

CITY OF ANTELOPE
ORDINANCE NUMBER: 180

Setting the Billing Period to Monthly and Setting Late Charge Fees

WHEREAS, The City of Antelope finds that there is no compelling reason to continue billing its water customers on a quarterly basis, and further that when the new and forthcoming water system is completed, the billings must be made monthly; and,

WHEREAS, The City of Antelope is desirous to have as smooth a transfer as possible from the current quarterly billing method to a monthly billing method, we should begin the change in the near future, but not too abruptly.

THEREFORE, The City of Antelope, Oregon does hereby ordain:

THAT: Beginning with the billing for water for January, 2017, the billing cycle shall from that time forward, unless changed by the City Council, be made monthly; and,

THAT: The billing will be made on the 1st day of the month, unless the 1st day of the month falls on a weekend recognized holiday, in which case the bills will be sent out on the next normal day; and,

THAT: The bills will be delivered to a US Post Office, with postage affixed and will be deemed delivered when placed with the post office for delivery pursuant to the preceding paragraph, and will be due and payable by the 25th day of that month; and,

THAT: The bill will be considered late, if not paid by the 1st day of the following month and a late charge of \$10.00 will be imposed at that time; An additional \$10.00 late charge will be imposed on the 1st of every month for any prior balance due,

THAT: Nothing in the foregoing shall limit or constrain the City of Antelope from other or additional collection methods for unpaid bills or late payments including suspension or termination of service; and,

THAT: Should a water bill remain unpaid for 90 days from the first due date, suspension or termination of service, or any other lawful collection enforcement action(s), may be initiated and that all expenses incurred in such action(s) shall be charged to the customer pursuant to:

1. To institute suspension or termination of water service, or other lawful collection enforcement action(s), will be initiated only after the City has delivered a written notice of intent to collect by First Class Mail to the billing address stating as a minimum: the amount due, the date by which payment must be received or alternatively that the City would consider a bill paying agreement,

and a SUSPENSE DATE when the City must receive the customer's response. This notice shall contain a statement of the amount owed and a warning that should termination of service (or other lawful collection activity such as filing a Small Claims Suit) the costs of same will be added to the bill and that there would be a re-connect fee imposed to reestablish service, along with where to pay, and whom to contact.

2. Should the first letter fail to result in payment or paying agreement, a Certified Letter, Return Receipt Requested mailing will be sent not sooner than 5 days and not more than 15 days following the SUSPENSE DATE which re-states the foregoing, and additionally a NEW SUSPENSE DATE of not less than 15 days and not more than 30 days from the date of mailing, shall be included.
3. Should no proper response be received from the 2nd letter, a notice containing the words FINAL NOTICE in bold face type not less than a 20 point font, shall be sent by First Class Mail not less than 5 days nor more than 10 days following the NEW SUSPENSE DATE. This **Final Notice** shall contain at least the information as stated in the 2nd letter, along with a complete bill including late charges, any other lawful collection charges, and the exact date when termination of service will be effected or in the case of a law suit, when it will be filed.
4. If termination of service is to be made, a notice on at least 8 ½ by 11 inch RED OR YELLOW paper, notifying the occupant shall be taped to all entrance doors or handed directly to the occupant notifying them that service will be terminated on a particular date, and this notice shall be served (by physically attaching it to the premises or by hand delivery) not less than 48 hours before the water is to be shut-off. If the party responsible for the bill is not the occupant, this notice shall be sent by First Class Mail to the billing address, adding 3 days for delivery to the dates or times stated therein. The notice shall simply state that due to a failure to pay or respond properly to previous communications, the water will be shut off at or shortly after a time and date specified in the notice unless payment in full is received by the city by a time and date also specified in the notice.

THAT: This Ordinance supercedes and replaces Antelope Ordinance number 141, Section III d. and Section V a; and,

THAT: The amount for late charge(s) and billing dates, along with the dates when notices can be sent are hereby set by the Council and can be altered via resolution.


This Ordinance will become Antelope law 30 days after passage by the City Council and signing by the Mayor or Acting Mayor and certification by the City Recorder, but in no event shall the effective date be prior to Dec 1, 2016 and not later than Dec 15, 2016.

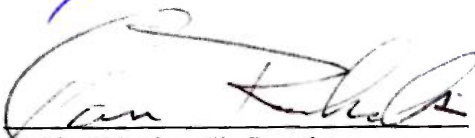
Adopted by the City of Antelope this 10 of AUGUST, 2016.

Ayes: 3

Nays: 0

Abstentions: 0

Approved: 
Larry Smith, Acting Mayor

Attested to by: 
Tim Richardson, City Recorder