

(Ordinance Summary published in the Kingman Leader Courier on November 2, 2023 and the full text of the Ordinance made available at www.cityofkingman.com for a minimum of one (1) week from the date of publication.)

ORDINANCE NO. 2113

AN ORDINANCE AMENDING SECTION 15-103 OF THE CODE OF THE CITY OF KINGMAN CONCERNING NOTICE OF DELINQUENCY AND DISCONNECTION OF UTILITY SERVICE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF KINGMAN, KANSAS:

Section 1. Section 15-103 shall be amended to read as follows:

“15-103. UTILITY BILLING; NOTICE; DISCONNECTION OF SERVICE; TIMING.

- (a) Any specific date set forth in this section that falls on a Saturday, Sunday, or legal holiday on which City Hall is closed shall be moved to the next business day after such occurrence.
- (b) Utility bills shall be sent on or before the last day of each month. Utility bills shall be due on or before the tenth (10th) day of the month. Bills are considered delinquent after this due day.
- (c) If a utility bill remains delinquent, on or about the twentieth (20th) day of the month, a delinquency notice shall be issued and mailed to the responsible party on the account at the last known address on the account. The delinquency notice shall contain the following information:
 - (1) The delinquent amount due
 - (2) Notice that service will be scheduled for termination if the amount due is not paid in full on or before the first day of the following month.
 - (3) Notice that the customer has the right to a hearing before the governing body to request an extension and/or alternative payment plan at the second regularly scheduled monthly meeting of the governing body, which is normally the fourth Thursday of the month, subject to changes due to holidays. If the customer fails to abide by the extension or alternative payment plan, service will be disconnected without notice.
 - (4) Notice that if the customer fails to appear before the governing body as set forth in subsection (c)(3), or if the customer does appear, but is denied an extension and/or alternative payment plan, a disconnect notice will be delivered to the customer on the first (1st) day of the following month notifying the customer that service will be disconnected on the third (3rd) day of the month.

- (5) Notice that if the customer receives a disconnect notice, the customer will be charged a disconnect notice fee in the amount established by resolution of the governing body, plus taxes. This fee, plus taxes, shall be charged the moment the disconnect notice leaves City Hall, regardless of whether the customer brings the account current before the disconnect notice is delivered to the customer's property.
- (e) Disconnect notices shall be delivered on the first (1st) day of the month to locations with delinquent utility accounts. In common City staff vernacular, these disconnect notices are known as "door knockers." In the event the first day of the month falls on a Friday, the disconnect notice/door knocker will be delivered on the next business day. The basic information to be contained on the disconnect notice/door knocker is as follows:
 - (1) Date of disconnection for non-payment
 - (2) Notice of the fee charged for issuance of the disconnect notice
 - (3) Notice that accounts with disconnected service will have a reconnection fee assessed
 - (4) Notice that payments to restore disconnected service must be in the form of cash, credit/debit card, or money order.
 - (5) Notice that all delinquent amounts owed by the customer must be paid to restore utility services
 - (6) Notice that utility service disconnections will follow any local rule concerning cold weather as established by ordinance.
- (f) Unless other sections herein direct otherwise, delinquent accounts will have utility services disconnected two (2) days after the delivery of a disconnect notice. The time of day for the actual disconnections will be in the discretion of the City Manager based upon departmental needs and staffing.
- (g) Once utility services have been disconnected, all past due amounts owing on the account must be paid in order for services to be reconnected. A reconnection fee established by governing body resolution shall be assessed for each utility service to be reconnected and included in the amounts owing for reconnection. Payments to restore services must be made by cash, money order, or credit/debit card. The only type of check that will be accepted is a valid bank cashier's check.
- (h) If a customer has more than one utility account for which the customer is responsible, all of the customer's accounts will be disconnected for any delinquent account of that customer according to the provisions set forth herein. Likewise, all accounts must be current before utility services are reconnected to any of the customer's accounts.
- (i) If a customer seeks to restore service due to a disconnection for non-payment after regular City Hall office hours, only cash payments will be accepted in the exact amount due for services to be reconnected. Customers seeking to make these cash payments must do so through the police department by calling the non-emergency number to meet with an officer to pay. Payments made online after hours to

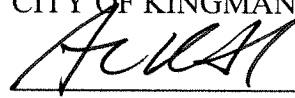
reconnect services will not be processed until the following business day, so services will not be reconnected until that time.

- (j) Service disconnections for non-payment will not be conducted on Fridays unless there is an emergency situation as determined by the City Manager. These non-payment disconnections will be postponed until the next regular business day.
- (k) For delinquent accounts scheduled for disconnection, the City shall not disconnect services if the temperature on the disconnection date is forecasted to drop below 35° F. If the delinquency is not resolved, the disconnection will commence on the first day thereafter forecasted not to drop below 35° F. The website of the National Weather Service in Wichita, Kansas, will be used to determine forecasted temperatures.
- (l) If a payment is returned to the City as insufficient, whether check, ACH transfer, credit/debit card or otherwise, a fee established by governing body resolution will be assessed to the customer for such insufficiency. The customer will have five (5) business days to pay the insufficiency with cash or money order only. If not timely paid, utility services will be disconnected after the fifth day, unless precluded by another Section. If a customer has two (2) insufficient payments returned in a twelve (12) month period starting with the first insufficient payment, the customer will only be allowed to pay through cash or money order for the following twelve (12) month period.
- (m) Utility services cannot be terminated on any account unless an individual responsible for payment on said account makes such request. Utility services cannot be transferred to another party unless this other party agrees with such transfer by notifying the City before the transfer. Until the City receives notification of service termination or transfer, the responsible party continues to be responsible for all charges on the account. In situations where more than one responsible party is on an account, the parties will have the option to sign a statement indicating if one of the responsible parties moves from the service location and requests to be removed from the account that the other responsible party(s) agrees that the removed party's obligation ends for services used after this removal date.

Section 2. This Ordinance shall take effect and be in full force from and after its passage by the Governing Body and publication of a summary of the Ordinance in the official City newspaper with a copy of the original Ordinance posted on the City's website.

APPROVED and passed by the Governing Body of the City of Kingman, Kansas, this 26th day of October, 2023.


THE GOVERNING BODY OF THE
CITY OF KINGMAN, KANSAS



Adrian Harrel, Mayor

(SEAL)

Attest:


Cindy Conrardy, City Clerk