

**AN AMENDMENT TO ORDINANCE 5.25.120**

**#22-02**

**An ordinance of the City of Aniak, Alaska Changing Chapter 5.25.120 (B)**

**Operation of Sewer Utility**

Whereas the City of Aniak Municipal Code is the law governing the City of Aniak; and

Whereas Chapter 5.25.120 (B) provides for the collection of delinquent sewer accounts, allowing the City to file a court claim to collect; and

Whereas changing the wording of Chapter 5.25.120 (B) to include the right “to file a lien or a court claim” increases the collections options for the City while giving existing sewer account holders accurate notice of the collection measures the City may take.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ANIAK, ALASKA

Section 5.25.120 (B) shall be amended to read “ If the delinquent bill is not paid within 60 days of service from the date of the notice, the City has the right to file a lien or a court claim.”

Date Introduced: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_

Date of Approval: \_\_\_\_\_

AMENDMANT PASSED AND APPROVED BY A DULY CONSTITUED QUORUM OF  
THE CITY COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Manager Diana Lehman

Dave Bonanno\_\_\_\_Clara Morgan\_\_\_\_Annie Morgan\_\_\_\_Charlene Eric\_\_\_\_Nick Kameroff\_\_\_\_

- B. Delinquent Bills: All bills not paid prior to the mailing of a subsequent bill will be considered delinquent. The City reserves the right to add an interest penalty to delinquent bills, not to exceed 1.5% per month on the unpaid balance.
- C. Delinquent Notice: At the discretion of the City Clerk, a notice of delinquency shall be mailed to each delinquent account on or after ten (10) days from the date the account becomes delinquent.
- D. Responsibility for Payment of Monthly Bills and/or Repair or Service Charges: In all cases the lesser/owner is responsible for the utility bills of tenants. All persons who own, operate, or maintain a structure or any part of a structure for the purpose of providing space on a lease or rental basis whether for consideration or not shall be responsible for sewer services provided to the rented or leased structure. [Ord. #06-1]

### **5.25.120. Pre-Existing Accounts**

- A. For those residential customers presently having service with the City without a signed agreement or service application on file with the City, their service will continue as it exists without a signed agreement, unless their account becomes delinquent. However, all existing accounts, delinquent or not, are subject to the remaining provisions of this ordinance.
- B. All existing residential accounts that are delinquent by three months or \$100, whichever comes first, will be allowed 60 days to bring their accounts current. If the delinquent bill is not paid within 60 days from the date of the notice, the City has the right to file a court claim. The service owner agrees to pay court costs associated with any delinquent bills. [Ord. #06-1]

### **5.25.130. Administration and Enforcement**

- A. This ordinance shall be administered and enforced by the City Council. The City Council shall have the authority to establish and regulate rates for the sewer system and collection services for all customers, but no person shall be bound by any such rate unless it shall have been posted for the public inspection for the five consecutive days after its adoption at the City Office, the Post Office, and two other public locations, all within Aniak, Alaska.
- B. A current file of all rates adopted by the City Council under this ordinance shall be available for public inspection during regular business hours at the City Office. [Ord. #06-1]

### **5.25.140. Discontinuance**

- A. Discontinuance by Customer Order: Each customer about to vacate any premises supplied with sewer services by the City shall give at least 5 days written notice of his intentions specifying the date the service is to be discontinued. Otherwise, a customer will be responsible for service supplied to such premises until a written notice is received. Within one week of the time specified in the notice to discontinue service, a total bill minus any deposits due to the customer will be rendered which is due and payable immediately. The amount of the bill for the current billing period will be determined by prorating the number of days of service received in the given month divided by the total number of days in the month, times the usual monthly charge for the customer.
- B. Discontinuance for Improper Customer Facilities/Unsafe facilities or Unsanitary Facilities: The City may discontinue services to any premises without prior notice where plumbing facilities, appliances, or equipment discharging wastewater are dangerous, unsafe, or not in conformity with the plumbing code of the City.
- C. Discontinuance for Service Detrimental to Others: The City may refuse to furnish sewer service, or immediately terminate service to any premises where contaminants other than sewage, wastewater, gray water or other usual sewage is introduced into the system. Contaminants include, but are not limited to, waste oil, battery acid, insecticides or other poisons, anti-freeze, paint thinners solvents and any other pollutant or toxic substance as listed by EPA or the State of Alaska DEC. The person causing the contamination shall be