

ORDINANCE 2011-29

AN ORDINANCE OF CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING LAKE WALES CODE OF ORDINANCES CHAPTER 17, SOLID WASTE, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

Section 1. Lake Wales Code of Ordinances Chapter 17, SOLID WASTE, is hereby amended as follows:

ARTICLE IV. FEES AND CHARGES


Sec. 17-36. Deposit Required.

- (a) A solid waste deposit equal to two (2) months of charges for solid waste and recycling services provided by the City is required to obtain utility services of the now existing utility system and any other utility system hereafter constructed or otherwise acquired by the city. This requirement shall not apply to accounts in good standing that exist at the time this ordinance is adopted. If a preexisting account becomes delinquent and remains delinquent as outlined in section 21-154(e), a deposit shall be required.
- (b) If any account becomes delinquent and remains delinquent as outlined in section 21-154(e) for the second time in a twelve (12) month period, an additional deposit shall be required to bring the total on deposit equal to twice the amount of the deposit normally required.
- (c) Interest on customer deposits shall be paid annually beginning with the first billing which follows January 1, 2012 and the first interest paid on customer deposits paid in the form of a credit applied to the customer's bill at the rate earned during the month when the interest credit is applied. Payment of interest on a new deposit shall be calculated on a pro-rated basis.
- (d) Upon receipt of a request for refund of deposit, the city shall refund a customer's deposit after three (3) years of continuous service without a delinquent payment or dishonored check. A refund of deposit shall occur after the monies have been applied to any outstanding balances in closed accounts previously held by the same customer. If the customer's service is disconnected for delinquent payment or dishonored check after a deposit has been refunded, a new deposit shall be required before service is reconnected. Payment of interest on the deposit to be refunded shall be calculated on a pro-rated basis and added to the amount to be refunded.

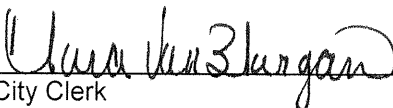
Section 2. If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof has not been incorporated herein.

Section 3. This ordinance shall become effective immediately upon passage by the City Commission.

CERTIFICATION AS TO PASSAGE this 15<sup>th</sup> day of November, 2011.

  
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Mayor/Commissioner  
City of Lake Wales, Polk County, Florida

ATTEST:

  
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City Clerk