

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

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING
SECTION 13-1-430 OF THE RIFLE MUNICIPAL CODE REGARDING
NOTICE PRIOR TO UTILITY SHUT-OFF 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 as a public utilities for the benefit of the City’s citizens; and

WHEREAS, Chapter 13, Article I of the Rifle Municipal Code (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, Section 13-1-430 of the Code, referenced in Section 13-3-560 for sewer services, currently requires 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 notice by certified mail; and

WHEREAS, the costs and time associated with the notice requirements of Section 13-1-430 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 amended the Code 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. 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, 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, 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 are not paid in full within ten (10) days of the ~~delivery~~ posting 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 an additional charge 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 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.

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

<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	\$350.00

4. 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 ___ day of _____, 2016.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk