

CITY OF NORTH BONNEVILLE ORDINANCE 1055

AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, AMENDING NORTH BONNEVILLE MUNICIPAL CODE 13.04

SECTION 1: AMENDING CHAPTER 13.04 SECTION 13.04.050 PAYMENT

SECTION 2: SEVERABILITY AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION

SECTION 3: EFFECTIVE DATE and PUBLICATION

Whereas, the City of North Bonneville finds it useful to evaluate its City water code from time to time to assure its policies and practices are in keeping with the times, and;

Whereas, a review of the current code finds the language outdated, lacking clarity and conflicting and;

Whereas, the City Council believes updating the code serves the public's best interests, and;

NOW, THEREFORE; THE CITY COUNCIL OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1 Amending Chapter 13.04. Section 13.04.050 Payment

13.04.050 Payment

A. Obligation to pay. Each person shall pay the City Utility charges owed when due. The charges for utilities [sewer and water] shall accrue monthly and be billed bi-monthly. Utility bills shall be mailed to the property owner or account holder's most current address or known address the first part of January, March, May, July, September and November. Utility payments are applied in a priority fashion, first to payment of wastewater [sewer] charges and second to water charges.

B. Content of Bill Notice. The Utility bill shall contain the following: Notify the customer that payment of the bill is due within 20 days after it has been sent and if not paid within that timeframe will be deemed to be delinquent on the 21st day and subject to a late fee applied in accordance with the adopted utility rates, charges and fees schedule. The late fee will be added to the account.

C. Content of Notice of Delinquency. A notice of the Delinquency shall be designed to alert the customer of a delinquent balance. It also serves as a shutoff [discontinuation] notice and right to appeal.

- 1) Notice of Right to Appeal. The notice of delinquency shall advise the property owner or account holder of an opportunity to present billing objections and discrepancies to the City's attention through a hearing process. The notice shall provide that the property owner or account holder must contact the City in writing within 10 days after the notice of delinquency is sent and request a hearing.
- 2) The Notice of Delinquency shall be mailed to the property owner's or account holder's most current address provided to the City in writing, allowing them an additional 10 days to pay the full utility amount due or make payment arrangements by way of a payment agreement.

- 3) The notice shall advise customers that if they wish to make payment arrangements, they shall do so by way of a water/sewer payment agreement. A property owner in billing arrears whose service has not been shut off for non-payment shall provide a minimum 50 percent payment of their unpaid utility balance. If the property owner has multiple accounts, payment arrangements can only be made on one account at a time. The property owner is responsible for the tenant's unpaid bills. The unpaid balance is subject to additional late fees and must be paid off prior to the next billing.

- 4) The notice of delinquency shall contain a shut off notice advising the customer that delinquent accounts shall result in water service discontinuation action [shut off] on the 11th day after the Notice of Delinquency has been sent in accordance with provisions of this chapter.

- D. Appeal Hearing Procedure: the written request of the property owner or account holder to seek and informal hearing shall suspend water disconnection action. The hearing shall be held within 5 days of the hearing request, or longer upon mutual agreement of the appellant and the City. The property owner or account holder shall have the right to present evidence why such utility should not be terminated. The hearing shall be conducted during normal hours on an informal basis. A record of the hearing, including the date of the hearing, who was present, and the findings made as to whether or not the customer had good cause not to pay the bill and the reasons therefore, shall be in writing. The written finding shall be filed in the town utility system record. The hearing shall be conducted by the City administrator or designee familiar with the customer's billing information.

- E. Service Reconnection Fee. In the event the City shuts off a water supply, the property owner/account holder will be assessed a turn on fee in accordance with the adopted utility rates, charges and fees schedule. If the water service is discontinued for non-payment the City shall only accept full sewer and water payment to include all payment in arrears before water service is restored. Water service restoration requests made after 3:00 P.M. Monday through Thursday will be subject to an additional fee in accordance with the adopted utility rates, charges and fee schedules. If water shut off is scheduled for Friday or on a City or Federal Holiday the service will be continued until the next work day.

- F. NSF Checks. If the City receives a non-sufficient check [NSF] the property owner/account holder shall be charged a handling fee in accordance with the adopted utility rates, charges and fees schedule. If a person writes more than one NSF check to the City within a 12 month period, the City reserves the right to require cash payment for services rendered.

Deposit Upon Reconnection: If a property owner or account holder has their water shut off twice in the past 12 months the City shall require an additional deposit to reconnect the water in accordance with the adopted utility rates, charges and fees schedule. Termination of service does not relieve the utility customer of the obligation to pay all outstanding bills and charges.

(Ord. 1055, Ord. 1036, Ord. 982, 2011; Ord. 971, 2010; Ord. 831 (part), 2003)

Section 2 Severability

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3 Effective Date and Publication

A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect five [5] days after publication.

PASSED IN REGULAR SESSION this 27TH day of October, 2015



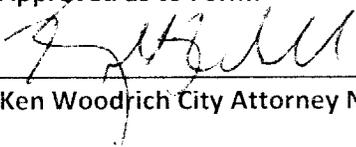
Mayor Don Stevens

Attest:



City Administrator Steven Hasson

Approved as to Form:



Ken Woodrich City Attorney North Bonneville