

ORDINANCE 1409

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, AMENDING THE PAYETTE MUNICIPAL CODE SECTION 13.04.250 D IN CHAPTER 13.04 OF TITLE 13 BY CHANGING INACTIVE PERIOD OF TIME; SETTING AN EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM; ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF PAYETTE, IDAHO:

Section 1. Section 13.04.250 D of Title 13, Chapter 13.04 of the Payette Municipal Code is hereby amended to read as follows:

13.04.250: STATEMENT OF WATER CHARGES; TURN ON CHARGE:

- A. The city clerk shall furnish to each account holder or owner of property for which water service is provided, or to his agent, on a monthly basis, a statement of the amount due for water for the preceding month or up to the time that the meter has been read; and, if said account holder or property owner neglects to pay his water charges within ten (10) days of the date of mailing of the statement, his account shall be delinquent, and a charge as set by resolution shall be added to the account ten (10) days after the account becomes due. The delinquent account holder or property owner shall be notified by regular mail of this delinquency and, if the bill is not paid in full within five (5) days after service of this notification, the right to water shall cease and terminate. The city may require a utility fund deposit as set by resolution, as a condition of receiving water service again, if the deposit has not previously been made, or if the same has been refunded.
- B. In addition, the expense of turning the water on again, shall be set by resolution, or as may be determined by the council, must also be paid.

Until such time that the payments are made, the person who applied for the use of the water at the premises to which water service was terminated because of nonpayment will not be entitled to any water service at any other place or premises within the city.

- C. All monthly meter charges for inactive accounts must be paid by the owner of the property upon which the same is used and not by the tenants thereof.
- ~~D. The city clerk, or a designee, is hereby authorized to collect delinquent payments by any legal method as approved by the city attorney. At such time as any delinquency shall become inactive for a period of time exceeding one year, said debt may be deemed uncollectible. The city clerk or a designee may prepare a request for write off of the account for the city council's consideration. A written off account may still be collected if the clerk discovers that sufficient assets are available to make collection efforts worthwhile.~~

D. At such time as any delinquency shall become inactive for a period of time exceeding 90 days, the city clerk, or a designee, is hereby authorized to collect delinquent payments by any legal method as approved by the city attorney.

Section 2. This Ordinance may be published in summary form allowed by Idaho Code.

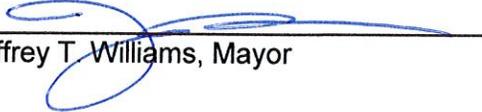
Section 3. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 4. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

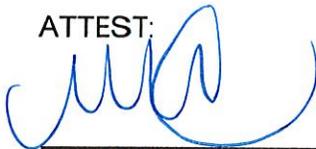
Section 5. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 6th day of July, 2016.

CITY OF PAYETTE, IDAHO

BY 
Jeffrey T. Williams, Mayor

ATTEST:



City Clerk