

ORDINANCE NO. 435

AN ORDINANCE ESTABLISHING AND FIXING THE RATE TO CONSUMERS OF WATER FROM THE LONGTON WATER DEPARTMENT, PROVIDING FOR METER DEPOSITS, ESTABLISHING GOVERNING REGULATIONS FOR WATER UTILITY METER READING, BILLING PROCEDURES FOR TERMINATION OF UTILITY SERVICES AND RECONNECTION FEES FOR REINSTATEMENT OF UTILITY SERVICE, AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LONGTON, KANSAS.

SECTION 1. RATES

That all water users are required to have a meter and are required to pay the minimum water rates monthly. The following rates and prices are hereby established and fixed to all consumers and users of water from the Longton Municipal Water Department. Minimum per month and including the first 1000 gallons; to users within the city limits \$24.75, to users outside the city limits \$28.75. Amounts used over the first 1000 gallons; \$7.00 per 1000 gallons. An additional \$3 per customer will be required and applied to the water reserve fund. Businesses and churches pay 7.5% tax. All customers pay 3-cents per 1000 gallons for water protection tax.

SECTION 2. PAYMENT

All charges are computed monthly on or around the 1<sup>st</sup> day of each month from meter readings taken between the 25<sup>th</sup> and 28<sup>th</sup> of each month. All bills will be due and payable when rendered and will be deemed to be delinquent if not paid on or before the 15<sup>th</sup> of each month. If not paid on or before the 15<sup>th</sup> of each month a penalty of 10% will be added. If not paid by the 15<sup>th</sup> of each month, the consumer will be mailed a delinquency and termination notice. The delinquency and termination notice shall provide the customer with a record of the following information: a) The amount due, b) Consumers right to a hearing before the Council, c) Notice that the service will be terminated in ten(10) days if bill remains unpaid. If no hearing is requested and the utility bill remains unpaid for ten(10) days after such notice, the City Clerk shall have authority to terminate utility service to the customer without further notice. If a hearing is requested; at the hearing, the consumer shall have the right to show cause why water shall not be discontinued, and the council shall have the authority to enter such orders with regard to payment of the account or discontinuance of service; as are in the best interest of the City and City Clerk shall have the authority to enforce any such orders. When water is turned off, a non-refundable reconnect fee of \$25.00 plus delinquent bill has to be paid before water service is resumed. All payments for water shall be made at the office of the City Clerk.

The City Clerk shall prepare and present a list of delinquent utility bills to the City Council on the second Tuesday of each month. All owners or lessee of premises within or outside the City of Longton, to which water is supplied are hereafter liable to the City of Longton, Kansas, for the charges for providing water service.

In the event such charges for the use of said water service by the owner of said property is not paid within the time and in the manner as by the ordinances of the city provided, the City clerk may certify the following information to the County Clerk of Elk County, Kansas: the legal description of the real property enjoying the said services and the amount of such charge or charges which remain unpaid, for the purpose of placing such charge or charges on the tax roll for collection against such property, subject to the same penalties and collected in like manner as other taxes are by law collectible, and such charges shall become a lien upon the real property so served.

In the event such charges for use of said water service by the owner or lessee of said property is not paid within the time and in the manner as by the ordinances of the City provided, the City Clerk may certify the following information to the State of Kansas Set-Off program: the amount of such charge or charges which remain unpaid, for the purpose that allows the Director of Accounts and Reports to set off moneys that State of Kansas owes debtors against moneys owed to the City of Longton, Kansas.

Nothing contained herein shall prohibit the City from bringing legal action against the utility user in any court of competent jurisdiction for recovery of delinquent utility bills.

SECTION 3. HOOKUP FEE

A \$25.00 non-refundable hookup fee shall be charged for turning on water service to new customers. When a resident moves from one location to another, within the area serviced by the Longton Water Department, and desires water service at the new location, the hookup fee of \$25.00 may be waived, if the resident has made regular current payments on their water bills for the preceding six(6) month period.

If current water service to a property does not exist, the city will make all connection to the main and set the meter for minimum charge of \$400.00 plus the \$25.00 hookup fee. All material and labor from the meter to the place of use shall be the responsibility of the property owner.

SECTION 4. DEPOSIT

A \$75.00 meter deposit is now hereby established for water received from the City of Longton, Kansas. When a resident moved from one location to another, within the area serviced by the Longton Water Department, and desires water service at the new location, an additional water deposit of \$75.00 may not be required, if the resident has made regular and current payments on their water bills for the preceding six(6) months. The deposits made by water customers will be refunded no more than thirty(30) days after the customer has paid twelve(12) consecutive monthly utility bills by the due date of said bill.

SECTION 5. CONNECTIONS

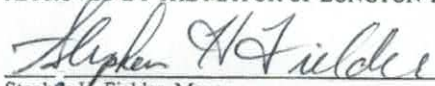
Only the water superintendent or his representative may connect or reconnect service to a customer. The customer will incur a fine of \$25.00 should service be connected by other means.

SECTION 6

This ordinance shall take effect with bills due November 15, 2016, in force from and after its publication in the official city newspaper.

PASSED BY THE GOVERNING BODY OF LONGTON THIS 11<sup>TH</sup> DAY OF OCTOBER, 2016

APPROVED BY THE MAYOR OF LONGTON THIS 11<sup>TH</sup> DAY OF OCTOBER, 2016

  
Stephen H. Fielder, Mayor

ATTEST:

  
Bonnie Fitzhugh, City Clerk

