

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE TITLE 13, SEWER SYSTEM, SECTION 13.08.230 TO ADD A SUMMERTIME SPRINKLER ALLOWANCE FOR METERED RESIDENTIAL CUSTOMERS.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

Section 4. Amendment of Section 13.08.230. Haines Borough Code Title 13 Section 13.08.230 is amended, as follows:

NOTE: **Bolded**/UNDERLINED ITEMS ARE TO BE ADDED
~~STRIKETHROUGH~~ ITEMS ARE DELETED

Chapter 13.08 SEWER SYSTEM

13.08.230 Billing and payment.

A. Liable Parties. All sanitary sewer service charges, except the connection fee, shall be placed on the bill for borough water service, but those who do not receive water service shall be billed separately. The rates and charges herein established and as specified in the current assembly-approved water-sewer rate schedule shall be collected from the owners of the premises receiving service. Passage and publication of the ordinance codified by this chapter shall be deemed notice to all owners of real estate of their liability for sewer service supplied to any occupant or user of such service on their property.

B. Payment Deadline. All charges for sanitary sewer service shall be due when the bill containing the water and/or sewer service charges is mailed. If the bill is not paid by the twentieth day of the month following billing, the account shall be considered delinquent.

C. Delinquent Accounts.

1. Delinquent Notice. A reminder of account delinquency may be sent, at the discretion of the chief fiscal officer, to each delinquent customer on or after 10 days after the account has become delinquent.

2. Turn-Off or Court Notice. On or after 15 days after an account becomes delinquent, a turn-off notice or a letter of intent to go to small claims court shall state a date on or after either the sewer or water will be disconnected or turned off or court action will be initiated, if the delinquent account is not paid in full prior thereto. Such date will not be less than five nor more than 15 days from the date of notice. A delivery to the premises served or mailing to the address of record of the customer shall be considered a delivery to the customer.

3. Service Turn-Off. On the turn-off date, the authorized department official or other agent of the borough shall turn off the service. The borough shall not be liable to tenants for damages resulting from sewer disconnects or water turn-off because of a landlord's failure to pay delinquent accounts.

4. Service Charge. In all instances where the sewer has been disconnected or the water turned off because of a delinquent account under this section, a nonrefundable service charge as specified in the current assembly-approved water-sewer rate schedule shall be made for the restoration of services in addition to replacement of cash deposit as required in HBC 13.08.120(C).

D. Interest Charges. One and one-half percent interest per month will be added to charges delinquent over 30 days.

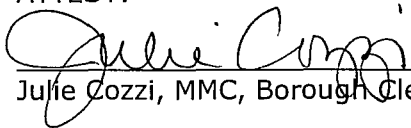
E. Exemptions and Adjustments to Charges. The manager and the chief fiscal officer shall have the authority to make all necessary adjustments or exemptions to the charges and fees established in this title when directed to do so by the assembly or if, in the opinion of the manager or chief fiscal officer, such actions are in the public interest. Any adjustments or exemptions shall be made a part of the borough's public financial records along with an authorizing statement by the responsible party as to the reasons for

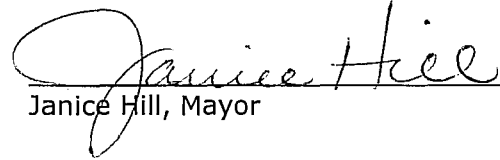
the action taken. The decision of the manager or chief fiscal officer shall be final unless overruled by the assembly. (Ord. 07-11-173 § 4)

F. Residential Sprinkler Allowance. For the period from June 1 to August 31st of each year a metered residential customer may apply to the utility for a "sprinkler allowance." Upon submittal of the completed application form to the borough by the customer the borough shall authorize the allowance. Such allowance shall be determined by calculating the metered usage which exceeds the minimum 4000 gallons per month. Any amounts in excess of the 4000 gallons per month per unit during this period will only be charged at fifty percent of the metered usage. The purpose of this allowance is to make an adjustment for the metered usage based upon water meter registers where not all the water used is collected and treated by the sewer system.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 24th DAY OF MAY, 2011.

ATTEST:


Julie Cozzi, MMC, Borough Clerk


Janice Hill, Mayor

Date Introduced: 04/26/11
Date of First Public Hearing: 05/10/11
Date of Second Public Hearing: 05/24/11 - Adopted

