

**AN ORDINANCE REPEALING SECTION 700.430 SUBSECTION (D) AND SECTION 700.440 AND ADDING SECTIONS 700.431-UTILITY BILLING “BILLING, DUE DATE, ADJUSTMENTS, PAYMENTS, & DISCONNECTION), 700.432- UTILITY PAYMENT OPTIONS, 700.433-TIME PAYMENT PLANS, 700.434- WATER AND WASTEWATER LEAK ADJUSTMENTS AND 700.435-LEVEL PAY OPTION FOR RESIDENTIAL CUSTOMERS, AND AMENDING 710.020 DEFINITIONS OF THE PLATTE CITY CODE.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PLATTE CITY, MISSOURI AS FOLLOWS:**

**SECTION 1:** REPEAL SECTION 700.430: Sub-Section “D” in it’s entirety.

**SECTION 2:** Add SECTION 700.431: UTILITY BILLING- BILLING, DUE DATE, ADJUSTMENTS, PAYMENTS AND DISCONNECTION.

**Section 700.431: UTILITY BILLING – BILLING, DUE DATE, ADJUSTMENTS, PAYMENTS AND DISCONNECTION**

- A: **Billing Dates:** Bills for City Utility Service (Water, Wastewater, Refuse) shall be mailed to the customer on or before the fifth (5th) day of each month and shall be due by the twentieth (20th) day of each month. Bills shall be due on the next business day if the twentieth (20th) is a weekend or holiday.
- B: **Overdue/Delinquent Date:** Utility bills remaining unpaid after the twentieth (20th) day of each month (or next business day if the twentieth (20th) is a weekend or holiday shall be deemed overdue/delinquent except as follows:
1. Electronic payments arriving prior to the start of normal business hours on the twenty-first (21st) day of each month, and;
  2. Payments placed in City utility service payment drop box prior to the start of normal business hours on the twenty-first (21st) day of each month, and;
  3. Payments arriving in the US mail delivery on the twenty first (21st) day of each month

Bills paid in accordance with the specific conditions listed above shall be considered paid on time and shall not be deemed delinquent/overdue.

- C: **Penalty:** A penalty of 10% shall be applied to the unpaid balance of any utility service bill that are deemed delinquent/overdue in accordance with the preceding section.

- D. **Waiver of Delinquent/overdue penalty:** Upon request the City Collector may waive the delinquent/overdue penalty one time in any sixty month (five year) period for any customer/account which had no delinquencies or late payments during that period. Customers with less than 60 months (five years) service with the City are not eligible for waiver.

The City Collector, with the written concurrence of the City Administrator may waive delinquent/overdue penalty due to extreme hardship, financial emergency or other extraordinary event. The City Collector shall report extraordinary delinquency waivers to the Board of Aldermen within 45 calendar days of the occurrence.

E. **Disconnection Schedule**

1. Utility service shall be subject to discontinuance or disconnection without further notice if the bill remains unpaid after the twenty-fifth (25th) day of each month.
2. Disconnection dates shall be the twenty sixth (26th) day of each month or the next business day if the twenty-sixth (26th) is a Friday, weekend or holiday.
3. The City Administrator may adjust disconnection dates as needed due to emergency or contingency so long as such adjustment shall not shorten the period available for the customer to pay prior to disconnection.
4. Customers shall be deemed to be disconnected at the time the City prints the disconnect list on the twenty sixth (26th) of each month, even if the customer makes payment between the time the list is printed and disconnection/discontinuance of service physically occurs.

F. **Disconnection Threshold:**

1. The City Collector shall not disconnect delinquent or overdue residential accounts as long as the dollar value of the delinquent/overdue amount is less than or equal to 90% of the dollar value of a standard residential customer (5,000 gallons per month at current water/wastewater rates plus monthly residential solid waste charge).
2. The 10% delinquent/overdue penalty shall be applied to these accounts regardless of disconnection status.
3. Customer is exempt from disconnection if under a current time payment plan

- G. **Reconnection Fee:** The first time an account is disconnected during any twelve (12) month period, a reconnection fee of twenty-five dollars (\$25.00) shall be applied to the bill. The bill, with all penalties and fees, must be paid in full prior to reconnection/recommencement of service. The reconnection fee shall be increased to Fifty dollars (\$50.00) for the second and any subsequent disconnections of the same account which occurs within twelve (12) months of the last disconnection.

