

First Reading: June 18, 2007
Second Reading: July 16, 2007

AN ORDINANCE TO AMEND ARTICLE III, TITLE 11 OF THE FELTON TOWN CODE ("PROVIDING FOR THE TOWN'S RIGHT TO DISCONTINUE WATER AND TRASH SERVICE DUE TO THE CUSTOMER'S NON-PAYMENT OF THE WATER AND TRASH SERVICE BILL") TO IMPOSE: (1) A "DIS-CONNECT FEE OF \$25 WHERE WATER SERVICE IS DISCONNECTED DUE TO NON-PAYMENT AND (2) A "RE-CONNECT" FEE OF \$25 WHERE WATER SERVICE, PREVIOUSLY DISCONNECTED FOR NON-PAYMENT, IS RE-CONNECTED

BE IT HEREBY ENACTED by the Town Council of the Town of Felton, a majority thereof concurring in Council duly met, that Article III, Title 11 Of The Felton Town Code ("Providing For The Town's Right To Discontinue Water And Trash Service Due To The Customer's Non-Payment Of The Water And Trash Service Bill") be amended as follows:

Section 1. Delete of Section 4 in its entirety and insert in place thereof a new Section 4 as follows:

Section 4 – Disconnection and Re-connection Fees; Provisions for Payment Prior to Re-connection.

(a) Disconnection Charge.

Whenever water service to any property served by the Town is disconnected from service pursuant to this ordinance, a disconnection charge of \$25.00 shall be assessed against the owner of the property.

(b) Re-connection Charge.

Whenever a property owner requests that water service be re-connected to a property which was previously disconnected from service pursuant to this ordinance, a re-connection charge of \$25.00 shall be assessed against the owner of the property.

(c) Provision for Payment Prior to Re-connection.

Where water service to any property has been disconnected pursuant to this ordinance, service shall not be re-connected until the Town has received: (a) payment in full of the outstanding disconnection and re-connection charges; (b) payment in full of all outstanding water and trash charges owed to the Town (including all outstanding late payment penalties and administrative charges); provided however, that where the total amount of all outstanding water charges, trash collection charges, late payment penalties, and administrative charges exceeds \$400.00, payment of 50% of the outstanding water and trash charges (including late payment penalties and administrative charges), accompanied by a written and signed payment agreement (in form acceptable to the Town Manager) providing for payment of the remaining arrearages, with continuing late payment penalties, within 3 months of the date of such agreement, shall be sufficient for re-connection of service.

Synopsis

This ordinance amends the Town's ordinance authorizing disconnection of water service for non-payment to provide for a disconnection charge of \$25, a re-connection charge of \$25, and to provide that prior to re-connection, not only the disconnection and re-connection charges must be paid in full, but also all outstanding water and trash charges, including outstanding late payment penalties and administrative charges. However, where the amount of the water and trash charges, including outstanding late payment penalties and administrative charges, exceeds \$400, the Town Manager may re-connect water service upon payment of 50% of that amount due and receipt of a payment agreement from the property owner providing for payment of the balance (plus continuing late payment penalties) within 3 months.

This shall certify that this is a true and correct copy of the ordinance duly adopted by the Town Council of the Town of Felton at a duly-noticed and convened meeting at which a quorum was present on July 16th, 2007.

Attest: _____
Town Clerk

So Certifies: David L. Kelley
Mayor

This shall certify that the title and synopsis of the foregoing ordinance was posted in three public places in the Town (including the Town Hall) on _____, 2007.

Date

Sarah Ferguson
Town Clerk

This shall certify that the complete text of this ordinance, and the effective date thereof was posted at the Town Hall and three other public places in the Town on July, 2007, and that this ordinance shall become effective 7 days from the date of such posting.

So Certifies:

Date

David L. Bulley
Mayor