

Minutes of the Ordinance Committee meeting of the Buffalo held on May 29, 2007.

Meeting called to order by Chairman Mitch Greer. Present were Councilmember Dana Jo Smith and City Clerk Bill Bowers.

Utility Penalties

Bowers explained that implementing the new computer software has brought some problems to light. Currently, delinquent utility charges are not uniformly charged penalties when the payments are late. The current charges are as follows:

Sewer	10%
Recycling	0%
Water	1 time 5%
Electric	1 time 5%
Stormwater	0%

He suggested that Buffalo charge a flat percentage on the unpaid balance for uniformity. Ordinance 417 would amend the code to a 3% penalty on all unpaid balances.

Motion by Greer to recommend to Council adoption of Ordinance 417 “An Ordinance amending various sections of the Municipal Code of the City of Buffalo relating to Delinquent Utility Payments”. Seconded by Smith and carried unanimously.

Security Lights

Bowers explained that Ordinance 291 adopted a security light cost of \$10.79 per month for each private security light. This ordinance was never incorporated in the Municipal Code, and no charges are being made to any customer who may have a private security light. Dwain needs to inventory his lights and will create a list of private lights.

Greer suggested this be discussed when the number of lights are known.

Motion to adjourn by Greer at 6:30 pm. Seconded by Smith and carried unanimously.

**CITY OF BUFFALO
ORDINANCE NO. 417**

An Ordinance amending various sections of the Municipal Code of the City of Buffalo
relating to Delinquent Utility Payments

WHEREAS, from time to time it is necessary to amend the Buffalo Municipal Code to reflect changes in penalties for delinquent utility payments

THEREFORE, be it resolved that the following amendments are to be made to the Buffalo Municipal Code:

1. Section 3-3.0902 titled Billing Schedule is hereby amended to read as follows:

Bills for the rates and charges as herein established shall be sent monthly. All bills shall be payable on the first day of the month following the period of service and shall be paid at the office of the utility. If any charge for the services of the system shall not be paid by the day of the month in which it shall become due and payable, a charge of three percent (3%) of the amount of the bill shall be added thereto and collected therewith. If any bills remain unpaid thirty (30) days following the due date, the water supply for the lot, parcel of land or premises affected may, after a notice and hearing, be cut off and may not be restored except upon satisfactory payment of the delinquent charges

2. Section 3-4.0505 titled Fee is hereby amended to read as follows:

Beginning on January 1, 1992, each residence within the city limits will be charged one dollar (\$1.00) per month for recycling-related expenses incurred by the city. If the residence receives a monthly utility billing from the city, such one dollar (\$1.00) per month charge shall be added to the regular utility billing. The price of the recycling container may likewise be added to the utility bill of the residence. Each residence which does not have a utility billing from the city will be charged a once-per-year fee of twelve dollars (\$12.00), beginning in January 1992. If any charge for this service shall not be paid by the day of the month in which it shall be come due and payable, a charge of three percent (3%) of the amount of the bill shall be added thereto and collected therewith.

3. Section 6-1.0304(3) titled Late Payment Penalty is hereby amended to read as follows:

Bills not paid when due shall be considered delinquent. If any charge for this service shall not be paid by the day of the month in which it shall be come due and payable, a charge of three percent (3%) of the amount of the bill shall be added thereto and collected therewith.

4. Section 6-9.0303(3) titled Late Payment Penalty is hereby amended to read as

follows:

Bills not paid when due shall be considered delinquent. If any charge for this service shall not be paid by the day of the month in which it shall be come due and payable, a charge of three percent (3%) of the amount of the bill shall be added thereto and collected therewith.

5. Section 6-13.0108(4) titled Late Payment Penalty is hereby created to read as follows:

Bills not paid when due shall be considered delinquent. If any charge for this service shall not be paid by the day of the month in which it shall be come due and payable, a charge of three percent (3%) of the amount of the bill shall be added thereto and collected therewith.

Full force and effect. This ordinance shall be in full force and effect from the date of passage and publication as required by law.

Repealer. This ordinance shall be construed to repeal any prior ordinance inconsistent herewith.

Severability of provisions. If any section, subsection, sentence, clause, phrase, or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as separate, distinct, and independent provision as such holdings shall not be affected the validity of the remaining portion hereof.

Adopted by the City Council of the City of Buffalo, Iowa, the ___ day of ___ 2007.

Approved and signed by the Mayor of Buffalo, Iowa, the ___ day of ___ 2007.

John Carson, Mayor

Attest: _____

William Bowers, City Clerk

Date of First Reading

Date of Second Reading

Date of Third Reading

Date of Publication