- H. **After Hours Reconnection Fee:** Customer requesting an after hours service reconnection; shall have services reconnected with payment of Public Works after hours call out fee of \$50.00. After hours call out fees shall apply to any reconnection for which payment is made after 4:30pm for service to be reconnected prior to start of next business day. The after hours reconnection fee shall be increased to \$100.00 for the second and subsequent after hours disconnections of the same account which occurs within twelve (12) months of the last disconnection.

- I. **Waiver of Reconnection Fee:** The City Collector may waive reconnection fees in cases of extraordinary circumstances and with concurrence of City Administrator. Such waivers shall not be granted to the same customer more than one time in any sixty (60) month period.
- J. **Reconnection Procedure:** Reconnection shall occur only when payments of delinquent/past due accounts plus applicable penalties and fees have been made to the City. Public Works staff are not authorized to accept payments or to authorize reconnection..

Unless otherwise directed by the City Administrator, the City shall restore utility service the same day as payment is made, so long as such payment occurs on a business day prior to 4:30 pm. The City shall make a reasonable effort to restore utility service on the same day as payment is made after 4:30 pm, although the City is not required to make such effort if it results in overtime payments to utility staff.

In the case of payments made after 4:30 pm, the City shall restore utility service as soon as possible, but not later than the next business day. If the next day is a holiday, weekend or other non-business day, the City shall restore service on the day of payment, for any payment received at City Hall during normal business hours. Timely reconnection requirements may be suspended by the City Administrator due to an emergency or some other urgent public service requirement.

## **SECTION 2: Add SECTION 700.432: UTILITY PAYMENT OPTIONS.**

### **Section 700.432: UTILITY PAYMENT OPTIONS**

- A. Customers shall be afforded the following options with which to pay City Utility Bills or other City/Park Board fees:
  - 1. United States Currency
  - 2. Personal Check (with identification and no history of bad debt)
  - 3. Bank check (bank bill pay services)
  - 4. EFT/ACH: Electronic fund transfers or automatic check authorizations
  - 5. Credit/debit card or other cash cards compatible with City systems.
  - 6. Other methods that may be approved by the City Administrator
- B. Authorization to Accept Credit and Debit Cards for Fee Payment
  - 1. The City shall accept credit cards and debit cards for the payment of utility charges, memberships, recreation fees, rental fees, Municipal Court fines and costs, reimbursements and all other monies due to the City, except for those charges identified as real or personal property taxes or any other use prohibited by the State.
  - 2. The type of cards and other service conditions shall be in accordance with the service agreement between the City and its authorized credit card service

provider.

3. The City at its sole option may decline to accept a credit or debit card payment from any individual customer.

C. **Credit and Debit Card Fees:** Customers electing to pay City fees with a debit or credit card shall be charged an additional service fee to offset the City's cost of providing these payment options. These service fees shall be set at the following levels:

1. Transactions amounts up to and including \$500.00: \$2.75
2. Transactions greater than \$500.00 shall be charged 5% of the transaction amount
3. City shall not accept transactions in excess of \$5,000.00 without approval of the City Administrator
4. City may decline to accept multiple credit or debit card transactions when accepting such transactions are not in the best interests of the City or when it appears as if customer is breaking transactions up into multiple small transactions to avoid transaction limits.

### **SECTION 3: Add SECTION 700.433: TIME PAYMENT PLANS.**

#### **Section 700.433. TIME PAYMENT PLANS (TPP)**

A. **Time Payment Plan Authorization:** The City Collector may make time payment plans available to customers whose accounts that become delinquent or which are about to become delinquent. To qualify for a Time Payment Plan the customer must:

1. Contact the City Collector and apply for Time Payment Plan prior to service being disconnected.

B. **Time Payment Plan Conditions and Administration:**

1. The City Collector may enter into a Time Payment Plan agreement with the customer. The Time Payment Plan shall allow the customer, a period of time, to pay the delinquent portion of the customers utility bill, although customers current portion of the utility bill cannot be in excess of thirty (30) days in arrears. Customer is still subject to penalties for payments made after the due date.
2. Customers failure to comply with the provisions of the time payment plan shall result in an immediate termination of water service without any additional Notice of Termination and be subject to all penalties and reconnection fees.

C. **Denial of Time Payment Plan:** All other provisions of this chapter notwithstanding, the City Collector may declare a customer not eligible or not qualified to enter into a Time Payment Plan if customer/account holder

1. Has failed to abide by a previous Time Payment Plan, or;
2. Is, in the estimate of City staff, preparing to leave corporate limits of City
3. City staff have reason to question customer's identity or good faith in requesting in participate in the Time Payment Plan.

