

BEFORE THE COMMON COUNCIL OF THE CITY OF CANNON BEACH

FOR THE PURPOSE OF AMENDING THE MUNICIPAL) ORDINANCE 23-03
CODE CHAPTER 13.18.050 DELINQUENT)
COLLECTION PROCEDURES.)

WHEREAS, the City of Cannon Beach Municipal Code Chapter 13.18.050 did not conform to current utility collection practices and has been revised to reflect current procedures; and

WHEREAS, the amendments also change the procedure for notifying customers of a potential water shut off for non-payment; and

WHEREAS, under the amendments, utility customers will be notified via email of a pending shut off for non-payment; and


WHEREAS, City staff presented the revisions at the April 11, 2023 council meeting; and

NOW THEREFORE, THE CITY OF CANNON BEACH COUNCIL ORDAINS AS FOLLOWS:

1. The Cannon Beach City Council amends Chapter 13.18.050 of the Cannon Beach Municipal Code as described in Exhibit A to this ordinance, which is attached and incorporated by reference.
2. This Ordinance shall take effect thirty days from the date of adoption.

ADOPTED by the Common Council of the City of Cannon Beach this 2nd day of May 2023, by the following roll call vote:


YEAS: Councilors McCarthy, Ogilvie, Kerr, Hayes and Mayor Knop
NAYS: None
EXCUSED: None


Barb Knop, Mayor

Attest:

Approved as to form:


Bruce St. Denis, City Manager


Ashley Driscoll, City Attorney

13.18.050 Delinquent Collection Procedures.

A. **Billing Cycle.** Utility charges will be billed to users every month or as water meters are read. Utility bills will be delivered on or after the first of each month. Such utility bills shall state the amounts and types of charges included in the bill and shall state the due date for the utility charges.

B. **Reminder Notice.** For those utility charges not paid by the due date, a reminder notice will be sent to the customer. The notice shall state the amount past due and the date by which such charges must be paid to avoid shut off procedures. The reminder notice shall be placed in the United States mail during the next billing cycle.

C. **Shut-off Notice.** For those utility charges not paid by the due date stated on the reminder notice, a shut-off notice shall be emailed to the owner of the dwelling or place of business at least forty-eight hours prior to the scheduled actual shut-off. The city shall maintain a record of all shut-off notices indicating the time, and email address the notice was sent to and by whom. The shut-off notice shall state the amounts past due and the date and time such charges must be paid to avoid actual shut-off of services.

D. **Shut-off Procedure.** All accounts determined to be unpaid at least forty-eight hours after a shut-off notice has been emailed shall be listed. The forty-eight hours shall be counted on business days only and shall not include holidays or weekends. On the day scheduled for shut-off, daily payments will be reviewed to determine if any applicable payments have been received. Service orders shall be prepared for accounts on the list and will then be delivered to the appropriate crew members that will then shut off and lock those meters on the service order.

E. **Water Shutoff Notice Charge for Nonpayment.** A charge of fifty dollars will be added to each account that is emailed a shut-off notice. The charge covers all costs associated with the delinquent collection process.

F. **Meter Disconnection Charge.** A charge of one hundred fifty dollars shall be added to each account in which a meter is turned off and locked for nonpayment. The charge shall apply even if actual shut-off is not performed due to the payment of the past due balance made in the office just prior to shut-off. Water service will be reconnected the same day as disconnection if the outstanding bill, shutoff notice charge, and meter disconnection charge are paid in full by five p.m. If payment is not made prior to five p.m. the customer's water will not be reconnected until 8 a.m. the next regular business day. No water will be reconnected after normal operating hours or on weekends/holidays.

Exhibit A

If the customer or other party cuts the lock and turns the meter back on without prior approval of the city the meter will be removed from the ground and the water service capped off. Water service shall not be reconnected until the customer has paid the past due utility charges, water shutoff notice charge, and the meter disconnection charge.

G. In the event that a utility customer fails to pay the utility charge in full, credit shall be given on a prorated basis among water, wastewater, and storm drain utilities.