

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO BY ADDING NEW SUBSECTIONS 927.07(f) AND (g), RELATIVE TO LIABILITY OF PROPERTY OWNER AND CIVIL PROCEEDINGS.

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 the proposed legislation to authorize the City to collect charges, together with any interest or penalties, for any product or service of the City's utilities not paid within thirty (30) days of the date the bill was mailed for said product or service, in any manner authorized by law, including but not limited to, filing a civil lawsuit and seeking a judgment lien upon the property served by such utilities; and

WHEREAS, in order to achieve the foregoing, it is necessary to amend and supplement Section 927.07 of the Codified Ordinances of the City of Hamilton by adding thereto new Subsections (f) and (g) and amending the title of said Section; and

WHEREAS, Council desires to amend and supplement Section 927.07 of the Codified Ordinances of the City of Hamilton by adding thereto new Subsections (f) and (g) and amending the title of said Section for said purposes as described herein;

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

SECTION I: That the Codified Ordinances of the City of Hamilton, Ohio, are hereby amended and supplemented by adding thereto new Subsections 927.07 (f) and (g) and amending the title of said Section to be and read as follows:

PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE

TITLE THREE - UTILITIES

CHAPTER 927 – PUBLIC UTILITIES GENERALLY

“927.07 LATE CHARGES, DELINQUENT UTILITY BILL; DISCONNECTION OF SERVICE; LIABILITY OF PROPERTY OWNER; CIVIL PROCEEDINGS.

(f) The owner of private property which is served by utilities shall, as well as any lessee of the premises, be liable to the City for all utilities used upon such premises.

(g) If any bill for any product or service of the City's utilities is not paid within thirty (30) days from the date of its mailing, the City may collect such charges, together with any interest and penalties thereon, in any manner authorized by law including, but not limited to, a civil lawsuit and judgment lien upon the property served by such utilities. If a person other than the property owner is directly billed for utilities, the City may not commence suit until written notice of the delinquency is given to the property owner 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 suit is commenced.”

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

Ordinance No. _____ (cont'd)

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