

**CITY OF PACIFIC  
WASHINGTON**

**ORDINANCE NO. 12-1821**

**AN ORDINANCE OF THE CITY OF PACIFIC WASHINGTON, AMENDING PACIFIC MUNICIPAL CODE SECTION 14.01.010 UTILITY BILLING TO ELIMINATE CUSTOMER DEPOSITS, ADD LIEN LANGUAGE, UPDATE THE ORDER IN WHICH UTILITY PAYMENTS ARE APPLIED, AND MODIFY LANGUAGE IN SECTIONS D, F, G, AND H.**

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**WHEREAS**, the City wishes to improve the effectiveness and efficiency of its utility billing processes;

**WHEREAS**, the City wishes to eliminate customer deposits on all applicable utility accounts and refund monies accordingly; and

**WHEREAS**, it is in the City's best interest to update the order in which utility payments are applied; and

**WHEREAS**, it is in the City's best interest to establish that all properties that have unpaid utility charges for 120 days from the original billing date will be subject to lien processes; and

**WHEREAS**, there are some minor modifications to language in Sections D, F, G, and H that do not change the current intent and processes in these sections;

**NOW THEREFORE, THE CITY COUNCIL OF PACIFIC WASHINGTON DO ORDAIN AS FOLLOWS:**

**(repealed language is noted by strike through and new language is underlined)**

Section 1. PMC 14.01.010 (D) is amended as follows:

D. Within 10 days of delinquency, the finance department shall develop a list of such delinquencies.

Section 2. PMC 14.01.010 (E) is amended as follows:

E. In the event that any person, firm or corporation shall tender as payment for water, sanitary sewer, storm, and garbage charges an amount insufficient to pay in full all of the charges billed, the amount paid shall be applied in full in the following order: (1) Penalties (2) Misc. fees and charges (3) Taxes (4) Garbage (5) Storm (6) Sewer (7)Water. In the event of overpayment, the remaining balance shall be proportionally distributed among all utility funds.

Section 3. PMC 14.01.010 (F) is amended as follows:

F. If water or sewer charges remain unpaid on the forty-fifth day after billing, water to such delinquent premises is subject to shut-off by the City. In which case there will be a shutoff fee as established by city resolution added to the unpaid bill.

Section 4. PMC 14.01.010 (G) is amended as follows:

G. There shall be a fee as established by city resolution for both shutoff and reinstatement of water services.

Section 5. PMC 14.01.010 (H) is amended as follows:

H. All fees, fines or charges provided for in this section shall be paid to the finance department before the City may reinstate water service to any delinquent premises. Upon verification from the city's finance department, services shall be reinstated no later than closing of the next following business day. Customers requesting reinstatement of service after regular hours (7:30 a.m. to 4:00 p.m.) shall pay a fee as established by city resolution prior to reinstatement.

Section 6. PMC 14.01.010 (J) is amended as follows:

J. If utility charges remain unpaid for 120 days from original billing the property is subject to lien processes.

Section 7. Refunding Utility Customer Deposits. The Finance Director is authorized to approve and process refunds of all utility customer deposits that are being held by the City upon passage of this ordinance.

Section 8. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 9. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force effective February 22, 2012.

**Passed by the City Council of the City of Pacific, the 13th day of February, 2012.**

CITY OF PACIFIC

  
CY SUN, MAYOR

ATTEST/AUTHENTICATED:

  
CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY