

ORDINANCE NO. 2015-001

AN ORDINANCE OF THE CITY OF FRANKLIN, KENTUCKY,
AMENDING A PORTION OF A PREVIOUS ORDINANCE RELATING TO
DEPOSITS FOR WATER, SEWER AND SANITATION SERVICES

WHEREAS, a certain ordinance of the City of Franklin, Kentucky, relating to deposits for water sewer and sanitation services was previously adopted for the purpose of amending, repealing and re-enacting in various respects provisions relating to rates and charges for customer deposits for water, sewer and sanitation services; and it is the opinion and judgment of the members of the Board of Commissioners that is necessary and desirable to repeal and re-enact the portion of the Ordinance previously adopted as set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FRANKLIN, KENTUCKY, ACTING BY AND THROUGH ITS BOARD OF COMMISSIONERS AS FOLLOWS:

Paragraph 3 of Article III, "Section 305. Meter Deposits" shall be amended to read as follows:

Section 305. Deposits.

1. Water and Sewer Deposits. Deposits heretofore made by customers and which are presently held by the City as partial security for the payment of water bills according to previous Ordinances shall continue to be held by the City subject to the provisions of this Ordinance. Each new customer or each customer that does not have a deposit placed with the City that is required to pay a reconnect fee for non-payment of a previous balance owed to the City shall deposit with the City the sum of One Hundred Fifty Dollars (\$150.00) at the time of installation of any water meter for a single family residence, One Hundred Fifty Dollars (\$150.00) per meter for a duplex or apartment house, and the actual costs of the meter for any meter installation of one inch or more in diameter, such deposits to be held for assurance of the payment of the bills for water and sewer services supplied by said system, and shall be subject to application upon such bills in the event of delinquency, and any amount so applied to delinquent bills shall be restored by the depositor within ten (10) days after notice by the City to do so, upon penalty of disconnection of water service to the premises. Upon proper notice to terminate service to a business or residence by a customer, after payment of the final bill for said customer, the deposit shall be refunded. Such refund shall be forwarded to the customer on or before the fifteenth day following payment of the final bill.

2. Sewer Deposits. All persons or entities who receive City sewer service that do not purchase their water from the City of Franklin are hereby required to post deposits as set forth hereinbelow. The requirement applies to customers currently receiving sewer service from the City of Franklin, as well as those who apply for service in the future. Deposits will not bear interest except as required by law. Deposits will only be refunded upon the termination of sewer service by the customer and the full payment of all sewer charges due by the customer.

Single family dwelling or individual apartment	Deposit \$ 100.00
Multi-family dwelling or apartments	Deposit \$ 250.00
Business	Deposit \$ 600.00

In addition to the foregoing, in the event that sewer service is terminated to any customer as a result of non-payment, sewer service will only be reconnected upon the payment of a reconnect charge in the amount of \$100.00, or the actual cost, whichever is greater.

3. Additional Requirements. In the event that a customer desires to establish a water or sewer connection in a residence or for property which he/she does not own and when the service is not placed in the name of the landlord/owner of the property, the customer shall provide a copy of the lease to the City prior to the City providing service. In addition, the City's representatives shall only establish service in the name(s) of the person(s) that signed the lease as the tenant/lessee. If the customer(s) has/have prior amounts owed for sewer service shall not be established unless or until the prior indebtedness has been paid in full.

If any procedure or deposit rate established by this ordinance is for any reason held invalid or found to be a violation of any binding contractual agreement, or by any court of competent jurisdiction, then the rate here established shall be the greatest rate allowable by law or contract.

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 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.

JAN 12-15 FIRST READING

JAN 26, 2015 SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin Kentucky, held on January 26, 2015 on motion made by Commissioner Wendell Stewart and seconded by Commissioner Jamie Powell, the foregoing ordinance was adopted, after full discussion, by the following vote:

Yes JAMIE POWELL
Yes WENDELL STEWART
Yes RONNIE CLARK, MAYOR

Yes LARRY DIXON
Yes MASON BARNES

APPROVED BY:



RONNIE CLARK, MAYOR
CITY OF FRANKLIN, KENTUCKY

ATTEST:



KATHY STRADTNER, CITY CLERK
CITY OF FRANKLIN, KENTUCKY