

ORDINANCE NO. 2005-04

AN ORDINANCE OF THE TOWN OF GREENWOOD, FLORIDA; PROVIDING FOR THE ASSESSMENT AND COLLECTION OF WATER AND SOLID WASTE FEES AND PENALTIES FOR NONPAYMENT, INCLUDING DISCONNECTION OF WATER SERVICE; PROVIDING FOR A COMBINED MINIMUM WATER AND SOLID WASTE FEE FOR EACH HOUSEHOLD OR BUSINESS; PROVIDING A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS the Town Council of the Town of Greenwood, Florida, has determined that the minimum water and garbage fees should be increased, the most practical way to collect water and solid waste fees is to combine the same on one statement for each customer of the town and to disconnect the customer's water service if all fees due are not paid.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENWOOD, FLORIDA:

SECTION 1. All residents and nonresidents of the Town of Greenwood, Florida, as defined in Section 1 of Ordinance No. 15, of the Town of Greenwood, shall be provided with a combined monthly statement showing water and garbage fees due and owing to the Town at the end of each month. Said fees shall be payable on the first day of the month after said statements are mailed by the Town Clerk and due by the tenth day of said month. If said fees are not paid by the twentieth day of the first month following the mailing of the statements, the customer shall pay an additional penalty of the outstanding fees. If all fees due and owing to the Town including any penalties, as shown by the most recent statement mailed by the Town Clerk to the customer, are not paid by the tenth day of the second month following the mailing of the first statement for fees which were not paid, the customer's water service shall be disconnected. The penalties provided herein shall be cumulative to penalties provided in existing ordinances of the Town of Greenwood. The Town may file suit to collect the unpaid fees, court costs, and attorneys' fees.

SECTION 2. Each household obtaining water service from the Town of Greenwood shall be charged a monthly combined minimum water usage fee of \$9.75 for up to two thousand five hundred gallons of water used, \$1.75 for each additional 1,000 gallons of water used, and a monthly solid waste fee of \$8.25 on the statement, plus any applicable sales tax, and any penalties due. If more than one household obtains water service from one metered connection with the Town of Greenwood's system, each household shall be charged the minimum water usage rate, additional water usage rate, and solid waste fee and shall be given credit for 2,500 gallons of water usage. For the purposes of this Section, "household" shall mean residents or non-residents, of the Town of Greenwood as defined in Section 1 of Ordinance 15 of the Town of Greenwood, and occupying a detached residential structure, a mobile home, an apartment unit, a condominium unit, or conducting business at a place of business, or similar structure or location. If a water meter or any device used by the Town to measure water usage fails to accurately measure a customer's water usage, as determined by the Town Council, the customer shall be charged for an averaged amount of usage over the monthly periods of water use during the preceding 12 months.

SECTION 3. The provisions of all ordinances in conflict with the provisions of this ordinance are repealed.


SECTION 4. If a Court of competent jurisdiction should determine that any provision or part of this ordinance is invalid for any reason, such invalidity shall not affect the remaining provisions or parts of this ordinance.

SECTION 5. This ordinance shall become effective upon its passage by the Town Council. The effective date of new water and garbage rates will take effect January 1, 2006.

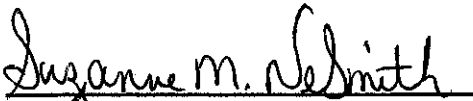
Proposed ordinance presented to the Town Council of the Town of Greenwood, Florida, and read in full, and discussed with an opportunity for interested persons to be heard at the October 11, 2005 regular meeting.

Proposed ordinance noticed once in a newspaper of general circulation in the Town of Greenwood, Florida, at least ten days prior to its adoption.

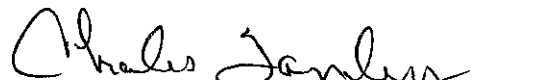
Proposed ordinance read by title before the Town Council of the Town of Greenwood, Florida, at the November 8, 2005 regular meeting, interested parties who appeared before the Town Council being heard, and proposed ordinance passed by at least two affirmative votes of members of the Town Council of the Town of Greenwood, Florida at said meeting.


Chairman of the Town Council


ATTEST:


Town Clerk

Approved by me on this 8th day of November, 2005.


Mayor

Copies of the foregoing ordinance have been posted in three public places including the office of the Town Clerk in the Town of Greenwood, Florida, for one week after its passage.


Town Clerk