

EXHIBIT 1
ORDINANCE NO. 2026-__

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, RELATED TO THE CITY'S STORMWATER UTILITY SYSTEM; AMENDING SECTION 30-241 OF THE CITY CODE OF ORDINANCES TO PROVIDE THAT THE METHOD USED BY THE CITY TO CALCULATE AND DETERMINE THE AMOUNT OF THE STORMWATER MANAGEMENT UTILITY FEES IMPOSED BY THE CITY TO FUND STORMWATER SERVICES, FACILITIES AND CAPITAL IMPROVEMENTS MAY BE DETERMINED BY RESOLUTION, AND THAT SUCH UTILITY FEES MAY BE COLLECTED AS NON-AD VALOREM ASSESSMENTS PURSUANT TO SECTIONS 197.3632 AND 403.0893, FLORIDA STATUTES, BY DIRECT BILLING OR ANY OTHER COLLECTION METHOD AUTHORIZED BY LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1. **AUTHORITY.** This Ordinance of the City of Hallandale Beach, Florida (the "City") is adopted pursuant to Chapter 10, Article IV of the City Code, Sections 166.021. 166.041 and 403.0893, Florida Statutes, and other applicable provisions of law.

SECTION 2. **FINDINGS.** It is hereby ascertained, determined and declared that:

(A) City Ordinance No. 2014-22 enacted by the City Commission on August 20, 2014 provided for, among other things, the imposition of stormwater management utility fees upon lots and parcels within the City to fund services and facilities provided by the City's stormwater management utility.

(B) The provisions of Ordinance No. 2014-22 related to the stormwater utility are currently codified as Chapter 30, Article V of the Code of Ordinances, City of Hallandale Beach, Florida (including any amendments thereto, the "Stormwater Utility Ordinance").

(C) Section 30-241 of the Stormwater Utility Ordinance established a method for calculating the amount of the stormwater utility fee to be imposed against each lot and parcel.

(D) Periodic revisions and modifications to the calculation method may be necessary or desirable for the City, and the City Commission hereby determines that establishing the method for calculating the stormwater utility fee by resolution is advantageous for the City and the stormwater utility.

(E) Section 403.0893, Florida Statutes, authorizes cities to create stormwater utilities and adopt stormwater utility fees sufficient to plan, construct, operate, and maintain stormwater management systems, and provides that cities may use the non-ad valorem levy, collection and enforcement method for such fees as provided for in Chapter 197, Florida Statutes.

(F) This Ordinance is adopted for purposes of amending and restating Section 30-241 of the Stormwater Utility Ordinance in its entirety to provide that (i) the City Commission may, by resolution, determine the method of calculating the stormwater utility fees, and (ii) such stormwater utility fees may be collected as non-ad valorem assessments pursuant to the uniform method of collection set forth in Section 197.3632, Florida Statutes.

SECTION 3. **AMENDMENT.** Section 30-241 of the City Code is hereby amended and restated as follows:

Sec. 30-241. - Stormwater management utility fee.

- (a) A stormwater utility fee is imposed upon each lot and parcel within the city to fund services and facilities provided by, and capital improvements for, the stormwater management utility. For purposes of imposing the stormwater utility fee, each residential dwelling unit shall be billed a flat fee established for residential units as the rate established for one equivalent residential unit (ERU).
- (b) All nonresidential properties shall be billed based on their estimated impervious area divided by the ERU impervious area and then multiplied by the rate established for one ERU. The estimated impervious area of a nonresidential property shall be determined by multiplying the property area by the appropriate impervious factor as follows:

Use Designation	Impervious Factor
Commercial (B-O)	0.80

Commercial	0.85
Industrial	0.85
Commercial Recreational	0.25
Public and Institutional	0.75

Formula: stormwater utility fee for nonresidential property =

ERU rate × total area of property (in acres) × impervious factor ERU (in acres)

The minimum fee for any nonresidential parcel shall be equal to the rate for one ERU.

- (c) ~~Undeveloped property and city-owned property shall be exempt from the stormwater utility fee. Notwithstanding anything herein to the contrary, commencing with the city's fiscal year which begins on October 1, 2026 and thereafter, the city commission may determine the method of calculating the stormwater utility fees, and the rates of such utility fees, by resolution. Such method may utilize ERUS, impervious area, impervious factors and numerical amounts as set forth herein, or any other apportionment factors, metrics or methods approved and adopted by such resolution. The calculation method and stormwater utility rates resulting therefrom may be modified, revised or changed in their entirety over time by resolution.~~
- (d) ~~The city commission may, by resolution, change the average impervious area of one ERU. Stormwater utility fees imposed by the city hereunder may be collected pursuant to the uniform collection method authorized by section 197.3632, Florida Statutes, by direct billing, or by any other collection method or combination of collection methods authorized by law. In the event the city commission determines to utilize the uniform collection method, the city shall take such actions and provide such notices as may be required by section 197.3632, Florida Statutes, in order to use such collection method. In the event the uniform method may not be used for collecting stormwater utility fees imposed against certain classes or uses of property, the city may direct bill the fee to such property and utilize the uniform method for other classes or uses of property.~~
- (e) ~~The rate for one ERU shall be established in the schedule of fees and charges ("fee book"). This rate may be amended by resolution of the city commission. Unless determined otherwise by resolution of the city commission, undeveloped property and city-owned property shall be exempt from the stormwater utility fee. Such resolution may provide for the exemption of other property in the sole discretion of the city commission, or such other exemption as may be required by applicable law.~~

SECTION 4. Except as amended herein, Chapter 30, Article V of the Stormwater Utility Ordinance is hereby ratified and confirmed.

SECTION 5. Conflict. All ordinances, parts of ordinances, resolutions, or parts of resolutions in conflict herewith are hereby repealed, to the extent of the conflict.

SECTION 6. **Severability.** Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part that is declared to be invalid.

SECTION 7. **Codification.** It is the intention of the Mayor and City Commission that the provisions of this ordinance be incorporated into the Code of Ordinances; to effect such intention the words “ordinance” or “section” may be changed to other appropriate words.

SECTION 8. **EFFECTIVE DATE.** This Ordinance shall take effect immediately upon adoption.

PASSED AND ADOPTED on 1st reading, on August 19, 2026.

PASSED AND ADOPTED on 2nd reading, on September 14, 2026.

JOY F. COOPER
MAYOR

ATTEST:

JENORGEN GUILLEN
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
AND FORM

JENNIFER MERINO
CITY ATTORNEY