

ORDINANCE NO. 834
ORDINANCE PROVIDING FOR ASSERTING LIENS ON CERTAIN
PROPERTIES WHICH HAVE DELINQUENT WATER AND SEWER
BILLS

WHEREAS, The City of Mills, Wyoming has a public duty to make wise and efficient use of its resources and seek to accordingly collect on the goods, materials and services that it provides to residents, property owners and businesses of the municipality; and

WHEREAS, Water and Sewer services are goods, materials and services as contemplated by Wyoming's law, which are provided to property owners and occupiers under arrangement to the city; and

WHEREAS, There exists certain situations in which those provided such services fail to properly pay for the same, leaving the city to adjust for the costs and which accordingly unfairly fall on the residents and property owners of the city; and

WHEREAS, The City of Mills needs a means by which it can recoup the financial losses associated with providing water and sewer services that are not paid for; and

WHEREAS, The Governing Body of the City of Mills has reviewed the attached proposed amendments to the Municipal Code, Section 13.03.110, with the changes reflected in red, and finds that it addresses this topic and should be enacted.

NOW THEREFORE, The City Council of the City of Mills, Wyoming adds Section 13.03.110 to the Town Code, effective immediately upon its third reading.

PASSED on 1st reading the ____ day of _____ 2026.

PASSED on 2nd reading the ____ day of _____, 2026.

PASSED, APPROVED AND ADOPTED on 3rd and final reading this ____ day of _____, 2026.

CITY OF MILLS, WYOMING

Leah Juarez, Mayor

Sara McCarthy, Council

Brad Neumiller, Council

Cherie Butcher, Council

Tim Sutherland, Council

ATTESTED:

Sarah Osborn, City Clerk

Sec. 13.03.110. - Credit, payment terms and collection efforts.

(a) The municipality regards the provision of utilities (sewer and water) as provisions of goods and services which attach to the real property for which they are provided

(b) Bills will be considered delinquent if not paid 30 days after the bill date. Authorized interest and penalty charges will start accruing on this date. A delinquent notice will be mailed to the customer on or shortly after the 31st day after the bill date. If the bill remains unpaid 45 days after the bill date, all utility services will be discontinued.

(b) If the customer's service is disconnected due to lack of payment and remains unpaid for 60 days, the account ~~shall~~ maybe closed and turned over for collection.

(c) Any utility monthly bill, penalty, turn on fee, or connection charge remaining unpaid on or after the ninth (90) day of the initial billing shall become a lien upon the property benefited by the water and sewer services furnished pursuant to said bill after the following steps have been taken.

(1) The town shall first give ten days' notice, in writing, to the current occupant (billing party) at their address for utility billing purposes and to the current owner's address of record for county real property tax purposes in the County Treasurer's office for the property in question, of its intent to file a lien against the property, such notice to reasonably describe the property and set forth the amount claimed by the town. The street address shall be sufficient to describe the property in the notice and shall be sufficient address for mailing the notice if the property owner has no utility billing or other address on file with the town. For purposes of this chapter, notice shall be sufficient if deposited in the United States mail, postage prepaid, addressed as hereinabove indicated and shall be complete upon mailing.

(2) No sooner than ten days after the mailing of the notice(s) as provided hereinabove, the city shall file a lien statement properly acknowledged and containing a true legal description of the property and the amount then due to the town in the office of the County Clerk and ex officio register of deeds of the county.

(3) Upon the proper filing of said lien statement, the lien shall be considered a lien on the property for all purposes.

(B) *Foreclosure.* Any such lien may thereafter be foreclosed by appropriate action in court or in the manner provided by law for the foreclosure of a mortgage by advertisement and sale as set forth in Wyo. Stat. §§ 34-4-102 et seq., as amended from time to time.