ORDINANCE NO. 2019-385

AN ORDINANCE OF THE CITY OF PARKER, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PARKER (ORDINANCE NO. 2010-349, AS AMENDED); AMENDING CERTAIN PROVISIONS OF CHAPTER 82 OF THE CODE OF ORDINANCES RELATING TO UTILIITY SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING A MECHANISM FOR THE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR THE LIBERAL CONSTRUCTION OF THIS ORDINANCE; PROVIDING FOR CODIFICATION AND REPEALER CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PARKER AS FOLLOWS:

Section 1. Section 82-52 of the Code of Ordinances, City of Parker, Florida, is hereby amended to read as follows:

Sec. 82-52. Service and payment.

(a) *Due date for water bills.* All bills for water service shall be due when rendered.

(b) *No free service.* The system shall not render any free service of any nature, nor will preferential rates for the users of the same class be established.

(c) *Mandatory cutoff.* Bills reflecting the monthly charges and fees assessed to a customer shall be submitted by the city and shall be paid by each customer monthly. If any monthly bill for any portion of the utility billing including but not limited to trash and/or garbage (if billed by the city) service(s) shall be and remain unpaid after the due date a penalty of 15 percent of said bill shall be assessed on the day after the due date. If the day after the due date falls on a weekend or city observed holiday, the penalty shall be waived until the next working day. If the monthly bill shall continue and remain due and unpaid on or after seven (7) days after the due date or the cut-off date set by the city, whichever occurs first, the water, sewer, trash and/or garbage service, as appropriate, to the customer shall be discontinued and shall not be reconnected until all past due

charges including penalties, shall have been fully paid, together with a re-connection charge of $15.00. In addition, if the cut-off day falls on a Friday, weekend or city observed holiday, the penalty shall be waived until the next working day. The city shall accept payments for services rendered if postmarked by the tenth of the month, without penalty to the customer. Any customer, once cut off from the system, shall not be permitted to receive further service until all obligations owed by the customer to the city have been paid in full.

(4) Any utility service to a property which has been terminated pursuant to the provisions of this section or elsewhere in the code shall not be reconnected or restored until all past-due utility bills or other fees and penalties have been paid, together with any reconnection or restoration charges imposed by the city at the time of reconnection or restoration.

Section 2. Severability.

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

Section 3. Scrivener's Errors.

The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the City Clerk or the Clerk's designee, without public hearing.

Section 4. Ordinance to be Liberally Construed.

This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 5. Codification.

The provisions of this Ordinance shall become and be made part of the Code of the City. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 6. Repeal of Conflicting Codes, Ordinances, and Resolutions.

All codes, ordinances and resolutions or parts of codes, ordinances and resolutions or portions thereof of the City of Parker, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon its

passage.

PASSED, APPROVED AND ADOPTED at a Meeting of the City Council of the City of Parker, Florida as of the 3rd day of September, 2019.

CITY OF PARKER

Richard Musgrave, Mayor

ATTEST:

Danielle Baker, City Clerk

Examined and approved by me, this 3rd day of September, 2019.

Richard Musgrave, Mayor