

ORDINANCE NO. 2023 - 015

**ORDINANCE OF THE CITY OF FRANKLIN, KENTUCKY
AMENDING A PREVIOUSLY ADOPTED ORDINANCE REGARDING THE RATES AND
CHARGES FOR WATER AND SEWER SYSTEM**

WHEREAS, the City of Franklin previously adopted a comprehensive ordinance regarding the rates and charges for the water and sewer system which is codified in Chapter 54 in the City of Franklin's Code of Ordinances;

WHEREAS, due to delivery issues with the billing, some customers are experiencing issues getting the bills paid timely due to the lack of time between receipt of the utility bill and the due date; and,

WHEREAS, the City Commission has been made aware of the issue and desires to extend payment times to assist with these issues;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Franklin, Kentucky as follows:

Section 54.04 entitled "When Bills Payable; Interest; Disconnection for Delinquent Payment" of the City of Franklin's Code of Ordinances is amended as follows:

§ 54.04 WHEN BILLS PAYABLE; INTEREST; DISCONNECTION FOR DELINQUENT PAYMENT.

(A) The rates and charges aforesaid shall be billed monthly and all bills for such services shall be payable within fifteen (15) days after rendition.

(B) If not paid within such period of fifteen (15) days, a penalty equal to 10% of the face amount of the bill shall become due and payable; provided, however, that if the fifteenth day should fall upon a Saturday, Sunday or a legal holiday then the face amount of the bill may be paid on the next secular day which is not a holiday, provided further that if the fifteenth day should fall on the second or third day of the month, then the face amount of the bill may be paid on the fourth day of the month, or the next secular day of the month, which is not a holiday.

(C) If any such bill, together with penalty charges, if any, shall remain unpaid for a period of 25 days after rendition, the water service connection to the premises shall be disconnected. A charge in the sum of \$50 for a service fee between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday on regular business days, and \$90 between the hours of 4:01 p.m. to 8:00 p.m. Monday through Friday, is hereby fixed to cover the expense of this service.

(D) Whether or not any premises are disconnected because of delinquency, the City Attorney is hereby authorized and directed to enforce and collect the amount of any bills remaining delinquent for 30 days (including the penalty, service fee, reasonable attorney's fees and court costs) by suit in any court of competent jurisdiction upon being so directed by the City Manager or City Commission.

If any section, subsection, sentence, clause, or phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate distinct, and independent provision and such holding shall not affect the validity of the remaining portions.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

March 27, 2023

FIRST READING

April 10, 2023

SECOND READING

At a meeting held on April 10, 2023, on motion made by Commissioner McCreary and seconded by Commissioner Stewart, the foregoing ordinance was adopted, after full discussion, by the following vote:

<u>Yes</u>	JAMIE POWELL
<u>Yes</u>	HERBERT WILLIAMS
<u>Yes</u>	DALE MCCREARY
<u>Yes</u>	WENDELL STEWART
<u>Absent</u>	LARRY DIXON, MAYOR

APPROVED BY:
Larry Dixon, Mayor
Larry Dixon, Mayor

ATTEST:
Cathy Dillard
Cathy Dillard, City Clerk