

ORDINANCE NO. 596

An Ordinance amending Chapter XV Utilities, Article 15-103 and repealing the existing 15-103.

The City Council has adopted the Code of the City of Arma, Kansas.

The City Code of the City of Arma is hereby amended in the following manner:

Chapter XV Utilities, Article 15-103 shall hereinafter read as follows:

NOTICE; HEARING.

(a) Utility bills are to be mailed out on the last working day of the month. Payment of utility bills is due by the 16th of the month. If the 16th is on a weekend, the payment is due on the following Monday. If the following Monday is a holiday, then the payment is due on the Tuesday following thereafter. If a utility bills has not been paid on or before the due date as provided hereinabove, a delinquency and termination notice shall be issued by the City Clerk within five days after the delinquency occurs and mailed to the customer at his or her last known address. A copy shall also be mailed to the occupant of the premises, if the occupant and the customer are not the same person.

Utility bills are considered overdue if not paid by 8:00 a.m. on the 17th of the month or the appropriate following day, if the 17th is on a weekend or a holiday. If the payment is mailed, the City will accept it as being timely, if the postage date stamped on the envelope is the appropriate date.

(b) On the 17th of the month, or the appropriate following day, a final notice is mailed to those who did not pay their utility bill. The notice shall state the amount owed, shall state the 10% penalty and if the bill is not paid in seven (7) days of the date of notice, service will be discontinued.

The notice shall also state:

- (1) The amount due plus the delinquency charge;
- (2) Notice that service will be terminated if the amount is not paid within seven days from the date of the notice, unless the date on the notice to pay the charges due shall be on a Saturday, Sunday, or legal holiday, in which event, such notice shall give the consumer until the close of the next business day in which to pay the charges;

(3) Notice that the customer has the right to a hearing before the designated hearing officer;

(4) Notice that the request for a hearing must be in writing and filed with the City Clerk no later than three days prior to the date of the termination of service.

(c) Upon receipt of a request for hearing, the City Clerk shall advise the customer of the date, time and place of the hearing, which shall be held within three working days following the receipt of the request.

(d) The hearing officer by order, shall automatically grant an additional three day extension to the seven day extension provided hereinabove, for a total of ten days extension.

(e) In the event the hearing officer is not available, the City Clerk, or the Assistant City Clerk has the authority to allow the three day extension on behalf of the hearing officer as set forth above.

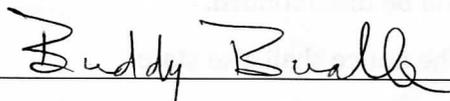
(f) If the payment is not made in full by the end of the last day of the extension, service will be discontinued the following work day.

(g) A customer shall be entitled to one extension per calendar year pursuant to this process.

(h) The mayor shall be designated as the hearing officer. The mayor may designate by written proclamation, another person to serve as the hearing officer in his or her absence.

Upon motion duly made and seconded, the above amendment to City Code was adopted and shall become effective upon publication in the city newspaper.

Section 15-103 of Chapter 15 is hereby repealed.


Buddy Bualle, Mayor

ATTEST:

Bette Lessen

Bette Lessen, City Clerk