

Bond Case Briefs

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UTILITIES - FLORIDA

City of Fort Pierce v. Australian Properties, LLC

District Court of Appeal of Florida, Fourth District - November 12, 2015 - So.3d - 2015 WL 7245219

Property owners brought action against city to challenge city's levy of fees for stormwater management services. The Circuit Court granted owners' motion to certify class. City appealed.

The District Court of Appeal held that action was barred by statute of limitations. Four-year limitations period for property owners to challenge city's levy of fees for stormwater management services began to run when ordinance was enacted, rather than running anew with each annual assessment. Utility fee was akin to a special assessment.