

ORDINANCE 2023-05

AN ORDINANCE AMENDING SECTION 86-47(a) REGARDING IMPOSITION OF PENALTIES; AMENDING SECTION 86-47(b) REGARDING IMPOSITION OF LATE PENALTIES; AMENDING SECTION 86-47(c) REGARDING NONPAYMENT STATUS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 86-47 of the Belleview City Code requires the payment of fees and bills; and

WHEREAS, Section 86-47(a) of the Belleview City Code provides for imposition of penalties for late payments; and

WHEREAS, Section 86-47 (b) of the City Code provides for a determination of accounts that are in a nonpayment status; and

WHEREAS, Section 86-47 (c) of the City Code provides for obtaining an extension of time to pay; and

WHEREAS, the City Commission finds it in the best interest of the public welfare to amend Section 86-47 of the City codes regarding payment of fees and bills, determining nonpayment status and imposition of late penalties, as set forth herein-after.

Section 1. NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Belleview, Florida that Section 86-47, subsections (a), (b) and (c) are amended and shall read as follows:

“Sec. 86-47

- (a) *Late penalties imposed.*** Bills for water, sewer and/or garbage service shall be prepared and forwarded to customers monthly. Such bills shall set forth thereon the separate charge for each service, and the total thereof. If the rates or charges for the services are not paid by 6:00 p.m. on the 20th of the month or by 6:00 p.m. the first business day after the 20th should the 20th fall on a weekend or holiday, a delayed payment charge in the amount of ten percent of the bill rendered shall be imposed and collected.
- (b) *Nonpayment status.*** If the rates or charges for the services of the water, sewer and/or garbage are not paid by 6:00 p.m. on the 30th day of the month (the 28th day of the month in February) or by 6:00 p.m. the first business day after the 30th day of the month (the 28th day of the month in February), should that day falls on a weekend or holiday, such bill is rendered to be in a nonpayment status and a nonpayment penalty as established in appendix "B" of the Code will be applied. Water service will be discontinued until such time as the account, including all fees and penalties, is paid in full.
- (c) (c) *Payment extensions.*** A payment extension of up to seven days may be granted upon the following conditions:

(1) The request for a payment extension must be received before 6:00 p.m. on 30th day of the month (the 28th day of the month in February) or by 6:00 p.m. the first business day after the 30th day of the month (the 28th day of the month in February) should that day fall on a weekend or holiday. An extension fee will be charged to the customer account.

(2) Payment extensions may only be granted to customers who are in good standing for a minimum of a one-year period. A customer is considered to be in good standing if they have not been placed on the city's "nonpayment status" list and have not had any dishonored checks or charge denial for a period of one year.

(3) If full payment is not received on or before the agreed upon extension date, the customer shall not be eligible for future extension

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are to the extent of such conflict repealed.

Section 4. It is the intention of the City Commission that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Belleview, Florida; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation.

Section 5. This Ordinance shall become effective immediately with the April 1, 2023 Utility Billing.

CERTIFICATE OF ADOPTION AND APPROVAL

The above and foregoing ordinance was duly read and approved upon **First Reading** by a ____ to ____ vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on March 7, 2023. Said ordinance was duly read, passed, and adopted upon **Final Reading** by a ____ to ____ vote of the City Commission of the City of Belleview, Florida at a Public Hearing held on March 21, 2023

CHRISTINE DOBKOWSKI
Mayor

Attest:

MARIAH MOODY
City Clerk

Approved as to Form and Legal Sufficiency
For the use and Benefit of the City of Belleview Only:

FREDERICK E. LANDT, III
City Attorney

CERTIFICATE OF ADVERTISING

I HEREBY CERTIFY that foregoing Ordinance was advertised for a Public Hearing in the March 9, 2023 of the Voice of South Marion newspaper in accordance with Florida Statutes.

Mariah Moody
City Clerk