

ORD TBD-2025 – ABANDONING UTILITY CONNECTIONS

AN ORDINANCE OF THE CITY OF PARMA, CANYON COUNTY IDAHO AMENDING TITLE 7, CHAPTER 6 BY ADDING DEFINITIONS IN SECTION 3; BY THE ADDITION OF SECTION 20 GOVERNING ABANDONED UTILITY CONNECTIONS FOR NON-PAYMENT; BY THE ADDITION OF SECTION 21 GOVERNING WILL SERVE CONNECTIONS; BY THE ADDITION OF SECTION 22 DESCRIBING REVENUE REQUIREMENT PARTICIPATION; STATING TITLE AND PURPOSE; PROVIDING FOR SEVERABILITY; REPEALING CONFLICTING ORDINANCE; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Parma finds that historic utility connections which have gone unused and unpaid for become burdensome; and

WHEREAS, these connections are not reflected within the city's list of serviced connections for a period of time; and

WHEREAS, the city has determined these connections to be abandoned and may be capped; and

WHEREAS, these connections, if desired, will require fees to be paid at the current approved monthly billing rate for the time the connection had been abandoned or a new connection fee whichever is less expensive; and

WHEREAS all utility costs shall be paid, whether the balance is held by the City of Parma or turned over to Canyon County to be collected in the same manner as property taxes must be paid in full; and

WHEREAS the City Council of the City of Parma finds this amendment will help sustain, protect and help the public health, safety and general welfare of the citizens of the city and to ensure the City's Water and Wastewater systems remain financially solvent

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PARMA, IDAHO AS FOLLOWS:

Section 1: That Title 7, Public Ways and Property, of the Parma City Code, be, and the same is hereby amended by the amending Chapter 6 "Relinquishing Connections," with Section 21 – Governing Abandoned Historic Connections, with Section 22 – Governing Will Serve Connections and with Section 23 – Revenue Requirement Participation.

Section 2: Title 7, Chapter 6 Section 3: Definitions, shall be added:

Historic Abandoned Utility Connections – Water or Sewer utility connections which are not currently serving a structure or current purpose but may have water or sewer infrastructure.

No Service Tag – A tag identifying water or sewer infrastructure indicating the connection is not serviceable without a new connection fee.

ORD TBD-2025 – ABANDONING UTILITY CONNECTIONS

Revenue Requirement – a required amount of revenue to ensure the proper amount of revenue to operate, maintain and fund the water and / or sewer utility services of the City of Parma, including; Debt, Debt Service, Capital Improvement Funds, Capacity Funds; Maintenance and Operations, Administrative Operations, Short Lived Assets, Depreciation and other revenues necessary and associated with the Parma Water and Sewer Utility.

Will Serve – A promise to a property owner, developer or development to serve with water and sewer utility services.

Section 3:

Title 7, Chapter 6, Section 20: Governing Abandoned Historic Utility Connections:

- A. **Utility Connections Review:** City staff shall review the entirety of the Water and Sewer System records for potential abandoned utility connections.
- B. **Utility Connection Located:** When a potentially abandoned utility connection has been located, staff will determine, if possible, the last time the connection was used.
- C. **Property Owner Notification:** When a potentially abandoned utility connection has been located, staff will notify the current property owner and give the property owner the ability to pay the back amounts owed or if the city still has the ability to serve the property the owner may pay the current connection costs.
- D. **Staff Report:** City staff will make a report to the Parma City Council where the Parma City Council will decide if the connection should be declared an Abandoned Historic Utility Connection.
- E. **City Council Determination:** The City Council will consider the following facts in determining if the connection is abandoned at a City Council meeting:
 - i. City's ability to serve the property; for example, if the city has the available connections
 - ii. Property Owner's desire to continue the service
 - iii. Length of time since the property was serviced
 - iv. Length of time since the utility monthly bill had been paid
 - v. Other objective documented factors, expressed by the City Council at the time of the meeting
- F. **Declaration:** If the council determines the connection is abandoned, the Utility Connections is hereby declared burdensome and require City Staff to file a notarized statement with the Canyon County Courthouse indicating the number and type of connections on the property, if any, within seven days of the declaration.
- G. **Removal:** If it is determined by the City Council with concurrence of the Parma Public Works Supervisor the connection is to be removed, the connection(s) will be removed.

ORD TBD-2025 – ABANDONING UTILITY CONNECTIONS

- H. **Removal Costs to be reimbursed:** The costs associated with the removal will be reimbursed to the City Treasury by the property owner and if those costs go unpaid after thirty days, the City Clerk or City Treasurer is required to file a Special Assessment against the property to be collected in the same manner as property taxes with Canyon County.
- I. **Reconnection:** If reconnection to the property is desired by the property owner after the declaration, Section 7-6-18 shall apply.

Section 4:

Title 7, Chapter 6, Section 21: Governing Will Serve Connections:

- A. **Will Serve Connections Assessment** – Connections promised to a property owner, developer or development will be charged accordingly a fee as set by the Parma City Council from time to time. The fee will include the prorated annual debt of the connections and any other associated fees the Parma City Council chooses to assess after a legal public hearing and process.
- B. **Will Serve Connection Assessments not paid** – Any connection not paid by the property owner, developer or development shall follow the process for abandonment set forth in Title 7, Chapter 6, Section 20.
 - i. Unpaid Will Serve Connection will not be allowed to reconnect into the system until the assessment is paid in full.
 - ii. Will Serve Connections if abandoned, may not be available in future and will be absorbed back into the City's declining balance of connections.

Section 5:

Title 7, Chapter 6, Section 22: Revenue Requirement Participation:

- A. **Revenue Participation** – Each owner of a connection is required to participate in funding the water and / or sewer utility systems of the City of Parma to ensure its appropriate revenue requirements are met.

Section 6: Repealer: All ordinances, policies or parts thereof, which are in conflict herewith, are hereby repealed.

Section 7: Severability: Should any part or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such a decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part declared unconstitutional or invalid by a court of competent jurisdiction.

Section 8: Effective Date: This ordinance shall be in full force and effective from the date of passage, publication and signature of the mayor according to law.

ORD TBD-2025 – ABANDONING UTILITY CONNECTIONS

Section 9: Codification: The City Clerk is directed to forward the signed and approved ordinances to the codifier for codification.

Approved by the City of Parma Mayor and City Council on this ____ day of _____, 2025.

Angie Lee, Mayor

ATTEST: _____
Melissa Klinge, City Clerk

DRAFT