

ORDINANCE NO. 443-0

AN ORDINANCE AMENDING ORDINANCE NO. 279, THE WATER REGULATION ORDINANCE AND DECLARING AN EMERGENCY

Amendment

The following sections of Ordinance No. 279 are amended as follows. All other sections and subsections of Ordinance No. 279 continue in effect.

Section 8 - Billing and Payment

C. Rendering of Bills:

1. Meters shall be read and bills be rendered monthly by the City.

F. Each bill rendered shall be due and payable no later than 30 days following the date mailed, as shown on the bill. A penalty of 12% shall be added to accounts not paid by the due date. Date of payment shall be determined by the postmark if paid by mail. Accounts not paid by the due date shall be considered delinquent unless other arrangements have been made with the Finance Director, in writing, that specify another due date.

Section 9 - Delinquent Accounts

A. All water charges and sewer service charges, including those referred to in the Water Rates Ordinance and the Sewer Rates Ordinance, whether within or without the City, shall be chargeable to the premises where water is supplied. Whenever any water or waste water service charges have not been paid by the due date, the Director may discontinue the service of water to such premises. Whenever any water charges or waste water charges have not been paid within forty-five (45) days after the due date, the Director shall discontinue the service of water to such premises. Water shall not again be furnished thereto until the past due amount and all penalties have been paid in full.

B. In all instances when the amount due is not paid by 45 days after the due date and the service address is included on the water service turn-off list, it shall be considered that water has been turned off and a \$15 service charge shall be paid for restoration of service.

- C. In cases of extreme hardship, the Finance Director shall have the discretion of renewing service to a delinquent account upon receipt of a satisfactory installment plan for the payment of the overdue amount.
- D. In the event any fee or charge for water service is not paid by the due date thereof, a lien shall attach to the property served and the fees and charges shall be entered upon the lien docket of the City of Troutdale. The lien may be foreclosed and the charges collected by suit in equity for foreclosure by judicial sale. All delinquent fees and charges shall draw interest at the rate of twelve (12) per cent per annum from the respective due dates. If it is necessary to file a suit for the collection of any fees, the user or the property owner shall pay the charges, plus court costs and attorney's fees. However, if a fee or charge is disputed, no lien shall be entered upon the lien docket until a hearing has been held and a determination made by the hearing officer or body that the fee or charge is proper.

#### Section 10 - Notices

- C. Users are responsible for notifying the City of address changes. The property owner is responsible for notifying the City of changes in ownership. If a premises is connected to the Public Water System the user or property owner is responsible for notifying the City if the monthly bills are not being received.

#### Section 17 - Restoration of Service

- A. Restoration of service after discontinuance for non-payment of bills shall be made after payment of past-due charges and penalties plus fifteen dollars (\$15) for restoration charge, and posting a deposit as required by Section 7.B.
- B. Restoration of service after discontinuance of service for unsafe facilities, waste water fraud, abuse, or for non-compliance with any of the Rules and Regulations established by this Ordinance will only be made after adjustments have been made to insure that the irregularity will not reoccur. The restoration charge shall be thirty dollars (\$30) plus any other charges, due or past due, that the City may have incurred to correct the irregularity.
- C. Restoration of service after discontinuance of service for the convenience of the user shall be

made after payment of a restoration charge equal to two times the minimum monthly standard meter demand rates as established in the Water Rates Ordinance, for the appropriate size of meter, plus any other charges due, or past due, the City. This charge is primarily intended for, but not limited to, those users requesting discontinuance of service for prolonged periods.

Emergency Clause

The Council desires and deems it necessary for the preservation of the health, peace and safety of the City of Troutdale that this ordinance take effect at once, and therefore an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS DAY OF APRIL, 1985.


YEAS: 6

NAYS: 0

  
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SAM K. COX, MAYOR

DATE SIGNED: 4-11-85

ATTEST:

  
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NANCY B. NIXON  
FINANCE DIRECTOR/CITY RECORDER