

ORDINANCE 290

AN ORDINANCE AMENDING TITLE VI, CHAPTER 9,
ARTICLE 3 OF THE CITY CODE OF BUFFALO, IOWA
BY CREATING A NEW SUBSECTION TO ARTICLE 3 IN REGARD TO
LIENS ON REAL PROPERTY FOR UNPAID MUNICIPAL
ELECTRIC UTILITY SERVICES

BE IT ENACTED by the City Council of the City of
Buffalo, Iowa:

6-9.0305

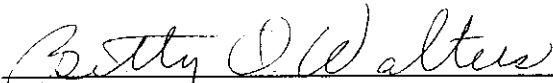
1. All electric utility rates or charges established in this article, if not paid within 35 days after billing, are a lien upon the premises served by the municipal electric utility.
2. The lien specified in Section 1 shall be imposed upon a certification by the City to the Scott County Treasurer that such rates or charges are due and unpaid. A lien imposed pursuant to this article shall not be less than \$5.
3. A residential rental property shall be exempt from the imposition of a lien for electric utility rates or charges incurred by a bona fide tenant of the premises, if the landlord gives written notice to the City Clerk that the tenant is liable for the charges. Such written notice shall contain the name of the tenant responsible for the charges, the address that the tenant is to occupy, and the date that the occupancy begins. A change in tenant shall require a new written notice. The landlord shall also give another written notice to the City Clerk within 10 days after the date that the premises is no longer occupied as a residential rental property, which shall specify the date on which the tenancy ended.
4. The lien exemption for residential rental property does not apply to charges for repairs of any municipal electric utility equipment or materials on the premises used to deliver electric services if the repair charges become delinquent.
5. Any person who fails (a) to provide a written notice of a change in tenancy, (b) to provide written notice that the premises is no longer occupied as a residential rental property, or (c) wrongfully gives written notice of a bona fide tenancy when no such tenancy actually exists, shall be guilty of a simple misdemeanor for each separate incident involving a wrongful notice or a failure to give notice.
6. If any section, subsection, sentence, clause or

clause or phrase hereof, not adjudged invalid or unconstitutional.

7. This ordinance shall become effective on February 01, 1992.

APPROVED by the City Council of the City of Buffalo, Iowa, this 06 day of January, 1992.

APPROVED and signed by the Mayor of the City of Buffalo, Iowa, this 06 day of January, 1992.



Betty O. Walters, Mayor,
City of Buffalo, Iowa

ATTEST:



Carol A. Bernauer, City Clerk