

ORDINANCE 2014-2

AN ORDINANCE AMENDING SECTION 14-402(7) OF THE BELLE MEADE MUNICIPAL CODE, TO ENABLE THE CITY TO ENFORCE PENALTIES FOR FAILURE TO PAY STORMWATER USER FEES

BE IT ORDAINED BY THE CITY OF BELLE MEADE as follows:

On the recommendation of the Board of Commissioners, the City of Belle Meade acts to amend its Municipal Code, Title 14, Chapter 4 entitled "Stormwater Ordinance", Section 402 entitled "Stormwater user fee adopted", subsection (7) entitled "Stormwater user fee billing, delinquencies and collections" to add a section enabling the City to enforce penalties for failure to pay stormwater user fees. Section 14-402(7) of the Municipal Code of the City of Belle Meade, that currently reads:

(7) Stormwater user fee billing, delinquencies, and collections. A stormwater service charge bill may be sent through the United States mail or by alternative means, notifying all customers of the amount of the bill, the date the payment is due, and the date when past due. Failure to receive a bill is not justification for nonpayment. Regardless of the status of the party to whom the bill is initially directed, the owner of each parcel of developed land shall be ultimately obligated to pay the stormwater service fee. If a customer is under-billed or if no bill is sent for developed land, the city may back-bill for a period of up to ten (10) years, but shall not assess penalties for any delinquency. A late charge will be based upon the unpaid balance in accordance with the City of Belle Meade Customer Service Policy Manual.

Is hereby amended to add the following provision:

Any person, firm or corporation who fails to timely pay the stormwater user fee shall be subject to a fine of up to fifty dollars (\$50.00). Each day of non-payment shall constitute a separate offense. A charge for a violation and request for imposition of penalty may be heard and enforced in the City Court of the City of Belle Meade or by complaint made to the courts of the State of Tennessee.

And to delete the phrase "stormwater service charge" and replace it with "stormwater user fee;"

And the subsection renamed and renumbered such that, after amendment, it shall read as follows:

(7) Stormwater user fee billing, delinquencies, collections and penalties for nonpayment. A stormwater user fee bill may be sent through the United States mail or by alternative means, notifying all customers of the amount of the bill, the date the payment is due, and the date when past due. Failure to receive a bill is not justification for nonpayment. Regardless of the status of the party to whom the bill is initially directed, the owner of each parcel of developed land shall be ultimately obligated to pay the stormwater service fee. If a customer is under-billed or if no bill is sent for developed land, the city may back-bill for a period of up to ten (10) years, but shall not assess penalties for any delinquency in that instance.

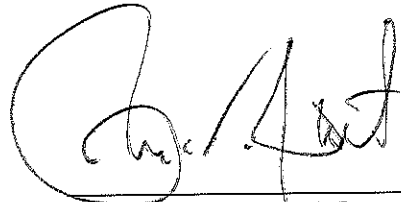
(a) A late charge will be based upon the unpaid balance in accordance with the City of Belle Meade Customer Service Policy Manual.

(b) Any person, firm or corporation who fails to timely pay the stormwater user fee shall be subject to a fine of up to fifty dollars (\$50.00). Each day of non-payment shall constitute a separate offense. A charge for a violation and request for imposition of penalty may be heard and enforced in the City Court of the City of Belle Meade or by complaint made to the courts of the State of Tennessee.

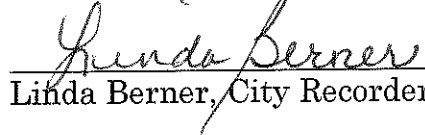
Section 2: This Ordinance shall become effective fifteen days after its passage.

Passed on first reading:
February 19, 2014

Passed on Second Reading:
March 19, 2014



James V. Hunt, Mayor



Linda Berner, City Recorder