

ORDINANCE NO. 946

AN ORDINANCE AUTHORIZING COMBINED BILLING AND ESTABLISHING A DUE PROCESS PROCEDURE BEFORE TERMINATION OF UTILITY SERVICES

Be it ordained by the governing body of the City of Sedan, Kansas:

SECTION 1. COMBINED BILLING :

The city is authorized to combine customer billing for water, sewer, and solid waste collection into one monthly billing. When a payment is received by the city, the payment shall be first applied to solid waste collection, second to sewer service and third to water services.

SECTION 2. DELINQUENCY :

If a monthly bill for any city utility service, such as water, sewer or solid waste collection, shall remain unpaid after the due date specified in the bill, the bill shall be considered delinquent.

SECTION 3. NOTICE:

When a utility bill becomes delinquent, a delinquency and termination notice shall be issued. The delinquency and termination notice shall provide the customer the following information:

- a. The unpaid balance due, plus penalty;
- b. The customer's right to a hearing before the city treasurer, or other person designated by the mayor;
- c. That if the utility bill remains unpaid, the utility service which is delinquent may be terminated on the date specified in the notice, but in no event shall the termination date be less than 10 days from the date the notice is mailed.

If the customer is not the occupant of the property where utility services are provided, then the delinquency and termination notice shall also be mailed to the occupant, if known.

SECTION 4. HEARING:

Any customer disputing a delinquent utility bill may request a hearing before the city treasurer, or such other person designated by the mayor. A request for hearing before the city treasurer must be made no later than 3 working days before the date of termination of services specified in the notice. The city treasurer, or designee, shall establish the date and time of the hearing. At any such hearing, the customer or occupant shall be permitted to show cause why utility services should not be terminated. Failure to show reasonable excuse for nonpayment may result in termination of utility services, provided however, the utility service which is terminated must be the utility service for which the delinquency applies. Example: A delinquency for nonpayment of the solid waste collection bill is not grounds for termination of water and sewer

service, and vice versa. Water and sewer service are necessarily interrelated so nonpayment of one is grounds for termination of both.

SECTION 5. TERMINATION:

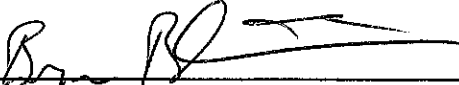
If the delinquent utility bill is not paid in full, including penalty, by the date specified in the notice, the city may terminate the customer's utility service, or if a hearing is has been requested, such termination will depend upon the outcome of the hearing.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect upon its publication in the official city newspaper.

Adopted by the governing body of the City of Sedan, Kansas on the 20th day of February 2024.

CITY OF SEDAN



Bryan Blankinship, Mayor

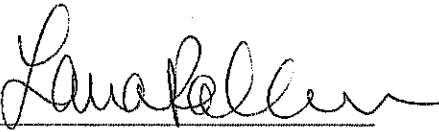
ATTEST:



Lana Robinson, City Clerk

SUMMARY OF ORDINANCE NO. 946

On February 20, 2024, the Governing Body of the City of Sedan adopted Ordinance No. 946 which deals with utility billing and establishing a due process hearing procedure for delinquent billing. A complete copy of the Ordinance can be located on the City's website: www.cityofsedan.com or can be viewed at no charge at the office of the City Clerk. The City Attorney has reviewed this summary and certifies that it is accurate.

A handwritten signature in cursive script, appearing to read "Lana Robinson", written in black ink.

Lana Robinson, City Clerk