

**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 9  
SERIES OF 2016**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING  
CERTAIN SECTIONS OF THE RIFLE MUNICIPAL CODE REGARDING  
NOTICE PRIOR TO UTILITY SHUT-OFF OR SUSPENSION OF SERVICE  
FOR PAYMENT DELINQUENCY

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and existing under the City of Rifle Home Rule Charter; and

WHEREAS, Rifle provides for and operates the Rifle Water and Sewer Departments and provides refuse services as public utilities for the benefit of the City’s citizens; and

WHEREAS, Chapter 6, Article 7 of the Rifle Municipal Code (the “Code”) provides for the regulation of the City’s refuse service; and

WHEREAS, Chapter 13, Article I of the Code provides for the regulation of the City’s water system, and Chapter 13, Article II of the Code provides for the regulation of the City’s sewer system; and

WHEREAS, Sections 6-7-90 and 13-1-430 of the Code, as referenced in Section 13-3-560, currently require the City to provide notice of delinquency and suspension of service to utility customers by either posting such notice on the front door of the delinquent premises or mailing the shut-off or suspension notice by certified mail; and

WHEREAS, the costs and time associated with the notice requirements create an unnecessary burden upon the City and impedes the City’s ability to fully render other services to benefit Rifle’s citizens; and

WHEREAS, the City Council finds and believes that it is in the best interest of the City to amend the Code for clarity and to require notice of delinquency and suspension of utility service to be provided by regular U.S. Mail and revise the associated fees to accurately account for staff time incurred.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. The aforementioned recitals are hereby fully incorporated herein.
2. Sections 6-7-80 to 6-7-100 of the Rifle Municipal Code are hereby repealed.

3. Section 6-7-80 of the Rifle Municipal Code is hereby repealed and reenacted as follows:

**Sec. 6-7-80. – Collection; delinquency; suspension of service.**

All provisions of Sections 13-1-420 to 13-1-440 regarding collections, interest, delinquency notices, delinquency charges, and suspension of services shall apply to the collection of all rates, tolls, fees, charges and assessments for City refuse service.

4. Section 13-1-430 of the Rifle Municipal Code is hereby amended as follows, with additions shown in double underlined text and ~~strike through language deleted~~:

**Sec. 13-1-430. - Delinquency notice and charge; suspension of service.**

If any rates, charges, tolls, fees or assessments for City water or sewer service remain unpaid for thirty (30) days from the date of the invoice, the City may at any time thereafter give written notice of such delinquency to the owner of the premises served. If any amount is delinquent more than forty-five (45) days from the date of the invoice, the City at any time thereafter may give written notice to the owner that water or sewer service, or both, shall, subject to the notice and hearing requirements of Section 13-1-440 below, be shut off if the delinquent amounts including additional charges are not paid in full within ten (10) days of the ~~delivery of or~~ postmark on the notice. It shall be lawful to ~~post the shut-off notice on the front door of the premises served or~~ mail the shut-off notice by ~~certified~~ regular U.S. mMail. The City shall assess any additional charges as established in Appendix A to this Code for processing and preparation of any delinquency and/or shut-off notices provided to an owner as set forth herein. If an owner does not pay all delinquent charges including additional charges within the ten-day period provided in a shut-off notice, then, subject to the notice and hearing requirements of Section 13-1-440, the City may suspend the water or sewer service, or both, to the premises served.

5. Appendix A of the Rifle Municipal Code is hereby amended as follows, with additions shown in double underlined text and ~~strike through language deleted~~:

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6-7-90	<del>Refuse hauler collection delinquency (per notice)</del>	\$3.00
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<u>13-1-420(a)</u>	<u>Lien Processing</u>	<u>\$100.00</u>
13-1-430	Processing and preparation of water and sewer delinquency notices	\$7.84 <u>5.00</u> per notice
	Processing and preparation of water and sewer shut-off notices	\$15.00 per notice
	Physical turn-off of services ( <u>includes turn on</u> )	\$ <u>350.00</u>

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<u>13-3-560</u>	<del>Interest assessments on delinquent water, sewer and refuse collection charges</del>	<del>1.25%/month</del>
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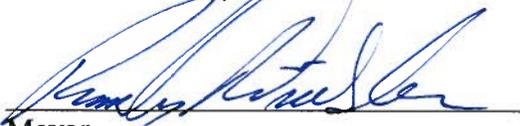
6. This Ordinance shall become effective April 1, 2016.

INTRODUCED on March 2, 2016, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on March 16, 2016 passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this 16 day of March, 2016.

CITY OF RIFLE, COLORADO

BY:   
 Mayor

ATTEST:

  
 City Clerk

