

ORDINANCE NO. 2023

AN ORDINANCE REPEALING CHAPTER XV. UTILITIES, ARTICLE 1. GENERAL PROVISIONS, SECTION 15-103:104 OF THE CITY OF FREDONIA, KANSAS CODE BOOK AND ESTABLISHING RULES AND REGULATIONS FOR THE COLLECTION AND THE DISCONNECTION OF UTILITY BILLS AND ACCOUNTS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FREDONIA, KANSAS:

Section 1. GENERAL RULES AND REGULATIONS:

- a. Persons requesting utility service must complete a utility service contract with the City of Fredonia. The City shall require a current government issued photo I.D. The City's acceptance of the service contract constitutes a binding agreement between the City of Fredonia and the utility customer.
- b. Each person of legal age (18+) residing at the premises shall be deemed to have received the benefit of utility service supplied by the City and shall be liable for payment whether or not the service is listed in that person's name. Therefore, any person requesting utility service must provide the names of any persons of legal age residing at the location. Applicant must sign the agreement and provide current government issued ID.
 - i. If a beneficiary of the utilities is unable to come to City Hall to sign the contract, the contract may be taken to that person to be signed. Staff reserves the right to require the signature to be notarized if application is being faxed in. Service will not be connected until signatures of all beneficiaries are accounted for on the contract.
- c. Furthermore, it shall be the policy of the City that any and all debts owed the City by any beneficiaries on the account must be paid before service will be established. In the event a utility customer becomes delinquent on utility service, or incurs a debt with the City for any other reason, utility service may be discontinued if said debt remains unpaid after notification of amount due.
- d. Persons requesting utility service must provide either proof of ownership for the residence on which utility service is being requested, or a rental/lease agreement for the location. The property owner's name, address and phone number must be provided at the time utility service is requested.
- e. Each month the City will determine the amount due and payable from each customer for utilities.
 - i. The City shall make an initial demand for payment through the mailing of a utility bill. Payment of the account shall be due by the 10th of each month (regardless of Holidays and Weekends) with penalties assessed on all delinquent accounts after said date.
 - ii. Delinquent notices shall be mailed to all customers who have not paid by the 10th of the month. If the entire bill (including penalties) is not paid in

full by the 25th of the month the utility service shall be disconnected. Any services disconnected for non-payment shall be assessed a service fee.

- iii. If the amount owed is still not paid after 15 days after service has been disconnected the account will then be turned over to either an attorney for collection or the Kansas Setoff Program, which will deduct the delinquent amount from any eligible tax refunds or state payments the customer may receive.
- f. The City of Fredonia reserves the right to verify funds with the bank named on any check.

Section 2. HEARING: Upon request, a customer may schedule a hearing regarding delinquent utility bills with the City Clerk or their designee. Upon reviewing the information provided, the City Clerk shall make a determination as to the outcome of said delinquent account.

Section 3. DISCONTINUANCE OF SERVICE:

- a. Discontinuance of service can occur for the following reasons:
 - i. Failure to pay when due.
 - ii. Violation of Ordinances, Resolutions or department rules and regulations.
 - iii. Unsafe conditions.
 - iv. Tampering, bypassing or unauthorized metering.
 - v. Subterfuge.
 - vi. Denying utility right of access to the premises.
 - vii. Failure to pay past due debt owed to the city (i.e. – old utility bills, additional utility service work, court fees, etc.)
- b. Once the account has been paid in full, service will be restored between the hours of 3 p.m. and 4 p.m. as time allows. If payment is received after 3:30 p.m., service will not be restored until the following business day between the hours of 8:00 a.m. and 9:00 a.m.
- c. If shut off is due to an insufficient funds check a service charge and an insufficient check charge will be applied and must be paid with the utility bill before service can be restored.
- d. If you receive Public Assistance of ANY kind, it must cover your entire bill or you must come up with the difference to avoid shut off.
- e. The Electric crew is not authorized to take payments or instructions from customers. Customers must come to City Hall with their payment plus penalty and service charge before service will be restored.

Section 4. RETURNED CHECKS:

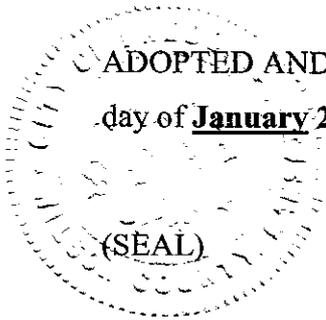
- a. When a check that has been used for payment of utilities on an account is returned to the City for non-payment due to insufficient funds or other reasons, a notice will be sent to the customer giving them seven (7) days to pay the NSF check and fees with either cash or a money order. If a second NSF check is received on the account, said utility account will be subject to immediate disconnection without notice. If a check that has been used to pay for utility deposits or a reconnection

is returned, than that account will be immediately disconnected and will require full payment in cash or a money order to be reconnected.

- b. Once the City receives two (2) NSF checks from a customer payment must be made with either a money order or cash from that point forward.

Section 5. REPEAL: Chapter XV. Utilities, Article 1. General Provisions, Section 15-103:104 of the City of Fredonia, Kansas Code Book.

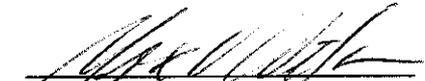
Section 6. EFFECTIVE DATE: This ordinance shall take effect and be in force from and after its publication in the official city newspaper.



ADOPTED AND APPROVED by the Governing Body of the City of Fredonia, Kansas, this 23rd day of January 2006.

(SEAL)

ATTEST:


Max V. Wilson, Mayor


Randall Partington, Interim City Clerk