

ORDINANCE NO. 363-1981

AN ORDINANCE ESTABLISHING A PROCEDURE PERTAINING TO SHUTTING OFF OF WATER SERVICE TO DELINQUENT ACCOUNTS AND ESTABLISHING A Water Department Hearing Officer.

BE IT ORDAINED BY THE CITY OF DRY RIDGE AS FOLLOWS:

I. Each water account, or any part thereof over _____ days past due shall receive a delinquent notice advising the customer of the delinquent account. Each account, or any part thereof, over _____ days past due shall receive a Notice Water Shut-Off advising the customer the amount of arrearage, the planned shut-off date, and the date of a hearing. The hearing date shall be at least TEN DAYS (10) after the date of the Notice of Water Shut-Off and the shut-off date at least THREE DAYS (3) after the hearing.

II. The Notice of Water-Shut Off shall be served by Certified Mail, Return Receipt Requested or by personal delivery by the City Engineer. In all cases where personal delivery is effected by the City Engineer, return of service shall be made on a copy of the Notice of Water Shut-Off and filed with the City Clerk.

III. There is hereby established the position of Water Department Hearing Officer. The Hearing Officer shall be appointed by the Major with the approval of Council. The term of the position is ONE YEAR (1). The Hearing Officer shall preside at the Water Department Hearings on delinquent accounts. The Hearing Officer shall consider all relevant evidence and shall render a decision on each case. The Hearing Officer may request the assistance of the City Attorney in rendering said decision.

IV. At the hearing the customer shall have the opportunity to present evidence to show a legal reason to prevent the city from shutting off the water service. The burden of establishing the said legal reason is on the customer. The City Engineer shall be present at the Water Department Hearings and provide testimony on behalf of the Water Department. All testimonies shall be taken under oath and the proceedings recorded. Transcripts shall be provided to any individual upon written request to the City Clerk and pre-payment of expenses of transcription.

V. The Water Department Hearing Officer shall serve without bond and be compensated according to the personnel and pay classification ordinance of the City of Dry Ridge.

Passed, approved and ordered published this 6th day of April, 1981.

ATTEST:

Anna Breeden
CITY CLERK

MAYOR