

ORDINANCE NO. 309

AN ORDINANCE ESTABLISHING MUNICIPAL UTILITY DISCONNECT AND RECONNECT FEES AND UTILITY DEPOSITS.

WHEREAS, the Town of Sugar City ("Town") owns and operates a municipal potable water system, a municipal sanitary sewer system and a municipal solid waste disposal system; and

WHEREAS, the Town charges fees for the various enterprises; and

WHEREAS, on occasion it becomes necessary to disconnect and reconnect customers where customers fail to remit payment; and

WHEREAS, it is necessary to establish a municipal utility deposit to be applied against a customer's unpaid municipal utility bill.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SUGAR CITY as follows.

1. The following fees are hereby established for disconnection and reconnection following failure to timely pay potable water rentals or fees.

- a. Potable water disconnection fee
.....\$25.00
- b. Potable water reconnection fee
.....\$25.00

A municipal utility deposit is hereby established.

a. Any customer charged a disconnection fee and reconnection fee on two separate occasions for failure to timely pay water rentals and or fees shall be required to make a municipal utility deposit with the town clerk prior to reconnection on the second disconnection.

b. The municipal utility deposit shall be held by the town in a municipal utility deposit reserve account and shall not be intermingled with other municipal funds.

c. The municipal utility deposit shall be used to offset a municipal utility bill including all rentals and fees including a disconnection fee that remains unpaid for a period of twenty days after disconnection. Once the deposit is applied against the unpaid balance, the customer shall pay any remaining balance and make a municipal utility re-deposit prior to reconnection.

The utility deposits are set forth below.

Initial deposit\$200.00

Re-deposit\$100.00 plus 1.5 times the balance
remaining after application of the \$200.00 initial deposit

- d. The deposit may be used to offset a customer's final municipal utility bill. Any portion of the deposit then remaining shall be promptly reimbursed to the customer.
- e. The board of trustees shall amend the fees and deposits set forth above from time to time by resolution or ordinance.
2. SEVERABILITY. Where this Ordinance or application thereof to any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect other provisions or applications of the ordinance which can be given separate effect, and to that end the provisions of this Ordinance are declared severable.
3. CONFLICTS. To the extent that any conflict exists between this ordinance and any previously adopted ordinance, all previously adopted ordinances are hereby amended to the extent necessary to conform to this ordinance.

INTRODUCED, READ IN FULL, ADOPTED, APPROVED AND ORDERED
PUBLISHED on the 14TH day of OCTOBER, 2009

TOWN OF SUGAR CITY

DATED this 14TH day of OCTOBER, 2009.

BY: Gerald R. Ross

Mayor Town Of Sugar City

ATTEST:

Jennifer A. Baker
Town Clerk