

CITY OF BUFFALO, IOWA
AMENDMENT # 375

WHEREAS, from time to time it is necessary to amend the Buffalo Municipal Code to reflect changes in rules concerning utility services,

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

1. Section 6-9.0304 titled **Service Discontinued**, paragraphs 4 and 5 should be amended to read as follows:

Section 6-9.0304

4. Service shut-off fee and reconnection fee. The fee to have electric and water services disconnected shall be \$35.00. The disconnection fee may not be waived once the city employees have arrived at the consumer's service location to disconnect the utility service. The fee to reconnect electric and water services shall be \$35.00 if the reconnection is during regular business hours. If the reconnection is after regular business hours, then the reconnection fee shall be \$65.00. If the reconnection occurs on a holiday the reconnection fee shall be \$85.00. The service shall not be reconnected until all fees and delinquent bills are paid in full. These payments are to be made to city hall and paid with either cash or money order.

5. Utility deposits. All persons requiring electric, water or sewer utilities must make a deposit to the clerk's office before connection or switching it from one name to another. The amount of the deposit for electrical utilities will be equal to the highest monthly bill for that address in the previous year that the building was occupied. The deposit for the water utility and sewer utility shall equal the usual cost of 90 days of water service and sewer service to be paid to the city utility. The deposit may be returned upon the written request of the depositor if the depositor has timely paid his or her utility bill for the previous twelve consecutive full months. If the customer who has received a refund of his or her utility deposit is subsequently delinquent more than once in a subsequent period, another deposit will be required. If the required deposit is not provided to the city, the city may discontinue utility service.

2. Section 6-9.0305 titled **Liens for Unpaid Electrical Services**, paragraph 3 is amended to read as follows:

Section 6-9.0305

3. A residential rental property shall be exempt from the imposition of a lien for electrical, water or sewer rates or charges incurred by a bona-fide tenant of the premises if the landlord gives written notice to the city that the property is residential property and that the tenant is liable for the rates or charges. The written notice shall contain the name of the tenant responsible for the charges, address of the residential property that the tenant is to occupy, and the date that the occupancy begins and shall also be signed by the landlord and the tenant. A change in tenant shall require a new written advance notice to be given to the city within 10 business days of the change in tenant. The notice shall be signed by both the landlord and the

tenant and shall state the date the tenancy is to begin or end, whichever is applicable. When the tenant moves from the rental property the city shall return the deposit if the electrical, water, or sewer charges are paid in full. A change in ownership of the residential property shall require written notice of such change to be given within 10 business days of completion of the change of ownership.

3. Section 6-9.0304 titled **Service Discontinued**, paragraph 1 is amended to read as follows:

Section 6-9.0304

1. Notice. The clerk shall notify each delinquent consumer that electrical service, water service, or sewer service will be discontinued if payment including late charges is not received before the end of the month when due. The clerk shall provide written notice to the account holder by ordinary mail informing the account holder of the nature of the delinquency, and affording the account holder the opportunity for a hearing prior to discontinuance of service. If the account holder is a tenant, and if the owner of the property has made a written request for notice, the notice shall also be given to the owner or landlord. Such notice shall be sent by first class mail by the 24th day of the month.

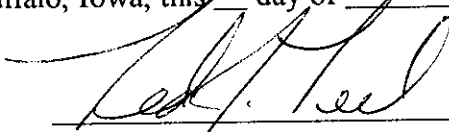
Full force and effect. This ordinance shall be in full force and effect from the date of passage and publication as required by law.

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.

Passed by the City Council of the City of Buffalo, Iowa, this 12 day of Feb., 2002.

Approved and signed by the Mayor of Buffalo, Iowa, this 12 day of Feb., 2002.



Mayor TED J. TEEL

Attest: Carol A. Bernauer
City Clerk CAROL A. BERNAUER

Date of 1st reading: 02-04-02

Date of 2nd reading: 02-11-02

Date of 3rd reading: 02-12-02

Date of publication: 02-21-02