

TOQUERVILLE CITY

ORDINANCE 2025.XX

AN ORDINANCE AMENDING AND RESTATING TITLE 8, CHAPTER 1 OF THE TOQUERVILLE CITY CODE TO CLARIFY THE UTILITY BILLING PROCESS

RECITALS

WHEREAS, the City of Toquerville provides water and other utility services to residents and businesses within the City; and

WHEREAS, it is in the public interest to establish clear policies regarding the billing, delinquency, and discontinuance of utility services to ensure timely payment and continued reliable service; and

WHEREAS, the City Council has reviewed the existing utility billing and delinquency provisions and finds that updates are necessary to clarify billing procedures, notice requirements, late fees, disconnection policies, reconnection fees, and payment arrangements; and

WHEREAS, the City Council desires to amend the City Code to adopt updated provisions consistent with best practices, applicable state law, and the City's Uniform Fee Schedule; and

WHEREAS, the City Council finds that adoption of these changes will promote efficient utility service administration, protect the financial integrity of the City's utility system, and provide clear guidance to utility customers.

ORDINANCE

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

1. AMENDMENT AND RESTATEMENT OF TITLE 8, CHAPTER 1, SECTION 3. Title 8 (Public Utilities), Chapter 1 (Water Use and Service), Section 3 (Rates and Connection Fees; Payment Provisions) of the Toquerville City Code is hereby amended and restated to clarify the process for utility billing as follows:

E. Billings; Delinquency; Discontinuance Of Service:

1. The City shall furnish to each utility customer a bill specifying the amount of utility service charges assessed and the due date once each month. Any balance not paid by the due date stated on the bill shall be considered late and subject to late fees as set forth in the City's Uniform Fee Schedule.

2. A bill that remains unpaid for sixty (60) days after the due date is delinquent. The city shall furnish to each delinquent user a notice by mail, post a physical notice on the property, and may attempt notice by email, text message, and voicemail, stating that failure to pay the delinquent balance within seven (7) calendar days from the date of the notice will result in discontinuance of utility service.

3. If the delinquent balance is not paid within seven (7) calendar days, the water service to the property shall be disconnected. A Water Reconnect Fee, as set forth in the

Uniform Fee Schedule, shall be assessed. Before water service is restored, the customer shall pay in full all delinquent charges and the Water Reconnect Fee.

4. If a delinquent balance remains unpaid for more than thirty (30) days after water service has been disconnected for nonpayment, the user's utility account shall be terminated, which shall include permanent discontinuation of all water services associated with said account. To reinstate a terminated account, the customer must pay the balance in full, submit a new utility service application, and pay the required deposit as set forth in the Uniform Fee Schedule before utilities may be reinstated.

5. Partial payments do not delay disconnection or restore service unless a payment arrangement has been approved by the City Treasurer. Payment arrangements may be made only with the City Treasurer, who shall have discretion to establish the terms and schedule of such arrangements.

2. REPEALER. All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency and only for the period of time this Ordinance remains effective. This Repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. SEVERABILITY. Should any provision, clause or paragraph of this Ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this Ordinance or the Toquerville City Code to which these amendments apply. The valid part of any provision, clause or paragraph of this Ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this Ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. EFFECTIVENESS. This Ordinance shall become effective immediately upon approval by the City Council.

ADOPTED AND APPROVED BY THE TOQUERVILLE CITY COUNCIL this _____ day of January 2025, based upon the following vote:

Councilmember:

Joey Campbell	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Todd Sands	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Wayne Olsen	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Val Preslar	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jenny Chamberlain	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY
a Utah Municipal Corporation

Attest:

Dan Catlin, Toquerville City Mayor

Emily Teaters, Toquerville City Recorder