

ORDINANCE NO. 2011-_____

AN ORDINANCE OF THE NORTH OGDEN CITY COUNCIL AMENDING SECTION 9-1-2 OF THE NORTH OGDEN CITY CODE TO REQUIRE AN OWNER OF PROPERTY TO BE CURRENT ON EVERY DEBT OWED TO THE CITY TO BE ELIGIBLE TO RECEIVE CITY SERVICES

WHEREAS: the North Ogden City Council finds certain owners of property fail or refuse to pay fees, fines or other debts owed to the City and yet continue to receive City services; and

WHEREAS: the City Council finds that it places the City at risk financially to continue to provide services to an owner who is a poor credit risk to the City; and

WHEREAS: the City finds that it is reasonable and prudent to require an owner of property to be current in the payment of every fine, fee or debt owed to the City in order to be eligible to receive any City service,

NOW THEREFORE, BE IT ORDAINED that Section 2 “Application for Service” of Chapter 1 “Water Use and Service” of Title 9 “Utilities and Public Services” of the North Ogden City Code is hereby amended to read as follows:

9-1-2: APPLICATION FOR SERVICE:

A. Required: No water, sewer, garbage and solid waste disposal, or storm water control services ("the city services") shall be furnished to any house, tenement, apartment, multi-family unit, duplex, four-plex, building, place, premises or lot ("premises"), unless an application for city services shall be made in writing, signed by the owner or the owner's duly authorized agent. An applicant may apply for less than all of the city services provided by the city; provided, that the applicant must apply for all city services if the failure to receive the city services from the city will result in the creation, maintenance or perpetuation of a nuisance. In the application, the owner shall agree to pay for all city services furnished to such premises according to the ordinances, regulations and rules enacted or adopted by the city. In order to become and to remain eligible to receive city services, an owner must not be more than sixty (60) days delinquent in the payment of any fee, fine or other debt owed to the City regardless of the reason for the fee, fine or debt. The City may terminate any or all services to an owner who is ineligible to receive services pursuant to this part. A new owner must provide proof of purchase in the form of settlement papers or closing papers from a lender or a deed from the previous owner and picture identification. In the event an authorized agent applies for city services on behalf of an owner, the agent shall also provide written proof of the agency.

This ordinance shall take effect upon the first publication and filing of a copy thereof in the office of the City Recorder.

DATED this 11th day of October, 2011.

BY THE CITY COUNCIL:

Richard Harris, Mayor

CITY COUNCIL VOTE AS RECORDED:

| | Aye | Nay |
|---|------------|------------|
| Council Member Bigler: | ___ | ___ |
| Council Member Flamm: | ___ | ___ |
| Council Member Harris: | ___ | ___ |
| Council Member Taylor: | ___ | ___ |
| Council Member Turner: | ___ | ___ |
| (In event of a tie vote of the Council): | | |
| Mayor Harris: | ___ | ___ |

ATTEST:

Annette Spendlove, MMC
City Recorder