

ORDINANCE NO. 1859

SUMMARY

(Utility Reconnection and Meter Testing Charges)

On March 17, 2015, the City of Russell, Kansas, adopted Ordinance No. 1859 setting utility reconnection and meter testing charges. The fee charged for utility reconnection increases each time reconnection is made necessary by an involuntary disconnection. The fee ranges from \$50 to \$100. The meter testing charge is \$25.00.

A complete copy of this ordinance is available at [www.russellcity.org](http://www.russellcity.org) or may be viewed free of charge at the office of the City Clerk at City Hall, 133 W. 8<sup>th</sup> Street, Russell, Kansas. Kenneth L. Cole, Russell City Attorney, has certified this summary of the Ordinance to be legally accurate and sufficient.

CERTIFICATION

I, Kenneth L. Cole, City Attorney for the City of Russell, Kansas, certify that the foregoing summary of Ordinance No. 1859 is legally accurate and sufficient.

SIGNED this 19<sup>th</sup> day of March, 2015.



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Kenneth L. Cole

ORDINANCE NO. 1859

AN ORDINANCE SETTING RECONNECTION FEES AND METER TESTING CHARGE FOR UTILITIES AND AMENDING SECTIONS 18-110, 18-218, 18-219, 18-309, and 18-310 OF THE CODE FOR THE CITY OF RUSSELL, KANSAS

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

Section 1. That Section 18-110 be and it is hereby amended to read as follows, to-wit:

Section 18-110: SAME; RECONNECTION. In the event the delinquent account is not paid within the time stated in said notice, service to such customer shall be discontinued. Such service shall be resumed only upon payment of all delinquent accounts and payment of a reconnection service fee of \$50.00 if there has been no prior reconnection service fee charged for the same meter within the immediately prior 12-month period, \$75.00 if there has been one (1) prior such reconnection fee during such period and \$100.00 if there has been two (2) or more such reconnection service fee for the same meter within such 12-month period. The delinquent customer may also be required to make a deposit with the utility department in an amount equal to an estimated six weeks' utility billing as a guarantee for the payment of future billings.

Section 2. That Section 18-218 be and it is hereby amended to read as follows, to-wit:

Section 18-218: CONNECTIONS, DISCONNECTIONS; FEES; CHARGES; PENALTIES. When water service is installed and available on any premises, no charge or fee shall be made for turning on the water supply or for discontinuing the service at the request of the consumer or when service is disconnected at the convenience of the city for repair or alterations. Provided that where the water service is cut off for any other purpose, a reconnection fee as set forth in Section 18-110 shall be paid to the city clerk. In no case shall service be reconnected until all back charges, penalties or required deposits have been paid to the city clerk. It shall be unlawful for any person or persons to discontinue the service except the water superintendent or some duly authorized employee of the water department. No deductions shall be made in the rates on any service connections not being used when the same are available for use.

Section 3. That Section 18-219 be and it is hereby amended to read as follows, to-wit:

Section 18-219. DISPUTED BILLS. In case of a dispute between the department and the consumer as to the correctness of the measurement of any meter, the meter may be removed and tested upon request in writing by the consumer and upon the payment in advance

to the city clerk of \$25.00. If upon testing the meter, the same shall be found not to be over registering by as much as two percent, the said fee shall be retained by the city, but in case the meter is found to be over registering by more than two percent, the said fee shall be returned to the consumer. Where it appears that the meter is registering improperly, the city clerk may correct the bill upon the basis of the average amount of water used by the consumer during some previous time when the meter measured correctly or upon the basis of the average use of water by other consumers under similar circumstances.

Section 4. That Section 18-309 be and it is hereby amended to read as follows, to-wit:

Section 18-309. FEES; DISCONNECTION AND RECONNECTION. When electric service is installed and available on any premises, no charge or fee shall be made for turning on the electricity or for disconnecting the service at the request of the consumer during regular working hours or when service is disconnected at the convenience of the city for repair or alteration. Provided that where the electric service is cut off for any other reason, a reconnection fee as set forth in Section 18-110 shall be paid to the city clerk. In no case shall service be reconnected until all back charges, penalties, or required deposits have been paid to the city clerk. It shall be unlawful for any person or persons to discontinue electrical service except the superintendent or some duly authorized employee of the department. No deductions shall be made in the rates on any service connections not being used when the same are available for use.

Section 5. That Section 18-310 be and it is hereby amended to read as follows, to-wit:

Section 18-310. DISPUTED ELECTRIC BILLS. In case of a dispute between the department and the consumer as to the correctness of the measurement of any meter, the meter may be removed and tested upon request in writing by the consumer and upon payment in advance to the city clerk of \$25.00. If upon testing the meter, the same shall be found not to be over registering by as much as two percent, said fee shall be retained by the department, but in case the meter is found to be over registering by more than two percent, the said fee shall be returned to the consumer. Where the meter appears to be registering improperly, the city clerk may correct the bill upon the basis of the average amount of electricity used by the consumer during some previous time when the

meter measured correctly or upon the basis of the average use of electricity by other consumers under similar circumstances.

Section 6. This ordinance shall be in full force and effect from and after its passage and publication of a summary of the ordinance as provided by law.

PASSED by the Governing Body this 17th day of March, 2015.

APPROVED by the Mayor of the City of Russell, Kansas, this 17th day of March, 2015.

  
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Raymond C. Mader, Mayor

ATTEST:

  
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Katrina Woelk, City Clerk

(SEAL)