

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO BY AMENDING THE EXISTING SECTION 935.08 BY ADDING NEW SUBSECTIONS (a) and (b), RELATIVE TO CHARGES TO BE A LIEN.

WHEREAS, The City of Hamilton has experienced issues with the collection of delinquent utility bills; and

WHEREAS the City Administration has reviewed the current collection and customer service policies with regard to delinquent utility bills and recommends modifications to the existing policy for City Council consideration; and

WHEREAS, the City Administration recommends that the City adopt proposed legislation to authorize the City to assert liens on the property being serviced by certifying unpaid sanitary sewerage system charges to the Butler County Auditor; and

WHEREAS, in order to achieve the foregoing, it is necessary to amend and supplement Section 935.08 of the Codified Ordinances of the City of Hamilton by adding thereto new Subsections (a) and (b); and

WHEREAS, Council desires to amend and supplement Section 935.08 of the Codified Ordinances of the City of Hamilton by adding thereto new Subsections (a) and (b) for the purposes as described herein;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That Section 935.08 of the Codified Ordinances of the City of Hamilton, Ohio, be and hereby are amended and supplemented by adding thereto new Subsections (a) and (b) to be and read as follows:

PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE THREE - UTILITIES

CHAPTER 935 - SEWER RATES

935.08 CHARGES TO BE A LIEN.

“(a) Each charge or rental levied by or pursuant to this chapter is hereby made a lien upon the corresponding lot, land or premises served by a connection to the sanitary sewerage system of the City, and if the same is not paid within thirty (30) days after it becomes due and payable, it shall be certified to the Auditor of Butler County who shall place the same on the tax duplicate of the County with the interest and penalties allowed by law, to be collected as other taxes are collected.

(b) If a person other than the property owner is directly billed for such charges and fees, the certification to the Auditor of Butler County shall not be made unless duplicate bills are sent to the property owner or the property owner is given written notice of the delinquency by regular U.S. Mail at the current tax bill mailing address listed with the Butler County Auditor at least thirty (30) days before such certification is made.”

SECTION II: That Section 935.08 of the Codified Ordinances of the City of Hamilton, Ohio as it existed before the enactment of this Ordinance, **be and hereby is repealed.**

Ordinance No. _____ (cont'd)

SECTION III: This ordinance shall take effect and be in full force from and after its passage.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO