

ORDINANCE 1126

AN ORDINANCE TO AMEND SECTION 50.08 OF THE CITY OF SUPERIOR, NEBRASKA CODE OF ORDINANCES; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; AND TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SUPERIOR, NEBRASKA, AS FOLLOWS:

Section 1. That Section 50.08 of the Municipal Code of the City of Superior be amended to read as follows:

§50.08 UTILITY DEPOSITS; BILLING.

(A) *Meter deposits.* All utility deposits will be in the name of the occupant (residential, commercial, or industrial) except in the case of rental properties where there is only 1 meter, or a letter is on file from the landlord allowing the utilities to be in the landlord's name, and that the landlord assumes complete financial responsibility.

- (1) Residential meter deposits shall be retained for 1 year. If in the period of that 1 year the customer has not been delinquent in payments, the deposit will be returned. If the deposit is not returned because of delinquency, the account can be re-evaluated in 12 months at the customer's request. If a meter deposit has been returned and a customer becomes delinquent more than once in a 12-month period, the customer will be required to make a deposit at the current rate and the account can be re-evaluated in 12 months at the customer's request.

- (2) Commercial and industrial meter deposits shall be retained for 2 years. If in the period of those 2 years the customer has not been delinquent in payments, the deposit will be returned. If a meter deposit has been returned and a customer becomes delinquent in payment more than once in a 12-month period, the customer will be required to make a deposit at the current rate and the account can be re-evaluated in 24 months at the customer's request.

- (B) *Late Payments.* Payments are due on the fifteenth day of the month (or the first working day after the fifteenth if the fifteenth is on a holiday or weekend). Any account not paid by this date will be charged a 10% LATE FEE AND THE STANDARD DISCONNECT NOTICE WILL BE MAILED. Service will be disconnected 7 working days after the disconnect notice is mailed.

(1) If payment is received when an attempt is made to disconnect the service for nonpayment, there will be a \$40 attempted disconnect fee charged.

(2) If disconnected, reconnection will require a full up-to-date deposit and full payment of the outstanding bill plus a \$75 disconnect/reconnection fee, if reconnection is done during normal working hours. If reconnection is done after normal working hours, on a weekend or holiday, the fee will be \$125. Only money orders will be accepted for payment during non-office hours.

(C) *Returned checks.* Once a customer's check has been returned from the bank and the customer cannot prove that it was because of a bank error, the customer will be required to make his or her payments by money order or cash. There will be a \$35 charge for returned checks. Twelve months later, at he customer's request, the account will be reviewed and if all payments have been made promptly during that time (do delinquencies), the customer will be allowed to make payments by check.

(D) *Uncollectible accounts.* An account will be determined to be uncollectible when the utilities have been terminated for 3 months, or longer, and final payment has not been received, and no payment arrangement has been made by the customer. This account will be turned over to a collection agency.

Section 2. All prior ordinances or parts thereof in conflict herewith are hereby repealed.

Section 3. This Ordinance shall take effect upon its passage, approval and publication according to law.

PASSED AND APPROVED THIS 12 DAY OF October 2010.


Ron Springer, Mayor

ATTEST:


Jan Diehl, City Clerk

