

ORDINANCE NO. 602-2000

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, ESTABLISHING PROCEDURES AND REQUIREMENTS FOR THE PROVIDING AND DELIVERY OF MUNICIPAL WATER AND SEWERAGE UTILITIES AND SERVICES TO THE PROPERTY AND PREMISES OF CUSTOMERS WITHIN THE CITY OF DRY RIDGE; ESTABLISHING FEES AND CHARGES TO INITIATE MUNICIPAL WATER AND SEWERAGE UTILITIES SERVICES TO PROPERTY OR PREMISES; ESTABLISHING PROCEDURES AND REQUIREMENTS FOR CUSTOMER BILLING, TIMELY PAYMENT OF CHARGES FOR UTILITIES SERVICES, DISCONNECTION OF UTILITIES SERVICES FOR DEFAULT OR NONPAYMENT OF UTILITIES CHARGES; AND THE REPEAL OF CITY OF DRY RIDGE ORDINANCE NO. 404-1984.

WHEREAS, the City of Dry Ridge maintains and operates utilities systems for the delivery of sanitary water and sewerage services to residential and nonresidential properties and premises within the City of Dry Ridge, Kentucky; and

WHEREAS, the City of Dry Ridge, Kentucky, hereby establishes ~~procedures and requirements concerning the implementation and~~ initiation of water and sewerage services to city's customers together with the fixing of a deposit charge to initiate such utilities services; establish procedures and requirements concerning the billing of customers for such utilities services and the timely payment thereof; the establishment of procedures for the disconnection of such utilities services for customer default/nonpayment of charges for such services; and providing for lien and liability for the cost and value of utilities services provided to person, property or premises.

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRY RIDGE, KENTUCKY, FOR AND ON BEHALF OF THE CITY OF DRY RIDGE, KENTUCKY, AS FOLLOWS:

SECTION ONE

No utilities services for water or sewerage shall be initiated, connected or provided for any customer to property or premises unless the premises so serviced shall have an inside turn-off valve for water service.

SECTION TWO

Utilities Services Initiation Charges (Deposits)...

Prior to the initiation, delivery, providing or connection to property or premises of utilities for water and/or sewerage services, the owner or tenant of the property or premises shall make application to the City Clerk of the City of Dry Ridge and pay the following service initiation charges/deposits, in full, and as to and for which no partial payment will be allowed or accepted, to-wit:

A. For property or premises deemed to be residential and covered by the tariffs and charges for residential water and sewerage utilities services, the initiation charges and deposits for providing and delivering such residential utilities services shall be: (1) Fifty Dollars (\$50.00) for municipal water utilities; and (2) Fifty Dollars (\$50.00) for municipal sewerage utilities, for a total of One Hundred Dollars (\$100.00).

B. For property or premises deemed to be nonresidential and covered by the tariffs and charges for nonresidential water and sewerage utilities services, the initiation charges and deposits for providing and delivering such nonresidential utilities services shall be: (1) One Hundred Dollars (\$100.00) for municipal water utilities; and (2) One Hundred Dollars (\$100.00) for municipal sewerage utilities, for a total of Two Hundred Dollars (\$200.00).

C. If a customer's utility account has been paid without issuance of a delinquency notice during the 12-month billing cycle next, then upon submission of payment proof or receipt to the City Clerk, then the customer's deposit shall be refunded, except that such deposit of or made by a renter, lessee or tenant shall not be refunded or made until termination of lease or the depositor's lease-hold estate and the depositor's due removal and vacation of the property and premises.

D. In the event a default occurs, the initiation charges/deposits account shall not be subject to refund and all such monies therein shall be applied toward the payment of any outstanding or delinquent utilities account or to any services provided by the city and the debt due therefore owed by the depositor/customer. Any monies or amounts remaining after payment of accounts, settlement of charges, or payment of debt, shall be refunded to the account applicant/depositor.

SECTION THREE

Regulations Concerning Utilities Services and Accounts...

A. The owner of the property or premises so provided or receiving municipal utilities services shall be liable and responsible for the payment of any and all costs and charges for water and sewerage utilities services; and such property and premises shall be subject to lien, claim and assessment immediate for the costs and charges for municipal utilities services provided to same and whether such property or premises be occupied by the owner thereof, or occupied by the owner's tenant, lessee or assigns.

