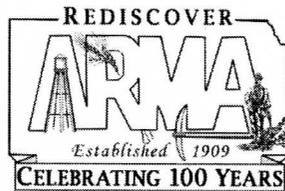


Troy Graham – City Administrator  
Bette Lessen – City Clerk  
Carolyn Girard – Asst. City Clerk



City Council Members:  
Buddy Bualle - President  
Don Zornes Sr.  
Johnnie Logiudici  
Rock Anderson  
Dick Cleland

City Hall  
701 E. Washington St.  
P.O. Box 829  
Arma, KS 66712

Mayor  
Chris Pommier

## **Ordinance No. 591**

AN ORDINANCE AMENDING CHAPTER XV, ARTICLE 1, SECTION 15-105 RELATING TO THE AMOUNT OF UTILITY DEPOSIT TO BE CHARGED EACH USER OR CONTRIBUTOR FOR THE USE OF THE UTILITY(ELECTRIC, WATER, & SEWER) SYSTEMS OF THE CITY OF ARMA, KANSAS.

WHEREAS, The Governing Body of the City of Arma, Kansas has determined that it is necessary to raise the utility deposit that is charged to contributors or users of the utility systems in the said city.

NOW THEREFORE, Be it ordained by the Governing Body of the City of Arma, Kansas.

Section One: The current provisions in Chapter XV, Article 1 Section 15-105 of the Code of the City of Arma, Kansas 2007 are hereby deleted and repealed.

Section Two: The following provisions are substituted and adopted as Article 1, Section 15-105 of Chapter XV of the Code of the City of Arma, Kansas 2007.

### **15-105 Shall be amended as follows:**

#### **UTILITY DEPOSIT.**

- A. At the time of making application for utility service, the property owner or customer shall make a cash deposit in the amount set by the governing body to secure payment of accrued bills or bills due on discontinuance of service. Receipt therefore shall be issued to each such depositor.
- B. Cash deposits for the indicated utility services shall be in the following amounts:
  - 1) If the customer is not the property owner of record, i.e. renter, the utility deposit shall be \$250.00.
  - 2) If the customer is the property owner of record for the property, the utility deposit shall be \$175.00.
  - 3) The customer shall be solely responsible for the charges on the account and only the customer shall be contacted, if necessary, for non-payment or other issues. If the real property is owned by another than customer, i.e. landlord, the City will only contact the customer unless the customer has given the City written authorization to contact the landlord or discuss the customer account with the landlord.
  - 4) If the property is real property usually referred to as a rental, the landlord may pay a \$175.00 utility deposit and the utility shall be immediately transferred to the landlord

if the utility service is voluntarily terminated and the landlord shall be solely responsible for all charges for the utility services thereafter.

- C. The deposit so made shall be kept by the City Clerk in a separate account and deposited in a fund designated as the "meter deposit fund." Interest shall be payable at the rate determined by the state corporation commission yearly and credited to the customer's account January 1<sup>st</sup> of each calendar year.
- D. On the fifth interest payment date (five years) following the deposit required above, the city clerk shall refund the deposit of any depositor who is owner of the premises where in such utilities service is being furnished and has not been delinquent in payment of any utility service charge during the past year. Interest due and accrued shall not draw interest.
- E. Upon the discontinuance of any service at the request of the depositor, the deposit shall be refunded upon surrender of the original receipt therefore together with the accrued interest thereon less any amount due and owing the City for services furnished prior thereto or it may be credited towards the payment of the final bill rendered to the customer.
- F. Any security deposit not refunded within three years after discontinuance of service shall be deposited in the utility fund of the City upon compliance with the provisions of K.S.A. 12-822 as amended. (Ord. 549, Sec. 1:3; Code 2007)

Passed and approved by the Governing Body on this 19 day of December 2011.

ATTEST: /s/



City Clerk

/s/



Mayor

(SEAL)