

ORDINANCE No. 881-A

Introduced by Commissioner Michael G. MURPHY

AMENDING ORDINANCE No. 853-A, RELATING TO SEWERS, TO PROVIDE FOR
LIENS FOR DELINQUENT SERVICE AND HOOK-UP CHARGES

The City of Warrenton, Oregon, ordains as follows:

Section 1: Section 8 of Ordinance No. 853-A is amended to read as follows:

Section 8. Charges, Billing, Collection, Lien:

- 1) The City of Warrenton shall bill the monthly sewer charge bi-monthly, along with the bi-monthly billing of the water charge. Where payment is delinquent for either the sewer service charge or other sewer charges, including hook-up charges, the water may be shut off according to the schedule set out in the city's water ordinance. The City of Warrenton may use such means for collection of rates and charges for sewer service and hook-up charges as may be provided by the laws of the State of Oregon or permitted by its charter, ordinances and resolutions and regulations. Any unpaid charges to users' delinquencies may be certified to the Tax Assessor of Clatsop County for collection in the manner and as provided by ORS 454.25; and, after collection, these charges shall be paid over to the city in the same manner as other taxes are certified, assessed, collected and paid over; and ORS 454.225 is made a part hereof as fully as if set out herein and is hereby referenced.
- 2) For failure or refusal to pay sewer service charges or sewer hook-up charges when due, the city may declare such unpaid charges a lien upon the property and foreclose said lien by any method authorized by law to enforce and collect delinquent liens.
- 3) If the resolution establishing hook-up charges allows installment payment, the city shall have a lien on all property served thereby for the unpaid balance and may foreclose said lien by any method authorized by law at any time after the agreed-upon payments are delinquent.
- 4) Any charge due hereunder which shall not be paid when due may be recovered by an action at law by the City of Warrenton. In such action, suit or proceeding, the court may award to the prevailing party such sums as the court may adjudge reasonable as attorney's fees at trial or on appeal of such suit or action, in addition to all other sums provided by law.

Section 2: This ordinance shall become effective thirty days after its adoption.

First reading: 6 February 1991

Second reading: 20 February 1991

PASSED by the City Commission of the City of Warrenton, Oregon, this 20th day of February 19 91.

APPROVED by the Mayor of the City of Warrenton, Oregon, this 20th day of February 19 91.

ATTEST:

Gilbert Swanson
City Manager/Auditor

Leslie Thorton
Mayor