CITY COUNCIL
AGENDA ITEM COVER SHEET

ITEM NO: Consent C 4

DATE: November 8, 2007

SUBJECT: First Reading of Ordinance 974-07 Amendment to Chapter 13.12

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

ISSUE:
The issue before the Council is the first reading of Ordinance 974-07 (Attachment A) to amend SMC 13.12.020 to remove the $10 delinquent charge in the SMC and to set disconnection charges for water service by resolution through the annual fee schedule adopted by the Council.

SUMMARY:
Chapters 13.12.020 (Attachment B) sets the amounts for the shut off and turn on charges for delinquent accounts at $10 each. This amount is not consistent with the fee schedule approved by the Council and does not cover the cost incurred by the City for staff time to process, disconnect and reconnect water service on delinquent accounts.

Minor language changes have been made to be consistent with the fee schedule. "Shut off" has been changed to "disconnect" and "turn on" as been changed to "reconnect".

The City has established a fee schedule that is adopted as part of the annual budget process. As a part of the budget process, all fees are reviewed to determine that the amount charged covers the cost of the service provided.

The use of the fee schedule allows staff and the general public the ability to access information on all fees in one document.

ALTERNATIVES:
1. Do not amend SMC 13.12.020. This will require that the City charge a $10 charge for water service turn off and turn on for delinquent accounts.
2. Amend SMC 13.12.020 to provide that the turn on and off charges be set by resolution. This will allow the City to set the fee at an amount adequate to cover staff costs.

STAFF RECOMMENDATION
Staff recommends the adoption of Ordinance 974-07 amending SMC 13.12.020 to set the disconnection charge by resolution.

MOTION:

Move to introduce Ordinance 974-07 amending SMC 13.12 for a first reading and pass on to a second reading on November 15, 2007.

Attachments:
A. Ordinance 974-07
B. Chapter 13.12 SMC

CITY OF SULTAN
SULTAN WASHINGTON
ORDINANCE 974-07

AN ORDINANCE OF THE CITY OF SULTAN AMENDING CHAPTER 13.12 OF THE SULTAN MUNICIPAL CODE REGARDING DISCONNECT CHARGES FOR UTILITY SERVICES.

THE CITY COUNCIL OF THE CITY OF SULTAN DO ORDAIN AS FOLLOWS:

Chapter 3.12.020 of the Sultan Municipal Code is hereby amended to read as follows:

13.12.020 Disconnection Charges – Conditions for Reconnection:
A. In the event that the utility superintendent or representative ~~shuts-off~~ disconnects water service for reason of a delinquent account, a ~~shuts-off~~ disconnect charge ~~of $10.00~~ shall be assessed and shall become a lien against the property. The amount of the disconnect charge shall be set by resolution.

B. If the customer requests that service be ~~turned-on~~ reconnected again, an additional charge ~~of $10.00~~ shall be assessed. The amount of the reconnect charge shall be set by resolution.

C. No water service shall be ~~turned-on~~ reconnected until such time as all delinquent bills and assessments provided for herein have been paid in full or satisfactory arrangements, at the discretion of the ~~Clerk/Treasurer~~ Finance Director or their representative, have been made. No service shall be reconnected after normal working hours of the ~~utility~~ Public Works Department except in the case of emergency.

Severability: This ordinance is severable and if any portion of it shall be declared invalid or unconstitutional, the remaining portion shall remain valid and enforceable.

Effective Date: This ordinance shall be in full force and effect five days after publication as required by law.

REGULARLY ADOPTED this day of December, 2007.

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Benjamin Tolson, Mayor

Attest:

_____
Laura J. Koenig, City Clerk

Approved as to form:

_____
Thom Graafstra, City Attorney

Published:

ATTACHMENT A

EXCERPT FROM CHAPTER 13.12 SMC – Current language

13.12.020 Shut-off charges – Conditions for turning on again.

A. In the event that the utility superintendent or representative shuts off water service by reason of a delinquent account, a shut-off charge of $10.00 shall be assessed and shall become a lien against the premises.

B. If the customer requests that service be turned on again, an additional charge of $10.00 shall be assessed.

C. No water service shall be turned on until such time as all delinquent bills and assessments provided for herein have been paid in full or satisfactory arrangements, at the discretion of the city clerk/treasurer or representative, have been made. No service shall be reconnected after normal working hours of the utility department except in the case of emergency. (Ord. 435, 1983; Ord. 346 § 2, 1976)

ATTACHMENT B