B. The utilities service account shall be listed in the name of the fee owner of the property or premises; or if said property or premises be subject to lease, the lessee, may also be listed on the utilities service account, especially if the lessee be the applicant/payee of the utilities initiation deposit account referred to herein. However, the naming or showing of the name of a lessee on the utilities service account shall not affect, effect or otherwise negate the owner's liability or responsibility for account payment or property/premises being subject to lien, claim or assessment for utilities' debt.

C. No initial or reconnected utilities services shall be made or provided to person, property or premises for and to which utilities' accounts be delinquent, or for or to or upon which monies and sums be still owned for utilities services until such delinquent accounts or monies owed for current utilities services be paid.

D. No initial or reconnected utilities services shall be made or provided to person, property or premises until the initiation charges/deposits as required and hereinabove referred to be paid.

SECTION FOUR

Utilities Billing Procedures and Requirements...

A. The City Clerk of the City of Dry Ridge shall be responsible for the preparation of utilities billing and send the same to the city's customers at the address provided by the said customer.

B. All utilities bills are due and payable by the 30th day of each calendar-month, except February, when utilities bills are due and payable on the 28th day of said calendar-month.

C. The owner of the property or premises receiving or being provided utilities' services shall be liable and responsible for the payment of all utilities' billings.

D. Any one who does not receive a bill for utilities services provided by the city, shall notify the City Clerk that no bill was received, and, thereafter, the City Clerk shall make and issue a new bill to the customer.

E. All utilities' bills shall be paid timely by cash, check, certified check or money order made payable to the order of the City of Dry Ridge, Kentucky. Partial payments of said billings and accounts may be accepted by the City of Dry Ridge, but said partial payment shall be considered as a default by the customer so subjecting the customer and the property or premises being provided utilities' services to actions for default and nonpayment of utilities accounts which may result in termination and disconnection of services.

SECTION FIVE

Procedures Concerning Default or Nonpayment for Utilities...

A. Customers who do not pay their utilities' bills when due or within ten (10) days after the due date thereof, or whom are permitted to make a partial payment of account, shall be deemed and considered in default.

B. Upon default by a customer, a letter shall be sent to said customer by Regular Mail notifying him/her of said default and advising him/her that upon nonpayment of the utility account, that utilities' services shall be terminated.

C. Should a utilities' account deemed and found to be in default be not paid by the 15th day of the succeeding calendar-month in which the default occurred, then said account shall be deemed delinquent and all utilities' services shall be terminated the next working day by the City of Dry Ridge.

D. Upon finding a utilities' account to be delinquent, in addition to termination of utilities' services, the City of Dry Ridge, may at its election, may take all actions, in law or equity, to enforce and foreclose its lien upon property and premises for monies and debts owed for utilities, or take any actions to recover the debt or monies owed.

E. No person or customer having one or more utility accounts in default or being deemed as delinquent, shall be provided utilities services to any site, location, address, place, or any other property or premises within the City of Dry Ridge, Kentucky, until all such all such accounts in default or being delinquent be paid current.

F. Any check remitted in payment for a utility account which is returned by the drawee bank for 'no account', 'insufficient funds', or for any reason, shall be held by the city at the City Building for ten (10) days. Upon receipt of a returned check, the City Clerk shall send a letter to the customer informing same of the returned check and so advising that the customer shall have ten (10) days from the date of such letter to redeem the returned check and pay the utility account current plus a service charge in the sum and amount of Twenty-Five Dollars (\$25.00) by cash, money order, certified or cashiers check. Should such customer not redeem the returned check and pay the account current within the 10-day period, then the customer's utilities shall be terminated without further notice and the returned check submitted to the court system for action and prosecution.

SECTION SIX

Should a customer's utility service be terminated and disconnected, then a Twenty-Five Dollar (\$25.00) disconnection fee shall be charged and added to the customer's account.

SECTION SEVEN

City of Dry Ridge Ordinance No. 404-1984 be and the same is hereby repealed.

SECTION EIGHT

This ordinance shall become effective and be in full force and effect when passed, ordained, ordered published and published according to law.

First Reading: October 4, 1999

Second Reading: January 3, 2000

PASSED, ADOPTED, ORDAINED AND ORDERED PUBLISHED ON THIS
THE 3rd DAY OF JANUARY, 2000.

William Cull
WILLIAM CULL, MAYOR

ATTEST:

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Cindy L. Harris
CINDY L. HARRIS, CITY CLERK