

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING SECTION 8-4-4 OF THE HURRICANE CITY CODE GOVERNING THE MUNICIPAL POWER RATES, CHARGES, AND POLICIES.

WHEREAS, the City Council of Hurricane, Utah desires to amend Section 8-4-4 of the Hurricane City Code governing the rates, charges, and policies for municipal power; and

WHEREAS, said City Council deems this amendment necessary and desirable for the preservation of the general health, safety, and welfare of the residents of Hurricane,

BE IT HEREBY ORDAINED that Section 8-4-4 of the Hurricane City Code shall be, and is hereby, amended in its entirety as follows:

8-4-4: RATES, CHARGES, AND POLICIES

Sec. 8-4-4. – Rates, charges, and policies

- A. *General.* The board shall recommend rates to be charged for electricity sold and services rendered by the Municipal Power Department, and all such rates shall be established by resolution of the City Council. Rates shall be fair, reasonable and compensatory and shall be uniform for all consumers within the same class; but different rate schedules may be applied to different classes of consumers as determined by the board. Rates shall be sufficient to pay all operating and maintenance expenses of each respective utility operation and all bond interest and redemption costs of the respective utility operations. These rates will be determined through a rate study from time to time. There will only be one residential connection per meter.
- B. *Deposit.* The board shall require a deposit in the amount established by resolution of the City Council as security for payment of charges for power and/or water service for all utility connections; provided, however, that said deposit may be waived for owners of real property for which utility service is sought who provide proof of legal ownership. Such deposit may, upon request, be returned after two years of good credit, as established by department policy, or upon termination of said account, whichever first occurs.
- C. *Turn on/transfer fee.* The board shall require a turn on/transfer fee in an amount established by resolution of the City Council to be charged to any person opening a utility account within the City. The turn on/transfer fee is considered operating costs for the Power Department or other utility department to read the power and/or water meter and to transfer this same meter to a new account and is considered nonrefundable.
- D. *Application.* Any person residing within the power service area and desiring to obtain power service in their name will be required to file an application for utility service at the City office.

E. *Billings; delinquency; discontinuance of service.*

1. The utility department is hereby authorized and empowered to combine all charges for all utility services, including water, sewer, garbage, power, etc., into one monthly billing, describing the various utility services supplied, the amount owed for each individual utility service and the total amount of all such services.
2. Any such monthly utility billing shall be due and payable in full on or before the fifteenth day of the month following the month for which such utility services were rendered.
3. Any such monthly utility billing not paid in full on or before the 15th day of the month, as specified in subsection E2 of this section, shall be deemed delinquent and shall be assessed a late charge in the amount of five percent of the unpaid balance of said monthly billing. If the billing is not paid in full by the end of the month in which it was due, an additional nonpayment penalty shall be assessed to the account in the amount set by resolution of the City Council. If said billing is not paid in full before the tenth of the month following the month in which it was due, power may be disconnected.
4. In the event that power or other utility service is disconnected, the customer shall, before electrical or other utility service will be restored, pay the full amount of the billing owed for utility services. Upon reconnection of power or other utility service, a reconnect fee will be assessed in the amount established by resolution of the City Council.
5. In the event that power or other utility service is disconnected for lack of payment and the balance remains unpaid for one week, the utility account will be terminated. Once the account has been terminated, the customer must pay: a) the balance owed for utility service rendered; b) a reconnect fee; and c) the utility security deposit before utility service will be restored.
6. A \$25.00 fee, or such other fee as may be determined from time to time by the Power Board, **fee in an amount established by resolution of the City Council** shall be charged and added to the next month's utility bill for any customer whose electric power service requires maintenance or repair because of a meter seal which has been damaged, cut or otherwise tampered with.

F. *Reasonable access.* All customers shall permit the City's authorized representatives to enter on the customer's premises at all reasonable times for purposes connected with rendering, billing, or disconnecting utility services. Customers shall not construct, erect, or otherwise put in place any barrier impeding free and easy access to all utility service meters.

G. *Termination of service; subsequent service location.*

1. Utility customers shall be responsible for the payment of utility charges incurred at the service location until such time as their responsibility is terminated in one of the following ways by: a) written order of the applicant; b) the City's termination for lack of payment, as outlined in subsection E5 of this section; or

- c) the proper assumption of the payment responsibility by a party acceptable to the City and upon completion of an application for service by said party.
- 2. In order to establish power or other utility service at any additional and/or subsequent service location(s), utility customers must complete a utility service application for each location. Prior to connecting any subsequent or additional utility service, customers must pay any billing amount due for current utility service at the time a subsequent or additional service connection is requested.
- H. *Temporary power during construction.* Customers desiring temporary power during construction shall be required to fill out the form required by the Power Department before a temporary pedestal will be set.

PASSED AND APPROVED this 5 day of May, 2022.



Hurricane City
Nanette Billings
 Nanette Billings, Mayor

Attest:
Cindy Beteag
 Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5th day of May 2022. Whereupon a motion to adopt and approve said Resolution was made by Joseph Prete and seconded by Kevin Thomas. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	<u>X</u>	—	—	—
David Sanders	<u>X</u>	—	—	—
David Hirschi	<u>X</u>	—	—	—
Kevin Thomas	<u>X</u>	—	—	—
Doug Heideman	<u>X</u>	—	—	—

Cindy Beteag
 Cindy Beteag, Recorder

