

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCCLEARY AMENDING MCCLEARY MUNICIPAL CODE CHAPTER 13 BY ADDING NEW MCCLEARY MUNICIPAL CODE SECTIONS TO MCC CHAPTERS 13.16 ENTITLED “UTILITY DISCOUNT RATES FOR NONPROFITS SERVING LOW-INCOME CITIZENS OF THE CITY OF MCCLEARY”.

R E C I T A L S:

WHEREAS, the City Council for the City of McCleary believes it advantages to the citizens of the city to encourage non-profit organizations to establish a footprint and provide services to the most vulnerable citizens of the city, the low-income and disabled;

WHEREAS, the City Council of the City of McCleary has met and concluded the following amendment to MCC 13.16 is in the best interests of the citizens of the City of McCleary;

WHEREAS, the City Council believes offering reduced electrical utility rates to non-profits operating within the City of McCleary and providing services to the low-income and elderly, will enhance the scope of services to the City.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF MCCLEARY:

SECTION I: For the purposes of this section a “Nonprofit serving low income citizens” eligible for reduced electrical utility rates shall be defined as a duly registered 503C

organization, doing business and offering services from a physical commercial location, leased or owned in the name of said nonprofit, located in the city of McCleary. In addition, said nonprofit must serve the needs of the poor and infirm citizens of the City and have such service clearly established by its purpose and actions.

SECTION II: A new rate section is added to MCC Section 13.16 for nonprofit agencies meeting the requirements for a reduced utility rate for water. Nonprofit agencies providing services to low income households and/or the elderly, may obtain a rate reduction of 20 percent to its electricity usage utility fee.

All entities claiming the discount provided for in this section shall first be required to file an application with the city requesting the reduction. The application shall provide information sufficient for the city to verify the applicant's eligibility to participate in this reduced rate program. Customers receiving the rate reduction must renew their application annually in accordance with administrative procedures promulgated by the city clerk.

SECTION III: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this Ordinance should be

declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION IV: This Ordinance shall take effect upon the fifth day following date of publication.

SECTION V: Corrections by the Clerk-treasurer or Code Reviser. Upon approval of the Mayor and City Attorney, the Clerk-treasurer and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of scriveners or clerical errors, references to other local, state, or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS _____ DAY OF _____, 2023, by the City Council of the City of McCleary, and signed in approval therewith this _____ day of _____, 2023.

CITY OF McCLEARY:

CHRIS MILLER, Mayor

ATTEST:

ANN-MARIE ZUNIGA, Clerk-Treasurer

APPROVED AS TO FORM:

CHRISTOPHER JOHN COKER, City Attorney

