

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE CITY OF ALCESTER, SD, AMENDING THE REVISED MUNICIPAL ORDINANCES CITY OF ALCESTER, SOUTH DAKOTA BY AMENDING CHAPTER 8.01 GENERAL PROVISIONS– 2014 REVISED ALCESTER MUNICIPAL ORDINANCES OF THE CITY OF ALCESTER, SOUTH DAKOTA.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF ALCESTER, SD:

1. That Chapter 8.0104 be amended to read as follows:

8.0104 Consumer's Bills. All utility bills rendered are net, due and payable on receipt and delinquent if not paid by the twentieth day of the month. If bills are not paid by the due date, a ten dollar (\$10.00) additional charge shall be assessed. Provided, however, when a due date falls on a weekend or holiday, bills will not be delinquent until the close of business the next following work day. Bill payments mailed to the City must be received by the City on the first business day after the due date. Postmarks shall not be considered and mailed bills received after first business day after due date will be considered delinquent.

2. That Chapter 8.0105 be amended to read as follows:

8.0105 Unpaid Bills. If a bill for utility services is not paid in full as provided in 8.0104, the customer shall be given notice by mail or by personal service to such owner, occupant or person, or by posting on the property that service shall be terminated on the 1st business day of the following month. Unless the customer shall:

- A. Pay the amount in full;
- B. Pay the undisputed portion of the account and file a written appeal with the City Finance Officer of the disputed portion. Service will be continued until such appeal is heard by the City Council.

Failure by any person to actually receive any document sent to him by certified mail or to sign and return any receipt card acknowledging receipt by certified mail shall not invalidate service made upon such person by certified mail. Such notice is deemed completed at the time it is mailed, hand delivered or posted, and any period to reply or abate begins to run from the date of mailing, personal service or posting. Mailed or posted notice shall be the only communication of unpaid bill prior to termination of service.

3. That Chapter 8.0109 be amended to read as follows:

8.0109 Owner, Lessee Liable. The owner of a leased property shall provide the City with a means of communication, either telephone or email and will be notified upon delinquency of a tenant in accordance with provision 8.0104. The owner of leased property, which is serviced by municipal utilities from the City, shall, as well as the lessee or occupant of the property, be liable to the City for the utility bills, which may be recovered in an action against such owner, lessee or occupant or against any or all of them, jointly or severally. The provisions contained in 8.0104 shall equally apply to the owner of the property as they do to the consumer/lessee or occupant. Failure of Lessee to adhere to provision 8.0104 will result in the deposit on file for the address being applied in the amount equal to unpaid bill. In the event an unpaid bill is greater than amount of deposit, the provisions in 8.0105 shall be used. If services terminated for failure to pay, a new full deposit shall be required as well as reconnect fee and payment in full of any delinquent amount prior to reconnection of services by the lessee.

Dated this 2nd day of July, 2024.

CITY OF ALCESTER, SOUTH DAKOTA



Darla Reppe
Council President

ATTEST:



David Hodgson
Finance Officer



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