

CITY OF HAMILTON, MISSOURI

BILL NO. 1014154

ORDINANCE NO. 1583

**AN ORDINANCE AMENDING CHAPTER 90.060 OF THE CITY CODE
RELATING TO UTILITY DEPOSITS.**

Be it ordained by the Board of Aldermen of the City of Hamilton, Missouri as follows:

Section 1. Chapter 90.060 of the City Code relating to Utility Deposits is amended to read as follows:

90.060 Deposits. Before any utility service is furnished to any customer a deposit to guarantee payment of all service charges when due shall be made. The deposits shall be as follows:

- a) The sum of \$150.00 for residential property owners of the property where service is requested and who are current on all taxes owed to the City and the sum of \$300.00 for residential property owners of the property where service is requested who are delinquent on any taxes owed to the City owed;
- b) The sum of \$300.00 for all residential rental customers who are current on all taxes owed to the City and the sum of \$450.00 who are residential rental customers who are delinquent on any taxes owed to the City owed; and
- c) For a commercial establishment or for any use other than a single-family residential use including multifamily residences that are not separately metered, a deposit shall be required to meet one of the following provisions:

- (1) A deposit based on twice the estimate amount of thirty (30) days' bill for those services requested for new accounts, and be adjusted to twice the actual average monthly usage as necessary. The Mayor may also increase security deposits for commercial accounts to minimize the City's risks where appropriate.

- (2) Furnish equivalent bond or letter of credit. At the discretion of the Mayor, commercial security deposits may be waived or reduced upon the commercial customer having established a minimum of three (3) years' continuous timely payments.

Upon termination or cessation of the customer's City utility services, the customer's deposit shall be applied to pay for any unpaid City utility charges, any other debts owed to the City including any unpaid taxes, real, personal, or other, and the balance, if any, shall be returned to the customer. No customer will be paid interest on any deposit.

At the time of payment of a utility deposit, each customer will receive a receipt as evidence of the deposit, which contains the following information:

- (1) Name of customer.
- (2) Place of payment.
- (3) Date of payment.

Mass-aye, Trosper-aye, Kavanagh-aye, Swensen-aye

(4) Amount of payment for fees and deposits.

In addition, each customer shall sign a service agreement which states the terms and conditions governing the retention, payment, and return of deposits.

Section 2. That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

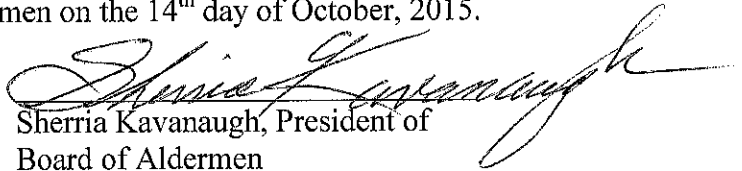
Section 3. It is the intent of the Board of Aldermen that this amendment be made a part of the City Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the Board of Aldermen.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. This ordinance shall be in full force and effect from and after the date of its passage and approval.


A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Passed and approved by the Board of Aldermen on the 14th day of October, 2015.


Sherria Kavanaugh, President of
Board of Aldermen

Approved this the 14th day of October, 2015.


Winford Gilliam, Mayor

Attest: 
Debra Davis, City Clerk