

ORDINANCE 2022-03

AN ORDINANCE OF THE CITY COMMISSION OF POLK CITY, FLORIDA, AMENDING THE POLK CITY CODE OF ORDINANCES (THE "CITY CODE") CREATING NEW SECTION 74-1 IN THE CITY CODE; CLARIFYING THAT THE CITY MAY DISCONNECT ANY CUSTOMER WHO FAILS TO PAY ANY WATER OR SEWER RATE, FEE, OR CHARGE; PROVIDING FOR SEVERABILITY, CONFLICTS, INCLUSION IN CODE, & AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF POLK CITY, FLORIDA:

SECTION 1. CREATION OF CHAPTER 9 "ELECTION CODE", POLK CITY CODE OF ORDINANCES. Section 74-1 of the Code of Ordinances, Polk City, Florida, is hereby created to read as follows:

Sec. 74-1. Payment for service.

All bills for utility service are due and payable as provided on the bill. Failure to pay such bills or any rate, fee, or charge specified in such bill or to contact the city regarding the reason for nonpayment within seven days after such bills become due and payable subjects the consumer to discontinuance of service. Failure of the consumer to receive a bill shall not avoid discontinuance of service. The city manager may waive discontinuance of service if he finds that extenuating circumstances caused the delinquency after giving the delinquent consumer an opportunity to be heard as provided in this section.

SECTION 2. SEVERABILITY. If any provision of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision and such holding shall not affect the validity of any other provision, and to that end, the provisions of this ordinance are hereby declared severable.

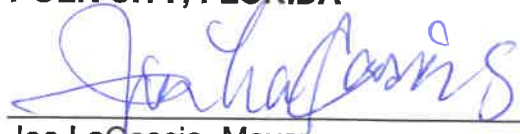
SECTION 3. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed, replaced, and superseded to the extent of such conflict, including but not limited to Ordinance no. 1261.

SECTION 4. INCLUSION INTO CITY CODE. 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 of the City.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect in accordance with general law.

INTRODUCED AND PASSED on FIRST READING, this 16th day of May, 2022.

POLK CITY, FLORIDA



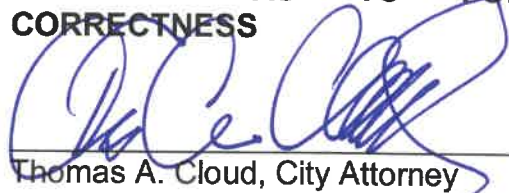
Joe LaCascia, Mayor

ATTEST:



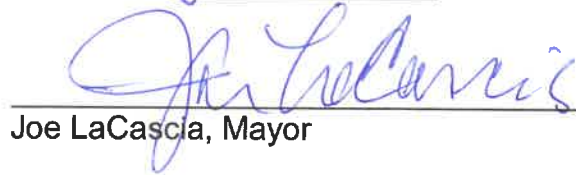
Patricia Jackson, City Manager/Clerk

**APPROVED AS TO FORM AND
CORRECTNESS**



Thomas A. Cloud, City Attorney

PASSED AND DULY ADOPTED ON SECOND READING, with a quorum present and voting by the City Commission of Polk City, Florida meeting in Regular Session this 20th day of June, 2022.



Joe LaCascia, Mayor

ATTEST:



Patricia Jackson, City Manager/City Clerk