

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2388

AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, RELATING TO UTILITY SERVICE ACCOUNT BILLING AND TERMINATION OF SERVICE NOTIFICATION, AMENDING SNOHOMISH MUNICIPAL CODE SECTION 15.05.060, ENTITLED “NOTICE OF LATE FEE AND TERMINATION – SERVICE”

WHEREAS, the Snohomish Municipal Code requires notification of the imposition of late fees and the termination of service to each utility customer; and

WHEREAS, current code requires physical delivery of a second and final notice of termination of service to customers whose bill remains unpaid three days prior to termination; and

WHEREAS, this Ordinance will amend the code to allow for automated notification via telephone, text or email for the second and final notice of termination for single-family residential customers, and no longer will require physical delivery of the second and final notice of the separate late fee notice which will decrease costs and increase efficiencies;

NOW THEREFORE, the City Council of the City of Snohomish, Washington, do ordain as follows:

Section 1. Section 15.05.060 of the Snohomish Municipal Code, entitled “Notice of Late Fee and Termination – Service,” is hereby repealed in its entirety and replaced with the following:

15.05.060 Notice of Late Fee and Termination – Service.

A bimonthly utility bill shall be sent to each utility customer. The bill shall state that a late fee as adopted in the Master Fee Schedule will be added to each account over thirty-five dollars (\$35) that remains unpaid five working days following the due date set forth in the bill. The bill shall state a termination date which shall be thirty days from bill date and a termination fee as adopted in the Master Fee Schedule. A notice of termination of service will be sent to each utility customer, and property owner if a tenant is the customer whose account remains unpaid, ten to fifteen days prior to termination of service date informing the customer and property owner the date of termination of the utility service. The notice of termination shall either be delivered personally, mailed by "First Class" mail, or posted at the service address as shown in the City's records. ~~A second and final notice of termination will be delivered personally and posted on the doors of customers whose bill remains unpaid at least three days prior to termination date as shown on bill.~~ A second and final notice of termination will be delivered through an automated notification system utilizing telephone, texting or email for single-family residential customers or personally posted on the doors of multi-family and business customers whose bill remains unpaid at least three days prior to termination date as shown on bill. If a single-family residential customer does not have a telephone or email on record the notice will be posted on the door. Whenever it appears that the termination of utility service to a given service address will affect

more than one dwelling unit, the City shall cause reasonable effort to be made to give notice to all affected dwelling units. On approval by the City, a utility customer may enter into written payment arrangements. Such payment arrangements shall be on a form and procedure provided by the City and shall not exceed fifteen days past the service disconnection date. A customer shall be limited to two payment arrangements per twelve-month period. It shall be the sole discretion of the City as to the approval or denial of a request for payment arrangements. The City, in its sole discretion, may waive the late charge or shut-off penalty.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 3. Effective Date. This ordinance shall be effective five days after adoption and publication by summary.

ADOPTED by the City Council and **APPROVED** by the Mayor this 7th day of January, 2020.

CITY OF SNOHOMISH

By John T. Kartak
John T. Kartak, Mayor

ATTEST:

By Pat Adams
Pat Adams, City Clerk

APPROVED AS TO FORM:

By Grant K. Weed
Grant K. Weed, City Attorney

Date of Publication: 1/11/2020

Effective Date: 1/16/2020