## **SECTION 4: Add SECTION 700.434: WATER AND WASTEWATER LEAK ADJUSTMENTS.**

### **Section 700.434 WATER AND WASTEWATER LEAK ADJUSTMENT**

- A. **Definition and conditions:** A water and wastewater leak adjustment is a financial adjustment to a residential customer's water and wastewater (sewer) utility bill related to an water leak or unexplained increase in water use. The City Collector may consider approving a leak adjustment under the following conditions.
1. Customer notifies City of a water leak/unexplained increase in water charges and requests a leak adjustment.
  2. Water consumption for month in question is a minimum of 100% greater than the average volume for the preceding 12 months (excluding highest and lowest month and all zero consumption months) or
  3. Leak adjustments may occur only once in any thirty six (36) month period and shall cover a single event only (although the single event adjustment may cover a maximum of two monthly utility bills.)
  4. Adjustment request must include plumbers repair receipt, City inspection or other proof that the problem has been resolved.
- B. No adjustments shall occur when any of the following exist:
1. Excessive use is due to customer's usage decisions such as seasonal use such as sod watering, gardening, filling swimming pools/spas, etc.
  2. Excessive use is due to third party from whom customer is able to recover costs (theft, vandalism, construction damage, etc.)
  3. Excessive water volume beyond the first two months of a multi-month leak.
  4. Leak adjustment has occurred for this property within the past thirty six (36) months.
- C. Adjustment Calculations:
1. Adjusted bill shall charge normal water rates on all water volume used up to two times (2x) the average monthly water use for this property (for each month involved in the leak)
    - a. Average water used shall be calculated using the past 12 months excluding high/low and zero balance months divided by number of available months.
    - b. Customers with less than 12 month's history will be calculated on an average use of 5,000 gallons per month.
  2. Adjusted bill shall charge the City's wholesale water purchase rate on all water

volumes greater than 2x the average monthly water use for this property. (for each month involved in the leak).

3. Wastewater bill shall not be adjusted. In many water leaks the water enters the municipal wastewater collection and treatment system and is treated prior to release.

## **SECTION 5: Add SECTION 700.435: LEVEL PAY OPTION FOR RESIDENTIAL CUSTOMERS.**

### **Section 700.435 LEVEL PAY OPTION FOR RESIDENTIAL CUSTOMERS**

**Level Pay Option Available:** The level payment option is available for residential customers only to allow customers to make consistent equal payments of their water, wastewater and refuse service for 11 months of each 12 month period.

The 12th payment shall be adjusted as needed to depending upon the customer's account balance. Residential customers in multi-family units are eligible only if they have an individual meter for their account.

Customers on a level payment plan are not eligible for a time payment plan option.

#### **Level Pay Calculation:**

**Existing Long Term Customers:** The level pay amount for customers with an existing City utility account with at least 12 months of current service shall be calculated by applying the current utility rates to the result of the sum of the customers metered water use over the past 12 months + 10% divided by 12 months. The City Collector may develop an alternative calculation to account for unusually high or low water use (leaks or zero use) during the past 12 month period. Such alternative calculation must be approved by the City Administrator.

**Existing Short Term Customers:** The level pay amount for customers with an existing City utility account with less than 12 months service at the current address shall be calculated by applying the current utility rates to the result of the sum of the customers metered water use during the period of service at the current address + 25% divided by number of service months months. The City Collector may develop an alternative calculation to account for unusually high or low water use (leaks or zero use) during the past 12 month period. Such alternative calculation must be approved by the City Administrator.

**Existing Customers Balance:** Existing Customers must have a credit or zero account balance to be eligible for the level pay option.

**New Customers:** Customers starting a new residential account with the City are eligible for level pay. The level pay amount shall be calculated by applying the current utility rates to 6,250 gallons per month usage (standard residential use of 5,000 gallons per month + 25%).

**Annual Adjustment:** City Collector shall adjust monthly level pay amounts in July of each year with the adjusted amount showing on the bills due in August. The Collector shall adjust monthly billing amounts by applying existing credits to customers with a credit balance and reducing reducing monthly amount as needed to maintain a near balanced account for the next year. The Collector shall increase the August bill amount for

customers with a debit account an amount necessary to result in a balanced account. The new level pay amount should then be calculated to maintain a near balanced account for the next year.

