

ORDINANCE NO. 2020-08

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA, AMENDING PART 17, "UTILITIES," CHAPTER 2, "WATER DEPARTMENT AND SERVICES," OF THE CODE OF ORDINANCES OF THE TOWN OF LUTHER, OKLAHOMA, ADDING SECTION 17-221, "TESTING WATER METERS," ESTABLISHING A PROCEDURE AND COST TO TEST WATER METERS; REPEALING ALL ORDINANCES TO THE CONTRARY; AND PROVIDING FOR SEVERABILITY

BE IS ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LUTHER, OKLAHOMA:

SECTION 1. Section 17-221 of the Code of Ordinances of the Town of Luther, Oklahoma is hereby added to read as follows:

SECTION 17-221 TESTING WATER METERS

In the event any customer questions the accuracy of any water meter and wants the meter tested, the customer shall make a request to the Utilities Clerk and pay a deposit in an amount set by the Board of Trustees. A Town employee shall remove the meter and submit it for testing. If the meter shows an error in favor of the customer in excess of two percent (2%), the customer shall be credited with such an amount as the Town Manager shall decide is just and equitable, taking into consideration the amount of water that was likely consumed during the time under dispute. In such case, the deposit shall be returned. However, if the test shows that the meter did not vary more than two percent (2%), then the deposit shall be retained by the Town to cover the costs of removing, testing and replacing the meter.


SECTION II. REPEALER. All ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

SECTION III. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by the Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED AND APPROVED on this 11th day of August, 2020.



Mayor Jenni White

ATTEST:


Town Clerk



APPROVED as to form this and legality:

Beth Anne Childs

Beth Anne Childs, Town Attorney