ORDINANCE # 2023-20
INTRODUCED BY ROLLING
DATE INTRODUCED 9-12-2023
ITEM NUMBER 2023-09-03
PUBLIC HEARING 10-3-2023
ADOPTED/TABLED 10-3-2023
EFFECTIVE 10-18-2023
BOOK # PAGE #
RECORDATION #
AMENDED BY ORDINANCE #
DATE AMENDED

ADOPTION

INTRODUCTION

CITY OF COVINGTON
STATE OF LOUISIANA

ORDINANCE NUMBER 2023-20

AN ORDINANCE OF THE CITY OF COVINGTON TO AMEND CHAPTER 98-UTILITIES, SECTION 198 OF THE COVINGTON CODE OF ORDINANCES TO EXTEND THE DELINQUENCY PENALTY TIMELINE ON UTILITY BILL PAYMENTS AND TERMINATION OF SERVICES

WHEREAS, Chapter 98, Section 198 of the Covington Code of Ordinances currently requires payment for utility services to be submitted by the second Tuesday of every month, after which a penalty fee is applied immediately, and a disconnection notice is mailed 14 days later; and

WHEREAS, recent United States Postal Service delays are resulting in shorter timeframes for customers to receive bills and submit payments by the due date, leading to an increase in penalties, delinquent accounts, and disconnects; and

WHEREAS, extending the penalty and delinquency deadlines will provide customers a reasonable amount of time to receive and submit payments on utility accounts;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Covington, at its regular session convened, that the Covington Code of Ordinances Chapter 98-Utilities,Section 198 be amended to read as follows:

Sec. 98-128. Charges, penalties, notice and termination of services.

(a) *Charges.* All accounts and charges for water, sewer and garbage collection services shall be due and payable at city hall on or before the second Tuesday of each month following such service.

(b) *Penalties.*

(1) If payment is not received when due, a penalty of ten percent per month shall be added ~~thereto~~ to any unpaid amounts five (5) days after the due date.

(2) Any check returned for insufficient fund shall be charged a $25.00 NSF fee which must be paid with the current bill balance. The current balance plus NSF fee must be paid by credit card, money order, cashier's check or

cash. A personal and/or corporate check will not be accepted for this payment.

(3) Once service is scheduled for disconnection, an additional $20.00 disconnection fee will be applied. The disconnection fee will be charged within 24 hours prior to the scheduled disconnection.

(c) *Notice.*

(1) If a utility bill has not been paid on or before the due date as provided in this article, a delinquency and termination notice shall be issued by the utility billing department ~~within five days~~ after the delinquency occurs and mailed to the customer at the billing address.

(2) The notice shall state:

a. The amount due, plus ten percent delinquency charge;

b. Notice that service will be terminated if the billed amount is not paid ~~within 14 days from the due date~~ by the last Tuesday of each month;

c. Notice that once service is scheduled for disconnection, an additional $20.00 disconnection fee will be applied. The disconnection fee will be charged within 24 hours prior to the scheduled disconnection;

d. Notice of exact date that the disconnection fee will be applied to the account.

(d) *Termination of services.* Services will be terminated on any account which is not paid in full by the disconnection date. Accounts for disconnected services must be paid in full at city hall, including the disconnection fee and current monthly charges to date. Personal checks will not be accepted. Once services are disconnected, minimum monthly charges will continue to accrue until the balance is paid in full, and service is re-established or until the customer signs an end of service release form. Should service not be re-established or terminated within 60 days, the city will automatically terminate service, the meter will be removed, and customer will receive a final bill.

(Code 1977, § 19-24; Ord. No. 2004-03, 1-6-2004; Ord. No. 2008-32, 9-23-2008; Ord. No. 2010-22, 11-1-2010; Ord. No. 2011-03, 1-7-2011; Ord. No. 2014-34, 11-20-2014)

Editor's note(s)—Ord. No. 2010-22, adopted Nov. 1, 2010, changed the title of § 98-128 from "Termination of water, sewer, garbage and trash service" to "Charges, penalties, notice and termination of services."

BE IT FURTHER ORDAINED that if any provision of this ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this ordinance are hereby declared to be severable.

WHEREUPON, this ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the City Council of the City of Covington, State of Louisiana, was then submitted to an official vote as a whole, the vote thereon being as follows:

MOVED FOR ADOPTION by Smith, seconded by Roberts.

YEAS: 6 **ABSENT:** 1

NAYS: 0 **ABSTAIN:** 0

PASSED AND ADOPTED this 3rd day of October, 2023.

/s/ Larry Rolling
LARRY ROLLING
COUNCIL PRESIDENT

/s/ Jo Ann Rucker
JOANN RUCKER
COUNCIL CLERK

Presented to the Mayor on this 4th day of October, 2023, at 8:00 o'clock A.M.

/s/ Jo Ann Rucker
JOANN RUCKER
COUNCIL CLERK

Approved / or Vetoed ___ by the Mayor on this 4th day of October, 2023.

/s/ Mark Johnson
MARK R. JOHNSON
MAYOR

Received from the Mayor on this 4th day of October, 2023, at 9:00 o'clock A.M.

/s/ Jo Ann Rucker
JOANN RUCKER
COUNCIL CLERK