

**ESCALANTE CITY
ORDINANCE 2024-19**

**AN ORDINANCE AMENDING ESCALANTE CITY CODE NO.8.04.060 TO
ADDRESS DELINQUENT UTILITY BILLS AND PROVIDING REPEALER
WITHIN THE CITY OF ESCALANTE STATE OF UTAH.**

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to address delinquent utility bills.

NOW THEREFORE, be it ordained by the Council of the Escalante City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “8.04.060 Delinquency” of the Escalante Municipal Code is hereby *amended* as follows:

A M E N D M E N T

8.04.060 Delinquency

- A. **Statement of Charges:** The city recorder or superintendent shall furnish to each user, or mail to, or leave at the user’s place of residence or usual place of business, a written or printed statement stating thereon the amount of water service charges assessed against the user once each month or as directed by the city council.
- B. **Content of Statement; Delinquency:** The statement shall specify the amount due, the place of payment and due date. If any user fails to pay the charges within thirty days (30) from the due date, the city recorder or superintendent shall give the user notice in writing of intention to discontinue water service to the user unless the user pays the bill in full within thirty days (30) days from the dated notice the city may disconnect the user’s water service. A five dollar (\$5.00) late fee will be assessed on all accounts thirty (30) days past due for each month past due until account is current.
- C. **Discontinuance of Service:** If a user’s culinary water service is discontinued for failure to make payment, before the water service shall again be provided, all delinquent charges must be paid to the City Treasurer. In the event water service is turned off for nonpayment of charges, the user shall pay, in addition to all delinquent charges, such extra charges for turning the water on or off as the city council may have established by resolution. Until such a resolution has been adopted, there shall be added an extra charge of twenty five dollars (\$25.00) for turning the service off and twenty five dollars (\$25.00) for turning the service back on.
- D. **Responsibilities Of Owner:** Irrespective of the occupant, user, tenant, co-tenant, permissive user, or any other person, firm, partnership, corporation or entity being in possession of the premises to which a connection is supplied or service made

available, the owner of the premises according to the records of the county recorder shall be legally responsible for the payment of all charges, fees, assessments and any other obligation or liability of a user. If any delinquent water and/or sewer connection, water and/or sewer user charge, repairs, maintenance or any other obligation is imposed against any premises, property, building or structure, the obligation shall be deemed by the city as a lien upon all of the real property on which any use is made from a water and/or sewer connection. Water shall be turned off for failure to pay said fee, assessment, charge or liability and will not be turned on again to those premises where a delinquency occurs unless and until all liabilities to the city for sewer and/or water delinquencies are paid in full.

E. Escalante City will continue to work with citizens in addressing billing and utility needs. Should bills become delinquent, notices will be sent to the property owners to address the issue and to provide deadlines and penalties to remedy the delinquency. A lien may be placed on the property and services may be terminated pursuant to policies and procedures. Once a water/sewer bill becomes more than six (6) months late and after notices have been sent to the most recent property owners via personal service, or via certified mail, the City may pull the meter from the property and require the owner to reapply for the meter, redeem the past bill(s), and to pay for applicable impact fees and connection fees.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed. Any previously enacted ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed, but only to the extent that they are inconsistent with this ordinance. The repealer shall not, however, be construed to revive any ordinance heretofore repealed.

SECTION 3: SEVERABILITY CLAUSE If any provision of this ordinance is declared invalid or inoperative by a court of competent jurisdiction, the remainder shall not be affected thereby and effect shall be given to the intent manifested by the portion held invalid or inoperative.

SECTION 4: EFFECTIVE DATE The City Council of Escalante City, State of Utah, has determined that the public health, safety and welfare requires that this Ordinance take effect immediately. Therefore, this Ordinance shall become effective immediately upon passage and publication as required by law

SECTION 5: PARAGRAPH HEADINGS The paragraph headings used herein are for convenience only and shall not be considered in the interpretation of this Ordinance.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Stowe	_____	_____	_____	_____
Councilmember Lyman	_____	_____	_____	_____
Councilmember Porter	_____	_____	_____	_____
Councilmember Orme	_____	_____	_____	_____
Councilmember Wilson	_____	_____	_____	_____

Presiding Officer	Attest
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Melani Torgersen, Mayor, Escalante
City

Stephanie Steed, MMC, City
Recorder, Escalante City

**ESCALANTE CITY
ORDINANCE 2024-20**

**AN ORDINANCE AMENDING ESCALANTE CITY CODE NO.1.22.010 MEETINGS
AND PROVIDING REPEALER WITHIN THE CITY OF ESCALANTE, STATE OF
UTAH.**

WHEREAS, the City Council, as the governing body of the City of Escalante, State of Utah, specifically finds that it is in the best interest of the safety and welfare of the citizens of the City of Escalante to amend the following Ordinance; and

WHEREAS, The City Council and Mayor wish to amend such an Ordinance.

