

**A BILL FOR AN ORDINANCE AMENDING ) ORDINANCE BILL NO. 2013-7  
CHAPTER 13.04, WATER AND WASTEWATER )  
SYSTEM, OF THE LEBANON MUNICIPAL CODE ) ORDINANCE NO. 2848**

**WHEREAS**, At the April 24, 2013 council work session on utility rates and collections the Council asked staff to bring back ideas to change the collection process to allow more time and less fees for paying the utility bills; and

**WHEREAS**, the City Council, at their meeting of August 14, 2013 reviewed and discussed the proposed utility collection process which eliminated the delinquent notice and door hanger processes and updated the delinquent fees; and

**WHEREAS**, when staff reviewed the City code to insure the new collection procedures and City code were in alignment, a few other housekeeping changes were noted.

**NOW, THEREFORE**, the City of Lebanon ordains as follows:

**13.04.020 - Definitions.**

9. "Delinquent account" means any bill for services that is not paid by the billing due date.-

**13.04.040 - Service—Application—Accompaniment by fee/deposit and required supplemental information.**

Applications shall be accompanied by any required fees, deposits and required supplemental information.

**13.04.090 - Charges—Payment due when.**

All rates, fees and charges imposed, or damages incurred, pursuant to this chapter are due and payable upon the billing for service. Any unpaid rates, fees, charges or damages accrued will constitute a lien upon the real property for which the service was provided. Any lien under this chapter which remains unpaid for 60 days after it has been recorded in the City's lien docket may be foreclosed in any manner provided by ORS 223.505 to ORS 223.650 or as otherwise provided by law.

**13.04.091 - Charge for returned checks or electronic payments.**

At the discretion of the city administrator, a fee may be imposed when a check or electronic payment is returned by the bank for insufficient funds.

**13.04.180 - Water service turn-off charge—Due when.**

A. A service charge shall be paid to the city whenever water service is turned off after having been turned off due to nonpayment or by request of the customer. For purposes of this section, turn-off for nonpayment shall mean the processing of the work order which instructs system personnel to shut off service.

**13.04.270 - Termination of service—Reasons.**

Service to any customer may be terminated upon any of the following events:

E. The customer has a current or prior account for service that has become 15 days or more delinquent;

**13.04.370 - Violation—Penalty.**

No person shall violate any of the provisions of this chapter. Any person who violates this chapter shall be fined a sum not to exceed amount set by the fee schedule the first violation within a twenty-four-month period, set by the fee schedule upon the second violation, and set by the fee schedule upon the third violation and each violation subsequent to the third. If the violation is of a continuing nature, each day upon which the violation continues shall be deemed a separate offense. In addition to the above fine, any person violating any provisions of this chapter shall become liable to the city for any expense, loss or damage occasioned by the city by reason of such violation.

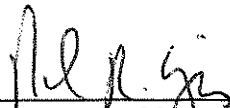
Each violation by an owner or tenant will be cumulative by the property owner independent of the number of properties served.

**13.04.470 - Temporary service.**

B. Where it is practical to furnish water through an existing service, the charge will be standard service charge established by the city fee schedule, plus a payment for water used at the same fee schedule charged to commercial and industrial accounts.

Passed by the Lebanon City Council and executed by the Mayor on this 9<sup>th</sup> day of October, 2013 by a vote of 4 yeas and 0 nays.

CITY OF LEBANON, OREGON

  
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Paul R. Aziz, Mayor   
Bob Elliott, Council President

Attested by:

  
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Linda Kaser, City Clerk/Recorder