

ORDINANCE 2018-03
**AN ORDINANCE OF THE CITY OF MOLALLA AMENDING
CERTAIN PORTIONS OF CHAPTER 13.04 OF THE MOLALLA
MUNICIPAL CODE, CONCERNING WATER SYSTEM.**

Commented [KRC1]: So Gerald at a later date will have more updates to this but felt we should move forward with this since it is important to get completed.

WHEREAS, Section 13.04.160 of the Molalla Municipal Code establishes rate schedules for water service within the City shall be set by resolution and adjusted from time to time; and

WHEREAS, the City desires to have the Molalla Municipal Code line up with this policy; and

NOW, THEREFORE, THE CITY OF MOLALLA ORDAINS AS FOLLOWS:

Section 1: Section 13.04.240 of the Molalla Municipal Code is hereby amended to read as follows:

13.04.240 Payments for service. A. All charges for water service shall be due and payable monthly on the date of mailing, and become delinquent on the fifteenth day thereafter. A latefee ~~of \$5.00 set by resolution~~ shall be assessed on any accounts, which become delinquent. After a customer's bill is delinquent, the director shall mail to customer a notice stating:

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Commented [KRC2]: You have already set this by resolution of \$5.00 so were just removing it from the code.

1. That the water bill is delinquent;
2. The amount necessary to cure the delinquency;
3. That water service to the property will be shut off ~~twenty twenty~~ days after the date of the notice, unless the delinquency is paid in full;
4. The customer's right to a hearing as provided in this section;
5. The amount necessary for restoration of water service after shut off. If notice is mailed as provided in this section, the city may shut off water service to the property twenty days after mailing of the notice unless the total amount due is paid in full, but subject to the city's compliance with the hearing procedure specified in this section.

Commented [KRC3]: No changes here accept for spacing and formatting the date or amount of days is the same.

Section 2: Section 13.04.460 Of the Molalla Municipal Code is hereby amended to read as follows:

13.04.460 Violation-Penalty.

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A. Whenever the city determines that a violation of any of the provisions of this chapter has occurred, the ~~Public Works Director~~ City Manager shall cause a written notice to be

mailed to the customer, the owner of the property, and to such other persons as the ~~Public Works Director~~ City Manager may designate, stating the nature of the violation and a ~~reasonable time~~ 14 day limit ~~within upon~~ which the violation must be corrected. Any person who continues any violation beyond the time limit provided for in Section 13.04.460 shall be guilty of a violation and, on conviction thereof, shall be fined in the amount set by Council resolution or subject to fines established per code 1.04.010. general provisions for each violation. Each day in which any such violation continues shall be deemed a separate offense. Failure to comply with a written directive or timeline of the City Manager made under the authority of this chapter is a punishable offense and may result in a temporary loss of City water and sewer services. ~~The offender shall, within the period of time specified in such notice, permanently cease such violations or risk interruption of service, fines or both as set by resolution by the City Council.~~

Commented [KRC4]: It's easier if we have a specific amount of days here rather than say reasonable. I am used to seeing 14 days. This is for violating this chapter not for lack of payment on the utility billing.

Commented [KRC5]: This is so it lines up with other sections of the code and so there is uniformity.

SECTION 3. Effective date. This ordinance shall be in full force and effect upon the thirtieth (30th) day after its passage by the Council and approval by the Mayor.

ADOPTED by the City Council on this ____ day of _____, by the following votes:

AYES: _____
NAYES: _____
ABSENT: _____
ABSTAIN: _____

APPROVED and signed by the Mayor this ____ day of _____ 2018.

Jimmy Thompson, Mayor

ATTEST: _____
Kelly Richardson, CMC
City Recorder