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DATE AMENDED 5

ADOPTION

INTRODUCTION

**CITY OF COVINGTON
STATE OF LOUISIANA**

ORDINANCE NUMBER 2019-18

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**AN ORDINANCE OF THE CITY OF COVINGTON
AMENDING THE FOLLOWING PROVISIONS OF THE
COVINGTON CODE OF ORDINANCES: CHAPTER 98
UTILITIES, ARTICLE IV. RATES AND CHARGES,
SEC. 98-133. REDUCTION OF CERTAIN FEES FOR THE
ELDERLY AND DISABLED**

WHEREAS, a certain amendment has been suggested to the section of the Code addressing fees for the elderly and disabled; and

WHEREAS, the Covington City Council deems this amendment appropriate to protect the health, safety and welfare of the citizens of Covington; and

WHEREAS, the City Council has held its public hearing in accordance with law.

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

- Sec. 98-133. Reduction of certain fees for the elderly and disabled.
- (a) Citizens of the city, who are disabled or who are 65 years of age or older and whose total household income is less than ~~\$20,000.00~~ **\$24,000.00** per year shall be "senior citizen/disabled users" and shall be charged rates for city utilities as prescribed in sections 98-122 through 98-124.
 - (b) The term "disabled person" shall include any person who has impairments which, regardless of cause of manifestation, for all practical purposes, confines the person to a wheelchair, or any person who has impairments which cause the person to walk with difficulty or insecurity and includes, but is not limited to, those persons using braces or crutches, amputees, arthritics, spastics, and those with pulmonary or cardiac illnesses who may be semi-ambulatory. Each application shall be accompanied by a currently dated physician's statement certifying that the applicant is a disabled person.
 - (c) This section shall remain in effect, unless otherwise provided by ordinance duly enacted.
 - (d) This section shall not apply to taxes or bonds.

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

5 (f) Eligibility shall be established as follows:

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

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

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
15 certification of handicap, if applicable, and a copy of his United States federal
16 income tax return, or social security statement of benefits. The proof of income
17 information must be updated annually by April 15 to maintain the special
18 exemption rates.

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

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

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

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

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

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

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

39
40 **BE IT FURTHER ORDAINED** that all other sections of Chapter 98

41 Utilities shall remain the same and in full force.

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

