

1ST READING 11-08-09
2ND READING 12-15-09
INDEX NO. _____

ORDINANCE NO. 12336

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 31, SECTION 31-355(a) TO EXTEND THE TIME IN WHICH TO FILE A NOTICE OF PROTEST CONCERNING THE ACCURACY OF WATER QUALITY FEES IMPOSED IN 2009 FROM DECEMBER 31, 2009 TO MARCH 1, 2010.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE:

SECTION 1. That Chattanooga City Code, Part II, Chapter 31, Section 31-355(a), be and the same is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 31-355. Correction of erroneous billing.

- (a) Any owner or duly authorized agent may contest the accuracy of the water quality fees imposed by this article by lodging a protest with the Manager of the Water Quality Division of the Department of Public Works without payment of the water quality fee on or before December 31 in the year for which billing is received. The Manager shall develop and maintain appropriate forms for the lodging of such protest, but any written protest shall be sufficient provided that it sets forth with particularity the nature of any errors allegedly committed in the computation of such bill. A protest may be filed after December 31, but it must be preceded by or accompanied by payment of the water quality fees as billed which will be considered a payment under protest.

For water quality fees imposed in 2009 only, such a protest may be filed without payment of the water quality fee on or before March 1, 2010. Interest for any delinquent payment on a fee pending protest on March 1, 2010, shall not begin to accrue until thirty (30) days after the date that the Manager mails a written response to the protest to the owner or agent. Should there be an appeal from the decision of the Manager to the Storm Water Regulations Board arising from 2009 water quality fees, the fee and accrued interest on any uncontested portion of the bill must be paid prior to or contemporaneously with the filing of the appeal. Interest on any

delinquent portion of the fees as adjudicated by that Board shall accrue from the date of the Manager's written decision.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall become effective immediately from and after its passage.


PASSED on Second and Final Reading

December 15, 2009.


CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: 12-17, 2009


MAYOR

VLM/PAN/MAM/add