

**ORDINANCE NO. 642**

**AN ORDINANCE AMENDING CHAPTER 4.02.100 OF THE MUNICIPAL CODES TO PROVIDE THAT UTILITY BILLING IS REFERABLE TO THE TAP AND REGARDLESS OF OWNERSHIP**

Whereas, the City of Polson, hereinafter City, owns and operates a rate-based potable water distribution system; and,

Whereas, the City Council of the City has determined that confusion exists with respect to the responsibility for ratepaying for any given tap, or of remedies applicable in cases of nonpayment, and desires hereby to remove any ambiguity related to ratepaying and remedies in failure thereof; and,

Whereas, for reasons of health, safety, and welfare with respect to the operation of the City potable water utility, the Council desires to remove the question of owner and occupier from the City codes, and thereby track accounts and provide for penalties on the basis of the tap regardless of ownership.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:**

1. Chapter 4.02.100 is amended in it's entirety, as follows:

“All bills for water through a City tap whether by flat rate or meter are due and payable at the office of the water department the first day of each month for all water used the preceding month, with a .0045 per month penalty and final notice sent giving 48 hours to remit. After the remittance period has passed, water service shall be turned off by the City and not turned on until all bills assessable against that tap are paid current, including any penalty or additional charge.”

**REPEALING CLAUSE:** All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

**FIRST READING: March 2, 2009.**

**SECOND READING: March 16, 2009.**

**NOW, THEREFORE,** the foregoing Ordinance shall become effective on April 17, 2009.

**PASSED AND ADOPTED THIS March 16, 2009.**

CITY OF POLSON

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Lou Marchello, Mayor

ATTEST:

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Aggi Loeser, City Clerk