

ORDINANCE # 2014-13  
INTRODUCED BY ALLEN  
DATE INTRODUCED 6/17/14  
ITEM NUMBER 2014-06-05  
PUBLIC HEARING 7/15/14  
ADOPTED/TABLED 4/15/14 (as amended)  
EFFECTIVE \_\_\_\_\_  
BOOK # \_\_\_\_\_ PAGE # \_\_\_\_\_  
RECORDATION # 4  
AMENDED BY ORDINANCE # \_\_\_\_\_  
DATE AMENDED 5

AMENDED  
CITY OF COVINGTON  
STATE OF LOUISIANA

ORDINANCE NUMBER 2014- 13

6  
7           **AN ORDINANCE OF THE CITY OF COVINGTON**  
8           **AMENDING THE FOLLOWING PROVISIONS OF THE**  
9           **COVINGTON CODE OF ORDINANCES: CHAPTER 98**  
10           **UTILITIES, ARTICLE IV. RATES AND CHARGES,**  
11           **SEC. 98-122. WATER RATES, SUBSECTION (C); SEC. 98-123.**  
12           **SEWERAGE RATES, SUBSECTION (C); AND SEC. 98-133.**  
13           **REDUCTION OF CERTAIN FEES FOR THE ELDERLY AND**  
14           **DISABLED**

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16  
17           **WHEREAS,** certain amendments have been suggested to the sections of the  
18 Code addressing the water and sewerage rates and the fees for the elderly and  
19 disabled; and

20           **WHEREAS,** the Covington City Council deems these amendments  
21 appropriate to protect the health, safety and welfare of the citizens of Covington;  
22 and

23           **WHEREAS,** the City Council has held its public hearing in accordance with  
24 law,

25           **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City  
26 of Covington, at its regular session convened, that Chapter 98 Utilities, Article IV.  
27 Rates and Charges, Sec. 98-122. Water rates, Subsection (c), shall be amended to  
28 read as follows:

29 (c) The rates established in this section are effective September 1, 2011. These  
30 rates shall be automatically increased every January 1, commencing January 1,  
31 2013, by the addition of an amount equal to the change in the Consumer Price  
32 Index (CPI) for Urban Wage Earners and Clerical Workers--All items ~~consumer~~  
33 ~~price index~~ for the immediately preceding year multiplied times the utility rate then  
34 in effect. The rate shall not decrease.

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36           **BE IT FURTHER ORDAINED** by the City Council of the City of  
37 Covington, at its regular session convened, that Chapter 98 Utilities, Article IV.  
38 Rates and Charges, Sec. 98-123. Sewerage rates, Subsection (c), shall be amended  
39 to read as follows:

40 (c) The rates established in this section are effective September 1, 2011. These  
41 rates shall be automatically increased every January 1, commencing January 1,  
42 2013, by the addition of an amount equal to the change in the Consumer Price  
43 Index (CPI) for Urban Wage Earners and Clerical Workers--All items ~~consumer~~

1 price index for the immediately preceding year multiplied times the utility rate then  
2 in effect. The rate shall not decrease.

3  
4 **BE IT FURTHER ORDAINED** by the City Council of the City of  
5 Covington, at its regular session convened, that Chapter 98 Utilities, Article IV.  
6 Rates and Charges, Sec. 98-133. Reduction of certain fees for the elderly and  
7 disabled, shall be amended to read as follows:

8 Sec. 98-133. Reduction of certain fees for the elderly and disabled.

9 (a) Citizens of the city, who are disabled ~~heads of households~~ or who are 65  
10 years of age or older ~~and the head of household~~; and whose **total household**  
11 income is less than \$20,000.00 ~~\$15,000.00~~ per year shall be "senior  
12 citizen/disabled users" and shall be charged rates for city utilities as prescribed in  
13 sections 98-122 through 98-124.

14 (b) The term "disabled person" shall include any person who has impairments  
15 which, regardless of cause of manifestation, for all practical purposes, confines the  
16 person to a wheelchair, or any person who has impairments which cause the person  
17 to walk with difficulty or insecurity and includes, but is not limited to, those  
18 persons using braces or crutches, amputees, arthritics, spastics, and those with  
19 pulmonary or cardiac illnesses who may be semi-ambulatory. Each application  
20 shall be accompanied by a currently dated physician's statement certifying that the  
21 applicant is a disabled person.

22 (c) This section shall remain in effect, unless otherwise provided by ordinance  
23 duly enacted.

24 (d) This section shall not apply to taxes or bonds.

25 (e) This section shall not apply to corporations or businesses of any kind. Nor  
26 shall any fee levied by the city for a major business transaction be affected by this  
27 section. Fees for major business transactions shall include, but not be limited to,  
28 licenses and for a developer to begin and to develop a subdivision.

