain qualifying onsite stormwater facilities shall remain at 75%; and

WHEREAS, the City Commission does hereby find that the recommendations of the Consultant and the City’s Lakes and Stormwater Division are reasonable and necessary in order to adequately fund the City’s Stormwater

Utility and to meet both current and future needs to maintain and improve the City's stormwater management system;

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

SECTION 1. The foregoing findings are true and correct and are hereby adopted and made a part hereof.

SECTION 2. The City Commission hereby adopts the Rate Schedule attached hereto as Exhibit "A" and incorporated herein by reference. The Stormwater Utility Fees set forth therein shall apply and be imposed as of the effective dates shown thereon. In addition, the value of an ERU in the City of Lakeland shall be reduced to 3,850 square feet and the stormwater credit to be applied for qualifying onsite stormwater facilities shall remain at 75% effective January 1, 2027, as shown on Exhibit "A."

SECTION 3. If any word, sentence, clause, phrase or provision of this Ordinance, for any reason, is held to be unconstitutional, void or invalid, the validity of the remainder of this Ordinance shall not be affected thereby.

SECTION 4. This Ordinance shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 4th day of May, A.D.

2026.

**CITY COMMISSION OF THE
CITY OF LAKELAND FLORIDA**

By: _____
SARA ROBERTS McCARLEY
MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY

EXHIBIT "A"

Stormwater Rate Schedule 10 Year Plan

\$10.89 Monthly Fee/ERU

1 ERU = 3,850 sq ft

Credits: 75% Credit for Residential & Non-Residential

Three-Tiered Residential

	SINGLE FAMILY W/OCR	SINGLE FAMILY W/CR	MOBILE HOME W/OCR	MOBILE HOME W/CR	ATTACHED W/OCR	ATTACHED W/CR	NON-RES W/O CREDIT	NON-RES W / CREDIT
EFFECTIVE 01/01/2027 Monthly Fee	\$10.89	\$2.72	\$7.31	\$1.83	\$6.49	\$1.62	\$10.89/ERU	\$2.72/ERU
EFFECTIVE 01/01/2028 Monthly Fee	\$12.06	\$3.02	\$8.09	\$2.02	\$7.19	\$1.80	\$12.06/ERU	\$3.02/ERU
EFFECTIVE 01/01/2029 Monthly Fee	\$13.23	\$3.31	\$8.88	\$2.22	\$7.89	\$1.97	\$13.23/ERU	\$3.31/ERU
EFFECTIVE 01/01/2030 Monthly Fee	\$14.40	\$3.60	\$9.66	\$2.42	\$8.58	\$2.15	\$14.40/ERU	\$3.60/ERU
EFFECTIVE 01/01/2031 Monthly Fee	\$15.57	\$3.89	\$10.45	\$2.61	\$9.28	\$2.32	\$15.57/ERU	\$3.89/ERU
EFFECTIVE 01/01/2032 Monthly Fee	\$16.74	\$4.19	\$11.23	\$2.81	\$9.98	\$2.49	\$16.74/ERU	\$4.19/ERU
EFFECTIVE 01/01/2033 Monthly Fee	\$17.91	\$4.48	\$12.02	\$3.00	\$10.67	\$2.67	\$17.91/ERU	\$4.48/ERU
EFFECTIVE 01/01/2034 Monthly Fee	\$19.08	\$4.77	\$12.80	\$3.20	\$11.37	\$2.84	\$19.08/ERU	\$4.77/ERU
EFFECTIVE 01/01/2035 Monthly Fee	\$20.25	\$5.06	\$13.59	\$3.40	\$12.07	\$3.02	\$20.25/ERU	\$5.06/ERU
EFFECTIVE 01/01/2036 Monthly Fee	\$21.42	\$5.36	\$14.37	\$3.59	\$12.77	\$3.19	\$21.42/ERU	\$5.36/ERU