ORDINANCE NO. 2013 - 1266

AN ORDINANCE OF THE CITY OF DELANO AMENDING CHAPTER 13 OF THE DELANO MUNICIPAL CODE BY AMENDING SECTIONS 13.04.020, 13.16.190, AND 13.48.200 RELATED TO UTILITY RATES FOR WATER, SEWER, AND REFUSE

The City Council of the City of Delano, California, does ordain as follows:

Section 1: Chapter 13 of the Delano Municipal Code is hereby amended as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

Section 2: Severability. If any section, subsection, subdivision, sentence, phrase or portion of this Ordinance or the application to any person or place is held to be unconstitutional or invalid by a court of competent jurisdiction, such as decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause or phrase of this Ordinance in spite of the fact that any one or more of the same be declared unconstitutional or invalid.

Section 3: The City Clerk is hereby ordered and directed to certify the passage of this Ordinance and to cause this Ordinance or a summary thereof to be prepared according to law to be published in accordance with law in a newspaper of general circulation in the City.

PASSED AND ADOPTED this 7th day of October, 2013, by the following vote:

AYES: Aguirre, Chavez, Morris, Pascual
NOES: none
ABSENT: Vallejo
ABSTAIN: none

Phyllis A Kraft

Phyllis A. Kraft, City Clerk

SIGNED AND ADOPTED this 7th day of October, 2013.

Joe E. Aguirre Jr., Mayor

EXHIBIT A

Additions are in *red italic* type
Deletions are in ~~strikethrough~~ type

13.04.020 Rates.

A. Flat Rates. The regular monthly rates to be charged consumers of water furnished by the city for un-metered properties within the corporate limits of the city may be established by resolution or ordinance of the city council.

B. Metered Rates. The regular monthly rates to be charged consumers of water furnished by the city for metered properties within the corporate limits of the city may be established by resolution or ordinance of the city council.

C. Senior Citizens' Discount. Individuals sixty years of age or older, who own and reside in their own home, shall be eligible for a ~~ten~~ *fifteen* percent discount on their regular monthly flat rate or metered rate service fee for that property.

The following steps must be completed and an application approved by the city in order to obtain the ~~ten~~ *fifteen* percent discount:

1. Complete senior citizens discount card application and sign it;
2. Return application to City Hall ~~(1025 11th Avenue)~~ *(1015 11th Avenue)*;
3. Show some type of identification to prove their age to ~~City Hall~~ *Utility Billing* when turning in application;
4. Provide property taxes or deed of trust, to prove that applicant is the home owner.

The discount will go into effect on the next monthly billing after approval of the application. *In order to continue to receive the senior discount, individuals will be required to submit on an annual basis by July 1st an updated application to the utility billing department. The ability of funding the senior discount is dependent on the availability of Measure I funds.*

13.16.190 Senior Citizens' Discount.

A. Senior Citizens' Discount. Individuals sixty years of age or older, who own and reside in their own home, shall be eligible for a fifteen percent discount on their regular monthly service fee for that property.

The following steps must be completed and an application approved by the city in order to obtain the fifteen percent discount:

1. *Complete senior citizens discount card application and sign it;*
2. *Return application to City Hall (1015 11th Avenue);*

3. Show some type of identification to prove their age to Utility Billing when turning in application;
4. Provide property taxes or deed of trust, to prove that applicant is the home owner.

The discount will go into effect on the next monthly billing after approval of the application. In order to continue to receive the senior discount, individuals will be required to submit on an annual basis by July 1st an updated application to the utility billing department. The ability of funding the senior discount is dependent on the availability of Measure I funds.

13.48.200 Rates and Charges.

A. Senior Citizens' Discount. Individuals sixty years of age or older, who own and reside in their own home, shall be eligible for a fifteen percent discount on their regular monthly service fee for that property.

The following steps must be completed and an application approved by the city in order to obtain the fifteen percent discount:

1. Complete senior citizens discount card application and sign it;
2. Return application to City Hall (1015 11th Avenue);
3. Show some type of identification to prove their age to Utility Billing when turning in application;
4. Provide property taxes or deed of trust, to prove that applicant is the home owner.

The discount will go into effect on the next monthly billing after approval of the application. In order to continue to receive the senior discount, individuals will be required to submit on an annual basis by July 1st an updated application to the utility billing department. The ability of funding the senior discount is dependent on the availability of Measure I funds.