**Periodic Adjustment:**

- a. Individual Account Adjustment: The City Collector may adjust level pay amounts at any time during the year when a individual account has a debit or credit balance that is greater than the City's utility deposit amount.
- b. Rate change adjustment: The City Collector shall adjust level pay amounts for all customers to reflect increase or decrease in utility rates (water/wastewater/solid waste rates).

**Automatic Renewal:** Customers payment plans will automatically renew in July following annual account adjustments.

**Level Payments Due:** Monthly level pay amounts shall be due and shall be deemed delinquent in accordance with the standard schedule for utility payments.

**Delinquent Fees Levied:** Customers using the level pay system shall be subject to delinquent fees and such fees shall be paid in accordance with standard schedule for utility payments.

**Level Pay Termination:**

- a. Customer termination: The customer may terminate participation at any time by notifying the City Collector.
- b. City termination: The City may terminate the customer's level pay participation at any time customer is disconnected for failure to pay, or for having two (2) delinquencies in a twelve (12) month period or other violations of the City's utility regulations.
- c. If the level pay plan is terminated or account becomes delinquent for non-payment, the level pay agreement shall be terminated and the balance owed, including all applicable penalties must be paid in full by normal monthly due dates. Failure to comply with payment requirements shall result in disconnection of City utility services.

**SECTION 6:** Repeal SECTION 700.440 and replace with SECTION 700.440 DEPOSIT REQUIRED OF BOTH RESIDENTIAL AND COMMERCIAL CUSTOMERS FOR WATER SERVICE.

**Section 700.440: DEPOSIT REQUIRED OF BOTH RESIDENTIAL AND COMMERCIAL CUSTOMERS FOR WATER SERVICE**

- A. All residential water customers shall provide to the City of Platte City a deposit in the sum of one hundred fifty dollars (\$150.00) before water services may be established for

that customer.

Residential customers may elect to have auto pay set up on their account and in return shall provide to the City of Platte City a deposit in the sum of one hundred twenty five dollars (\$125.00) before water services may be established.

- B. All commercial water customers shall provide a deposit to be calculated as set forth herein, but such deposit shall not be less than one hundred fifty dollars (\$150.00).

Any commercial water customer applying for a new account as a result of a change in ownership of a business where the new account will service an established business location shall be required to make a deposit in an amount equal to the average monthly water and sewer charges for that business location for the last twelve (12) months.

Any commercial water customer applying for a new account for a new business in the City shall be required to make a deposit in an amount equal to the average monthly water and sewer charges for a similar type and size of business in the City for the last twelve (12) months, which shall be calculated by the City Collector.

- C. The City Administrator shall have the discretion to waive the deposit requirements for an individual or company with a history of prompt and complete water and sewer service payments for a period of not less than one (1) year.
- D. Notwithstanding a required deposit being made, any person or entity indebted to the City for any reason as of the date of application for services shall be required to pay any amount due and owing to the City prior to the provision of water service to said customer.
- E. All deposits shall be held by the City in an escrow account. Upon termination of the service, the deposit shall be returned to the customer, provided however, that the City may apply any or all of the deposit toward the payment of any unpaid obligation that the customer may owe the City or to the payment for any damage caused to any City property by the customer.
- F. The deposit made by a residential service customer may be returned to the customer if such customer shall have paid all water and sewer bills by the designated due date for a two (2) year period.
- G. Any former residential customer returning to the City of Platte City who paid all water and sewer bills by the designated due date for the two (2) year period immediately prior to the customer leaving the City may have the deposit waived.

## **SECTION 6: Amend SECTION 710.020 DEFINITIONS.**

**LEAD-FREE**



2. When used with respect to pipes and pipe fittings, refers to not more than a weighted average of 0.25% lead with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures.

**SECTION 7:** This Ordinance shall be in full force and effect until further order of the Board of Aldermen.

**SECTION 8:** All provisions of the Code of the City of Platte City, Missouri which are inconsistent herewith are repealed and amended to conform to this ordinance. The City Clerk is directed to incorporate the provisions of this ordinance into the appropriate sections of the City Code.

PASSED THIS 24TH DAY OF February 2015

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Frank Offutt, Mayor

ATTEST:

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Amy Edwards, City Clerk

APPROVED THIS 24th DAY OF February 2015.

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Frank Offutt, Mayor