

ORDINANCE NO. 2022-003

AN ORDINANCE OF THE CITY OF FRANKLIN, KENTUCKY, REPEALING AND RE-ENACTING IN AMENDED TEXT AND SUBSTANCE CERTAIN PORTIONS OF A PREVIOUS ORDINANCE RELATING TO RATES AND CHARGES OF THE MUNICIPAL WATER AND SEWER SYSTEM

WHEREAS, the City Commission has found and determined that certain provisions in the ordinance have become antiquated and/or need to be changed due to the City entering into a contract with a collection agency for collections of past due water and/or sewer bills;

NOW THEREFORE, BE IT ORDAINED by the City of Franklin, Kentucky, acting by and through its City Commission as follows:

Section 54.04 shall be 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 ten days after rendition.
- B. If not paid within such period of ten days, a penalty equal to 10% of the face amount of the bill shall become due and payable; provided, however, that if the tenth 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 tenth day should fall on the second or third day of the month, then the face amount of the bill may be paid on the ~~forth~~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 disconnect/reconnect between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday on regular business days, and \$75 between the hours of 4:01 p.m. to 7:59 a.m. Monday through Friday, all day Saturdays, Sundays, and on holidays (hereby referred to as the disconnect/reconnect charge) is hereby fixed to cover the expense of disconnection/reconnection.
- D. In the event that representatives of the city arrive at the premises for purposes of disconnection and receive payment at this point, the disconnect/reconnect charge shall still be levied prior to such reconnection, the customer shall be required to pay the delinquent bill, penalty and the disconnect/reconnect charge for disconnection and reconnection.

Whether or not any premises are disconnected because of delinquency, the City Attorney or a collection agency retained by the City is hereby authorized and directed to enforce and collect the amount of any bills remaining delinquent for 30 days (including the penalty, charges relating to collection including, but not limited to costs charged by any collection agency, disconnection/reconnect charges, reasonable attorney's fees and court costs) by suit in any court of competent jurisdiction or otherwise upon being so directed by the City Manager, City Finance Director, or City Commission.

If any section, subsection, sentence, clause, 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 holdings shall not affect the validity of the remaining portions of Ordinance.

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

January 24, 2022 - FIRST READING

February 14, 2022 - SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on February 14, 2022, on motion made by Commissioner Powell and seconded by Commissioner Williams the foregoing ordinance was adopted, after full discussion, by the following vote:

YES LARRY DIXON, MAYOR

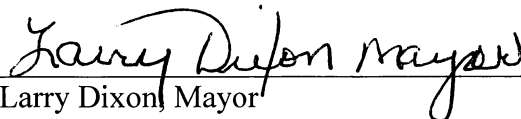
YES HERBERT WILLIAMS

YES JAMIE POWELL

YES BROWNIE BENNETT

YES WENDELL STEWART

APPROVED BY:



Larry Dixon, Mayor

ATTEST:


Cathy Dillard, City Clerk