



Ordinance

NO. 314

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

**AN ORDINANCE OF THE CITY OF SAN LUIS, ARIZONA AMENDING
UTILITY PROCEDURES AND PRACTICES FOR WATER,
WASTEWATER AND SOLID WASTE SERVICES; REPEALING ANY
CONFLICTING PROVISIONS, AND PROVIDING FOR SEVERABILITY**

WHEREAS, the City of San Luis, Arizona operates the water and wastewater systems of the City and provides sanitation services as enterprise funds;

WHEREAS policies, practices, and charges with respect to establishment of utility accounts, meters, connections, billings, and collections were last reviewed in 1996 and were amended in 2011;

WHEREAS, Council has determined to establish policies to improve collection;

BE IT ORDAINED by the Council of the City of San Luis, Arizona, as follows:

SECTION 1: Section 11-2-2(B) Payment of Bills shall be amended to read as follows:

B. All or any portion of the bill provided for in Subsection A of this Section not paid on due date of the month the bill is mailed or presented shall be subject to a late charge of ten percent. Should all or any portion of a bill which is outstanding remain unpaid on the 15th day of the following month, a courtesy disconnect notice will be delivered to the property stating that the bill is outstanding and payment must be made within five calendar days from date of the notice. Should all or any portion of a bill which is outstanding remain unpaid five days after the aforesaid courtesy notice, a disconnect notice will be delivered to the property and that service will be discontinued pursuant to procedures set forth in subsection D below unless the City Manager, for good cause, grants an extension of time. Failure to receive a utility bill or any notice provided hereinabove will not excuse the account holder or any person otherwise responsible for payment from full and timely payment for services rendered.

SECTION 2: Section 11-2-4 Application For Service And Payment Responsibility, subparts C and D, shall be amended to read as follows:

(C) In all cases where water service or wastewater service is used on any premises, and the payment thereof is guaranteed by the property owner or his or her agent, such must pay the full amount due for service to the property. If a previous occupant or customer failed to pay the charges incurred in full, and said payment was not guaranteed by the property owner, a deposit will be required for the re-establishment of service to the property, unless the property owner has guaranteed payment.

(D) The City may elect to assign any and all utility accounts considered delinquent with unpaid charges, fees, or assessments to a collection agency or attorney to collect, in addition to the disconnection of any and all services.

SECTION 3: Section 11-3-1 Deposit Required shall be amended to read as follows:

(A) There shall be a minimum deposit on all new accounts for water service and all accounts that are being re-established after discontinuance for non-payment, said amount as may be set by resolution of City Council for each unit of service. The bill may be guaranteed in writing by the property owner on behalf of their account or another consumer for rental properties as a onetime waiver for required deposit. On all rental properties with deposits, it shall be maintained by the City until the account is closed or terminated.

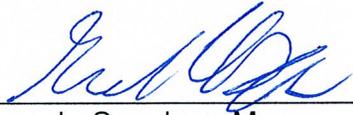
(B) If a bill is guaranteed in writing by the property owner, or an account is established, where the customer is the actual owner of the property, and service has been disconnected due to non-payment, a security deposit shall be collected upon establishment or re-establishment of service. Deposits shall be non-interest bearing. On such accounts, the customer may request that said deposit(s) be refunded when the subject utility account has been paid in full by the due date for twelve consecutive billing periods. Refunds of deposits will be applied to said account on the next billing cycle.

SECTION 4: In the event of a conflict between the provisions of this ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

SECTION 5: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the final decision of

any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona, this 11th day of July, 2012.



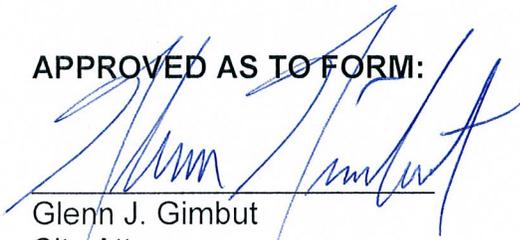
Gerardo Sanchez, Mayor

ATTEST:



Sonia Cuello

APPROVED AS TO FORM:



Glenn J. Gimbut
City Attorney