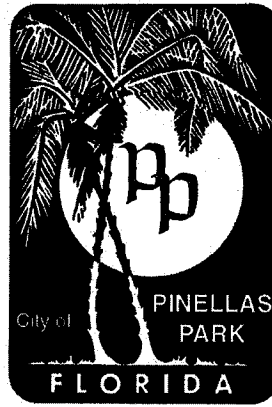


City of
PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
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FLORIDA

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Please Respond To:

James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
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2700 First Avenue North
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(727) 327-3400 - Telephone
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June 15, 2020

Ms. Kelly Schrader
Assistant Finance Administrator
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #20-138
Ordinance Amendment Chapter 10, Section 10-121

Dear Ms. Schrader:

I have received and reviewed the above-referenced Ordinance. I would approve of the Ordinance as to form and correctness.

Very truly yours,

Lauren C. Rubenstein
Assistant City Attorney

cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Patrick Murphy, Deputy City Manager
Sonny Kotala, Finance Administrator

LCR/dh

20-138.06152020.LKS.Ord Amend Chap 10 Sec 10-121.wpd



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ORDINANCE NO. xxxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING CHAPTER 10 (WATER, RECLAIMED WATER, SEWER AND OTHER UTILITIES) OF THE CODE OF ORDINANCES OF THE CITY OF PINELLAS PARK, FLORIDA, BY AMENDING SECTION 10-121 "DEPOSIT REQUIRED; MONTHLY PAYMENT FOR SERVICES; DELINQUENCY CHARGES; TURN-OFF; RESTORATION OF SERVICE; TURN-ONS", SUBSECTION (A) ``RESIDENCIAL ACCOUNTS``; BY AMENDING SUBSECTION (B) ``COMMERCIAL ACCOUNTS`` SUBPARAGRAPH (b)2. BY CHANGING THE RATE OF INTEREST PER ANNUM; AND BY CORRECTING SCRIVENER ERRORS WITHIN SECTION 10-121 PERTAINING TO ACCRUED INTEREST RATES; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF ORDINANCES; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE: That Chapter 10 (Water, Reclaimed Water, Sewer and Other Utilities) of the Code of Ordinances of the City of Pinellas Park, Florida is hereby amended by amending Section 10-121 "Deposit Required; Monthly Payment for Services; Delinquency Charges; Turn-off; Restoration of Service; Turn-Ons", Subsection (A)1. ``Residential Accounts``, so that said Subsection shall hereafter be and read as follows:

Section 10-121. DEPOSIT REQUIRED; MONTHLY PAYMENT FOR SERVICES; DELINQUENCY CHARGES; TURN-OFF; RESTORATION OF SERVICE; TURN-ONS.

(A) RESIDENTIAL ACCOUNTS:

1. Upon written application for commencement of water, reclaimed water, sewer, garbage or refuse service, a deposit shall be made with the Finance Department. Interest shall accrue upon such deposit at the rate of ~~three (3) percent~~ one hundred eleven thousandth percent (0.111%) per annum. The required deposit shall be made in accordance with the level of service provided and shall be established by resolution.

(a) A customer who has had a service history of a minimum of two (2) consecutive years, and who has had a satisfactory payment history within the most current two-year period, shall not be required to

pay an additional deposit. Subsection ~~(a)~~1.(a) shall apply to only one (1) account per customer. A satisfactory payment history shall be defined as a payment history that consists of fewer than three (3) penalties, no returned checks, and no delinquencies.

- (b) When such money has remained on deposit for a minimum period of one (1) full year, interest thereon at the rate of one hundred eleven thousandth percent (0.111%) per annum shall be returned to the depositor in the form of a credit against the existing account indebtedness. Deposits that are held less than one (1) year, will receive a prorated interest that shall be returned to the depositor in the form of a credit against the existing account indebtedness.
- (c) When such money has remained on deposit for a minimum period of two (2)~~years~~ years, and the customer has maintained a satisfactory payment history as described in Subsection (A)1.(a) above during the most recent two-year period thereof, the full amount of the deposit monies shall be returned.
- (d) All monies so deposited shall be returned to the depositor when all services provided for herein have been permanently discontinued and further services are not required. Accrued interest thereon at the rate of one hundred eleven thousandth percent (0.111%) ~~percent~~ per annum shall be returned to the depositor together with the monies on deposit in the form of a credit against the existing account. Thereupon all monies remaining after the account has been issued a final billing including, but not limited to penalties and delinquencies, required hereby, shall be returned to the depositor.

SECTION TWO: That Chapter 10 (Water, Reclaimed Water, Sewer and Other Utilities) of the Code of Ordinances of the City of Pinellas Park, Florida is hereby amended by amending Section 10-121 "Deposit Required; Monthly Payment for Services; Delinquency

Charges; Turn-off; Restoration of Service; Turn-Ons", Subsection (B)2. ``Commercial Accounts'', so that said Subsection shall hereafter be and read as follows:

Section 10-121. DEPOSIT REQUIRED; MONTHLY PAYMENT FOR SERVICES; DELINQUENCY CHARGES; TURN-OFF; RESTORATION OF SERVICE; TURN-ONS.

(B) COMMERCIAL ACCOUNTS:

2. All money so deposited shall be returned to the depositor when all service provided for herein and delinquencies have been paid in full and further services are not required. When said money has remained on deposit for a minimum period of a full year, interest thereon at the rate of one hundred eleven thousandth percent (0.111%) ~~percent~~ per annum shall be returned to the depositor in the form of a credit against the existing account. Deposits that are held less than one (1) year, will receive a prorated interest that shall be returned to the depositor in the form of a credit against the existing account indebtedness.

SECTION THREE: It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the "Code of Ordinances" of the City of Pinellas Park, Florida, and the publisher of the Code of Ordinances may renumber, reclassify or otherwise insert this ordinance in an appropriate place to accomplish such intention

SECTION FOUR: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be, and they are hereby repealed insofar as the same affect this Ordinance.

SECTION FIVE: That this Ordinance shall be in full force and effect immediately after its passage and approval in the manner provided by law.

FIRST READING THE _____ DAY OF _____, 2020.
PUBLISHED THE _____ DAY OF _____, 2020.
PUBLIC HEARING THE _____ DAY OF _____, 2020.

PASSED THIS _____ DAY OF _____, 2020.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS _____ DAY OF _____, 2020.

Sandra L. Bradbury
MAYOR

ATTEST:

Diane M. Corna, MMC
CITY CLERK