

**ORDINANCE NO. 2023-05**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHEROKEE, OKLAHOMA, AMENDING CHAPTER 17, SECTION 17-209 OF THE CHEROKEE MUNICIPAL CODE 2021, BY THE ADDITION OF A NEW SUBSECTION I ENTITLED WATER SERVICE INSPECTION FEE; PROVIDING FOR A CHARGE FOR TURNING ON WATER SERVICE FOR A SPECIFIC TIME OR PURPOSE; REPEALER; SAVINGS; CODIFICATION; SEVERABILITY; AND DECLARING AN EMERGENCY

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHEROKEE, OKLAHOMA:

Section I: Chapter 17, Section 17-209 of the Cherokee Municipal Code 2021 is hereby amended by the addition of a new Subsection I which shall read as follows:

Section 17-209 ENUMERATED REASONS FOR TERMINATION OF UTILITY SERVICE; TERMINATION OF SERVICE; RECONNECTION SERVICE CHARGE; LANDLORD RESPONSIBLE FOR BILL UNDER CERTAIN CONDITIONS; DOCUMENTATION REQUIRED.

- I. Water Inspection Fee; Whenever a customer desires to have the water service initiated at a property for any specific purpose other than for continued water service, including but not limited to the turning on of water service for purpose of home inspection, sale or other purpose, the customer will be assessed a \$25.00 water inspection fee for water service to be temporarily turned on for the time for which water service is desired. This inspection will be scheduled through the utility billing clerk.

Section II. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed

Section III. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

Section IV. CODIFICATION. This ordinance shall be codified as herein provided.

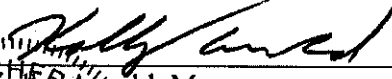
Section V. SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity

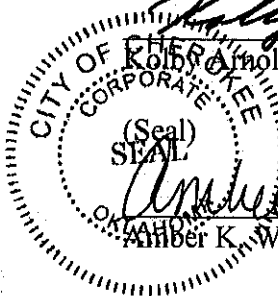
of any other provision of this ordinance. It is hereby declared to be the intention of the City Council of the City of Cherokee that this section of the Cherokee Municipal Code would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

Section VI. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of the City and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect in order to provide for a water service inspection fee; By reason whereof, this Ordinance shall take effect and be in full force and effect after its passage, as provided by law.

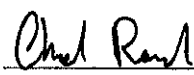
Approved and executed this 13<sup>th</sup> day of September 2023.

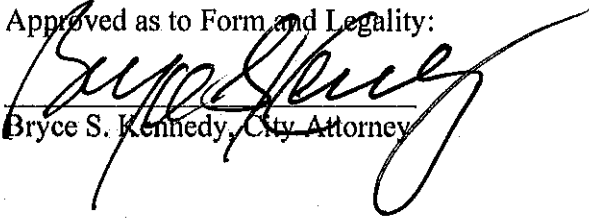
THE CITY OF CHEROKEE, OKLAHOMA

  
\_\_\_\_\_  
Kolby Arnold, Mayor



ATTEST:  
  
\_\_\_\_\_  
Amber K. Wilhite, City Clerk

Approved as to Content:  
  
\_\_\_\_\_  
Chad Roach, City Manager

Approved as to Form and Legality:  
  
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Bryce S. Kennedy, City Attorney