

ORDINANCE NO. 2015-13

draft ordinance 2015-M

AN ORDINANCE OF THE CITY OF VILLA HILLS, IN KENTON COUNTY, KENTUCKY AMENDING SECTIONS 50.15 AND 50.17 OF THE CITY CODE OF ORDINANCES, AND ORDINANCE 2011-5, IN ORDER TO ADJUST THE ASSESSMENT FOR GARBAGE SERVICE IN THE CITY.

Be it ordained by the City Council of the City of Villa Hills, Kentucky, as follows:

SECTION I

Section 50.15 of the Code of Ordinances of the City of Villa Hills and Ordinance 2011-5 are hereby amended as follows:

§ 50.15 ASSESSMENT ON RESIDENTIAL UNITS.

(A) Effective July 1, [2011] **2015**, a waste collection assessment in the amount of [~~one hundred forty-three dollars and twenty-eight cents (\$143.28)~~] **one hundred forty-six dollars and eighty-eight cents (\$146.88)** per year is hereby levied on each occupiable building within the city (except as otherwise provided herein) for the purpose of defraying the cost of waste collection and removal in the city. This assessment shall be levied and assessed annually for a period of July 1 to June 30. The waste assessment fee shall be subject to increase or decrease annually as the cost of the service changes.

(B) That area of the city commonly referred to as Prospect Point, to which the city does not provide garbage services as are provided to the remaining areas of the city, shall not be subject to this assessment.

SECTION II

Section 50.17 of the Code of Ordinances of the City of Villa Hills is hereby amended as follows:

§ 50.17 DUE DATE; DELINQUENCY.

(A) The waste collection assessment shall be due and payable on [July] **October** 1 of each year and shall be deemed delinquent from November 30 each year **or following the next business day if said date shall fall on a weekend or a holiday**, at which time the waste collection assessment shall be **deemed delinquent** [~~subject to a penalty of fifteen percent (15%), plus interest thereon at the rate of six percent (6%) per annum on the delinquent assessment, from that date of delinquency until paid in full~~]. The delinquent waste collection assessment, along with all [~~penalties, interest and~~] collection costs, including reasonable attorney's fees, shall constitute a lien on the property served for a period of ten (10) years from the date due, and shall be collectible in the same manner as ad valorem property taxes.

(B) In the event the party responsible for the payment of the waste collection assessment becomes delinquent in the payment, the city shall have the right to cease collection of waste from the residential unit so delinquent until such time as the waste collection assessment [~~, along with all penalties and interest,~~] is paid in full.

(C) For the purpose of determining if a payment is made on-time, the City Administrator/Clerk is authorized to accept a postmark no later than November 30th or the next business day if said date falls on a weekend or a holiday and any payment received in the drop box no later than the regular opening of the city clerk's office on the first business day following November 30th as proof of on-time payment.

SECTION III

The City of Villa Hills has a lien upon the property assessed for the waste fee thereon pursuant to the terms hereof and all fees, commissions, charges and other expenses, including court costs and attorney's fees incurred by reason of delinquency in payment of the tax bill or in the process of collecting such bill and such a lien has a priority over all other obligations or liabilities for which the property is liable.

SECTION VII

If any sentence, clause, section or part of this ordinance or the application thereof to any particular situation is, for any reason, found to be unconstitutional, illegal or invalid, such cannot effect or appeal any of the remaining provisions, sentences, clauses or sections or parts of this ordinance.

SECTION VIII

All ordinances, in conflict herewith, are hereby repealed.

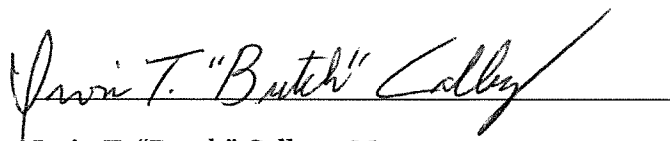
SECTION IX

This Ordinance shall take effect and be in full force from and after its passage, publication, which may be in summary form, and recording, according to law.

Passed by the City Council this 9th day of September, 2015.

City of Villa Hills, Kentucky

A Municipal Corporation of the Home Rule Class



Irvin T. "Butch" Callery, Mayor

ATTEST:



Craig T. Bohman, City Administrator/Clerk

Sponsor: Bruns

First Reading: August 19, 2015

Second Reading: September 9, 2015

Ayes: 6

Nays: 0

Abstentions: 0

Absent: n/a

Published: 9-21-15