NOW THEREFORE, be it ordained by the Council of the Escalante City, in the State of Utah, as follows:

SECTION 1: AMENDMENT “1.22.010 Meetings; Procedure And Conduct” of the Escalante Municipal Code is hereby *amended* as follows:

A M E N D M E N T

1.22.010 Meetings; Procedure And Conduct

- A. Regular Meetings: The city council ~~may~~ will ~~shall~~ hold two (2) regular meetings, which ~~will~~ shall be held on the first and third Tuesdays of each month at the Escalante City Council Chambers, which meetings shall begin promptly at six o'clock (6:00) P.M.; provided, that:
1. ~~If the meeting date is a legal holiday, then the meeting shall be held at the same time and place above described on the next following day which is not a legal holiday.~~ There is a need for the meeting with agenda items.
 2. The city council may by ordinance provide for a different time and place for holding regular meetings of the city council.
- B. Special Meetings: If at any time the business of the city requires a special meeting of the city council, such meeting may be ordered by the mayor or any two (2) members of the city council. The order shall be entered in the minutes of the city council. The order shall provide at least three (3) hours' notice of the special meeting and notice thereof shall be served by the city recorder on each member who did not sign the order by delivering the notice personally or by leaving it at the member's usual place of abode. The personal appearance by a council member at any specially called meeting constitutes a waiver of the notice required in this paragraph.
- C. Open Meetings: Every meeting is open to the public, unless closed pursuant to Utah Code 52-4-204 and 52-4-205.
- D. Quorum:
1. Defined: The number of members of the city council necessary to constitute a

quorum is three (3) or more.

2. Necessary: No action of the city council shall be official or of any effect, except when a quorum of the members are present. Fewer than a quorum may adjourn from time to time.

E. Voting:

1. How Vote Taken: A roll call vote shall be taken and recorded for all ordinances, resolutions and any action which would create a liability against the city and in any other case at the request of any member of the city council by a "yes" or a "no" vote and shall be recorded. Every resolution or ordinance shall be in writing before the vote is taken.
2. Minimum Vote Required: The minimum number of votes required to pass any ordinance, resolution or to take any action by the city council, unless otherwise prescribed by law, shall be a majority of the members of the quorum, but shall never be less than three (3).
 - a. Any ordinance, resolution or motion of the city council having fewer favorable votes than required herein shall be deemed defeated and invalid, except a meeting may be adjourned to a specific time by a majority vote of the city council even though such majority vote is less than that required herein.
 - b. A majority of the members of the city council, regardless of number, may fill any vacancy in the city council.
3. Reconsideration: Any action taken by the city council shall not be reconsidered or rescinded at any special meeting unless the number of members of the city council present at the special meeting is equal to or greater than the number of members present at the meeting when the action was approved.

PASSED AND ADOPTED BY THE ESCALANTE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Stowe	_____	_____	_____	_____
Councilmember Lyman	_____	_____	_____	_____
Councilmember Porter	_____	_____	_____	_____
Councilmember Orme	_____	_____	_____	_____
Councilmember Wilson	_____	_____	_____	_____

Presiding Officer

Attest

Melani Torgersen, Mayor, Escalante
City

Stephanie Steed, MMC, City
Recorder, Escalante City

Oct 1

P.O. BOX 18 ESCALANTE, UT 84726



Phone: (435) 826-4644 F:435-826-4642

CITY COUNCIL MEETING AGENDA ITEM REQUEST

1. The undersigned, request(s) the opportunity to present the following matter in city council meeting (please be as clear and specific as possible)

Ask for adjustment of water bill.

2. The undersigned requests _____ minutes for presentation.

Dated this 9th day of Sept., 20 24.

Printed Name Annette Muse Daytime Phone 435-705-1123 Cell

Signature Annette Muse Evening Phone _____

Please note: Items on the agenda for city council meeting are set at the discretion of the mayor. If the mayor approves the above request, you will be on the next agenda. If the request is not approved, you will NOT receive any further notification.

The remaining portion of this form is for office use only

DECISION ON REQUEST FOR APPEARANCE

☒ The above item is APPROVED for hearing before the city council. The city recorder is instructed to place the item on the next available council agenda for 10 minutes.

☐ The above item is NOT APPROVED for hearing before the city council.

Dated this 10 day of Sept., 2024.

P.O. BOX 18 ESCALANTE, UT 84726



Phone: (435) 826-4644 F:435-826-4642

CITY COUNCIL MEETING AGENDA ITEM REQUEST

1. The undersigned, request(s) the opportunity to present the following matter in city council meeting (please be as clear and specific as possible)

DC trip fundraising

2. The undersigned requests 10 minutes for presentation.

Dated this 25 day of September, 2024.

Printed Name Justine McDonald Daytime Phone 435-383-7067

Signature [Signature] Evening Phone 435-383-7067

Please note: Items on the agenda for city council meeting are set at the discretion of the mayor. If the mayor approves the above request, you will be on the next agenda. If the request is not approved, you will NOT receive any further notification.

The remaining portion of this form is for office use only

DECISION ON REQUEST FOR APPEARANCE

☒ The above item is APPROVED for hearing before the city council. The city recorder is instructed to place the item on the next available council agenda for 10 minutes.

☐ The above item is NOT APPROVED for hearing before the city council.

Dated this 25 day of Sept., 2024.