29 (f) Eligibility shall be established as follows:

30 (1) Any citizen seeking eligibility under this section must submit an application  
31 and special fee exemption affidavit to the director of administration or his  
32 designee.

33 a. The application and special fee exemption affidavit shall be on a form  
34 provided by the city.

35 b. ~~The application shall contain the following language:~~

36 Name \_\_\_\_\_  
37 Address \_\_\_\_\_

38 I, (name), am 65 years of age, or older, and/or disabled and the  
39 gross income of my household is less than \$15,000.00 per year. I now live in the  
40 City of Covington and have lived in this city during past 12 months. I and/or my  
41 spouse provide at least 51 percent of the income to operate my household, which  
42 includes payment of rent, or mortgage notes, food, and utilities, including water. I,  
43 or my spouse, have paid the water bill for the past 12 months. I understand that any  
44 false statement made on this application shall be punishable by a fine of not less  
45 than \$250.00, nor more than \$1,000.00. I further understand, acknowledge, and  
46 agree to pay the city all back fees owed, together with interest at the rate of seven  
47 percent per annum, for any false statement made on this application.

1 ~~I have read this application, or it has been read to me, in full; I understand its~~  
2 ~~contents and the penalties it carries should I make a false statement.~~

3 \_\_\_\_\_  
4 WITNESS \_\_\_\_\_ NAME OF APPLICANT

5  
6 Sworn to and subscribed before me this \_\_\_\_\_ day of  
7 \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ 20 \_\_\_\_\_.

8 \_\_\_\_\_  
9 NOTARY PUBLIC

10  
11 (2) Together with the application and special fee exemption affidavit, the  
12 applicant must show one of the following: a copy of his or her birth certificate,  
13 baptismal certificate, driver's license, or other document satisfactory to the  
14 executive branch administering this section to prove age, and doctor's certification  
15 of handicap, if applicable, and a copy of his United States federal income tax  
16 return, or social security statement of benefits. The proof of income information  
17 must be updated annually by April 15 to maintain the special exemption rates.

18 (3) Together with the application, the applicant must show a document  
19 indicating he or she has resided in the city for at least 12 months prior to  
20 submission of this application.

21 (g) Regulations implementing this section may be made by the mayor or his  
22 designee, but must comply with the intent and provisions of this section.

23 (h) The administration of this section shall be the responsibility of the director  
24 of administration or his designee.

25 (i) The mayor, or his designee, may in his sole discretion check on the  
26 eligibility of an applicant any time during which the applicant is receiving  
27 exemption under this section.

28 (j) Any false claim for exemption shall be punishable by a fine of not less than  
29 \$250.00, nor more than \$1,000.00. The city shall further have the right to collect  
30 all fees owed, but not paid, because of false eligibility, together with interest at the  
31 rate of seven percent per annum and all fees owed but not paid.

32 (k) The information supplied by any applicant shall be deemed confidential and  
33 shall be shown to no person, firm, or corporation for any purpose except for the  
34 implementation of the provisions of this section.

35 (l) If any part of this section is found to be in violation of the city Charter, state  
36 or federal law, that violation shall not affect any other section of this section.

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39 **BE IT FURTHER ORDAINED** that all other sections of Chapter 98  
40 Utilities shall remain the same and in full force.

41 **BE IT FURTHER ORDAINED** that if any provision of this ordinance  
42 shall be held to be invalid, such invalidity shall not affect other provisions herein  
43 which can be given effect without the invalid provision and to this end the  
44 provisions of this ordinance are hereby declared to be severable.

45 **WHEREUPON**, this ordinance having been submitted in writing, having  
46 been read by title and adopted at a public meeting of the City Council of the City

1 of Covington, State of Louisiana, was then submitted to an official vote as a whole,  
2 the vote thereon being as follows:

3 *as amended*  
MOVED FOR ADOPTION by Coner, seconded by Callahan.

4 YEAS: 7 ABSENT: 0

5 NAYS: 0 ABSTAIN: 0

6 PASSED AND ADOPTED this 15<sup>th</sup> day of July, 2014.


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10 R.S. "SAM" O'KEEFE  
11 COUNCIL PRESIDENT

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15 BONNIE D. CHAMPAGNE  
16 CLERK TO THE COUNCIL

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19 Presented to the Mayor this 17<sup>th</sup> day of July, 2014, at 2:00 o'clock P.M.

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23 BONNIE D. CHAMPAGNE  
24 CLERK TO THE COUNCIL

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28 Approved  or Vetoed  by the Mayor on this 17<sup>th</sup> day of July,  
29 2014.

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33 MICHAEL B. COOPER  
34 MAYOR

35  
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39 Received from the Mayor on the 18<sup>th</sup> day of July, 2014, at 9:45 o'clock  
40 A.M.

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44 BONNIE D. CHAMPAGNE  
45 CLERK TO THE COUNCIL  
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