

ORDINANCE NO. 432-N

AN ORDINANCE OF THE TOWN OF GARFIELD, WASHINGTON, adopting Garfield Municipal Code §20.02.065, and amending Garfield Municipal Code §20.02.070 and 20.02.040 and those portions of Ordinances Nos. 50-N, 223-N, 290-N, 345-N, and 380-N which are codified as part thereof, thereby providing that all water service charges shall be the responsibility of the owners of the property to which the service was provided, providing that water shut-off notices shall be given for delinquent accounts, and establishing a security deposit for water service based upon current utility rates.

BE IT ORDAINED by the Council of the TOWN OF GARFIELD as follows:

Section 1. There is hereby adopted as Garfield Municipal Code §20.02.065

the following:

"20.02.065 - Billing - Discontinuance of Water Service to Tenant upon Landowner Request. All charges for water service shall be the responsibility of the owner of the property to which the service is furnished, and bills for such service shall be directed to the property owner. Upon request of a property owner, a duplicate copy of the billing statements shall be directed to the property owner's tenant or property manager. If a property owner requests water service to the property owner's tenant be terminated because of the tenant's failure to pay a bill for water service furnished to a property that is rented by the tenant from the landlord, the Town shall first provide the tenant with written notice at least seventy-two hours before the water is shut off. Such notice shall either be given in person, by mail directed to the tenant at the tenant's last known address, or by posting a copy on the front door of the tenant's place of residence. If mailed, the notice shall be considered to have been provided to the tenant three days after the notice is postmarked. The notice shall specifically indicate the water service will be shut off at the landlord's request, and shall advise the tenant to seek the counsel of an attorney should the tenant have any questions regarding the shut off."

Section 2. Garfield Municipal Code §20.02.070 and those portions of Ordinance Nos. 50-N, 291-N, and 345-N which are codified as part thereof, are hereby amended to read as follows:

“20.02.070 - Delinquencies - late fee - shut off. Water fees remaining unpaid on the 20th day of the month following the month in which water was provided to a customer shall be considered delinquent and a \$10.00 late charge shall be assessed against the account. In addition, the Clerk/Treasurer shall notify the customer that, unless the delinquent sum and late fee are paid within ten days from the date of the notice, the water service to the customer shall be shut off. The Clerk/Treasurer shall present to the Town water commissioner (or public works supervisor) a list of all delinquent customers who fail to pay their delinquent accounts within the ten-day notice period; the water commissioner (public works supervisor) shall forthwith cause the water service to these customers to be shut off.”

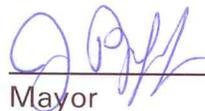
Section 3. Garfield Municipal Code §20.02.040 and those portions of Ordinance Nos. 50-N, 223-N, and 380-N which are codified as part thereof are hereby amended to read as follows:

“20.02.040 - Deposit. Except as may otherwise be provided in this chapter, a security deposit shall be collected in advance by the Clerk/Treasurer from each new water service customer to secure payment of fees for water service provided to the customer. The deposit shall be equal to twice the applicable monthly base service fee(s) then-in effect which will be chargeable to the particular customer for water and any other municipal utility service(s) to be provided to the customer (i.e., sewer and/or garbage service). The Treasurer shall keep a record of the deposits. When water service is discontinued, the deposit, less any unpaid water charges, shall be refunded; provided, the deposit shall be sooner refunded whenever the customer has not had any delinquent water charges for at least twelve consecutive months of water service.”

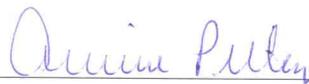
Section 4. This ordinance shall be in full force and effect five days after it is published in the official newspaper of the Town of Garfield, or September 1, 2013, whichever is later.

PASSED August 28, 2013.

APPROVED:

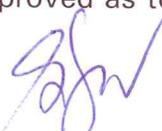


Mayor

ATTEST: 

Clerk/Treasurer

Approved as to form:



Stephen Bishop, Town Attorney

Passed: 8/28/2013

Published: 9/5/2013

Effective date: 9/10/2013