

ORDINANCE NO. 680

An Ordinance of the City of Crawford, Nebraska amending Section 6-102 of Ordinance No. 552, the City of Crawford; repealing all ordinances in conflict and providing for an effective date.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF CRAWFORD, NEBRASKA AS FOLLOWS:

SECTION 1. That Section 6-102 of the City of Crawford, Nebraska Revised Municipal Code be and hereby is amended to read as follows:

SECTION 6-102: DISCONTINUANCE OF SERVICE, NOTICE PROCEDURE

The City shall have the right to discontinue services and remove its properties if the charges for such services are not paid within 15 days after the date the same become delinquent. Before any termination, the public works commissioner shall first give notice by first class mail or in person, or by electronic delivery, except that electronic delivery shall only be used if the subscriber has specifically elected to receive such notices by electronic delivery to any domestic subscriber whose service is proposed to be terminated. If notice is given by first class mail or electronic delivery, such mail shall be conspicuously marked as to its importance. Service shall not be discontinued for at least seven days, weekends and holidays excluded. As to any subscriber who has previously been identified as a welfare recipient to the City by the Department of Social Services, such notice shall be by certified mail and notice of such proposed termination shall be given to the Department of Social Services.

The notice shall contain the following information:

1. The reason for the proposed disconnection;
2. A statement of the intention to disconnect unless the domestic subscriber either pays the bill or reaches an agreement with the Department regarding payment of the bill;
3. The date upon which service will be disconnected if the domestic subscriber does not take appropriate action;
4. The name, address and telephone number of the employee or department to whom the domestic subscriber may address an inquiry or complaint;
5. The domestic subscriber's right, prior to the disconnection date, to request a conference regarding any dispute over such proposed disconnection;
6. A statement that the Department may not disconnect service pending the conclusion of the conference;
7. A statement to the effect that disconnection may be postponed or prevented upon presentation of a duly licensed physician's, physician assistant's, or advanced practice registered nurse's certificate which shall certify that the domestic subscriber or resident within such subscriber's household has an existing illness or handicap which would cause such subscriber or resident to suffer an immediate and serious health hazard by the disconnection of the utility's service to that household. Such certificate shall be filed with the City Clerk within five days of receiving notice under this section, excluding holidays and weekends, and will prevent the disconnection of the utility services for a period of at least 30 days from such filing. Only one postponement of disconnection shall be required under this subdivision for each incidence of non-payment of any past-due account;
8. The cost that will be borne by the domestic subscriber for a restoration of service;
9. A statement that the domestic subscriber may arrange with the City for an installment payment plan.

10. A statement to the effect that those domestic subscribers who are welfare recipients may qualify for assistance in payment of their utility bill and that they should contact their caseworker in that regard; and
11. Any additional information not inconsistent with this section, which has received prior approval from the City Council.

If payment of the delinquent bill is not received prior to the date indicated for discontinuance of service in the Discontinuance of Service Notice, then an additional fee of \$20.00 will be added to the delinquent bill to help defray the cost of sending a city worker out to discontinue the service. The City worker dispatched to perform the disconnection cannot accept payment of the delinquent utility bill. All utility bills are due and payable at the office of City Hall.

A domestic subscriber may dispute the proposed discontinuance of service by notifying the public works commissioner with a written statement that sets forth the reasons for the dispute and the relief requested. If a statement has been made by the subscriber, a conference shall be held before the utility may discontinue services.

The procedures adopted by the City Council for resolving utility bills, copies of which are on file in the office of the City Clerk, are hereby incorporated by reference in addition to any amendments thereto and are made a part hereof as though set out in full.

This section shall not apply to any disconnection or interruptions of service made necessary by the utility for reasons of repair or maintenance or to protect the health or safety of the domestic subscriber or of the general public.

SECTION 2. That the previous provisions of Section 6-102 be and the same are hereby repealed.

SECTION 3. WHEN TO TAKE EFFECT. This Ordinance shall take effect and become operative and in full force from and after its passage, approval and publication, as provided by law.

Passed and approved this 24th day of November, 2020.

ATTEST:
/s/Jane Dailey
City Clerk

CITY OF CRAWFORD
/s/Connie J. Shell
Mayor