

**ORDINANCE NO. 20-06-18-20**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING CHAPTER 36, "FINANCE AND REVENUE; TAXATION", OF TITLE III, "ADMINISTRATION", OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH TO ADD A NEW SECTION, SECTION 36.12, "AUTHORITY TO WRITE OFF UNCOLLECTIBLE DEBT", TO PROVIDE AUTHORITY FOR THE CITY TO WRITE OFF UNCOLLECTIBLE DEBTS OWED TO THE CITY FROM THE CITY'S ACCOUNTS RECEIVABLE; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth, Texas is a home rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas and its home rule charter; and

**WHEREAS**, Section 16.004 of the Texas Civil Practice & Remedies Code provides that the statute of limitations for filing suit to collect a debt is four years; and

**WHEREAS**, the City Council finds that after the expiration of the four-year statute of limitations and after diligent and reasonable efforts have been made to collect those debts, it is not fiscally responsible or in the City's best interest to continue to attempt to collect such debts; and

**WHEREAS**, the City Council deems debts owed to the City that are four or more years old and uncollected after diligent and reasonable efforts were made to collect, as uncollectible; and

**WHEREAS**, the City Council desires to authorize the Finance Director or designee to write off these uncollectible debts from the City's accounts receivable when the individual account totals do not exceed \$5,000; and

**WHEREAS**, the City Council desires the Finance Director or designee to obtain approval from the City Council to write off individual accounts whose uncollectable debt is greater than \$10,000.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:**

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

**SECTION 2**  
**AMENDMENTS**

That Chapter 36, "Finance and Revenue; Taxation", of Title III, "Administration", of the Code of Ordinances of the City of Corinth, Texas is hereby amended to add a new section, Section 36.12, "Authority to Write Off Uncollectible Debt", to be read in its entirety as follows:

Sec. 36.12 – AUTHORITY TO WRITE OFF UNCOLLECTIBLE DEBT.

No later than September 30 of each year, the Finance Director or designee is authorized to write off those debts owed to the City from the City's accounts receivable that are four or more years old and after following diligent and reasonable efforts to collect the debt, ("Uncollectible Debt"). The Finance Director or designee may write off Uncollectible Debt for individual accounts that do not exceed \$5,000. Individual accounts whose Uncollectible Debt is greater than \$5,000, the Finance Director or designee shall obtain approval from the City Council before writing off such debt.

**SECTION 3**  
**CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances of the City of Corinth and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or where expressly repealed hereby. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

**SECTION 4**  
**SEVERABILITY**

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

**SECTION 5**  
**SAVINGS/CONFLICT**

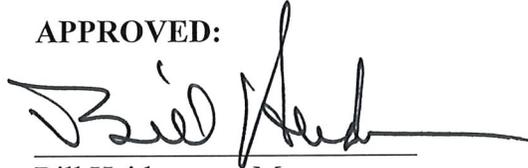
In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or other authorization of the City, the provisions of this ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

**SECTION 6**  
**EFFECTIVE DATE**

This Ordinance shall take effect immediately upon its passage and approval in accordance with law and City Charter.

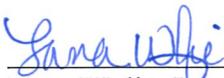
**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS on this the 18<sup>th</sup> day of June 2020.**

APPROVED:



Bill Heidemann, Mayor  
City of Corinth, Texas

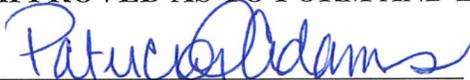
ATTEST:



Lana Wylie, Interim City Secretary  
City of Corinth, Texas



APPROVED AS TO FORM AND LEGALITY:



Patricia A. Adams, City Attorney