

ORDINANCE NO. 249
CITY OF CLARK FORK, IDAHO

AN ORDINANCE OF THE CITY OF CLARK FORK, BONNER COUNTY, IDAHO, PROVIDING FOR AMENDING SECTIONS 13, 14, 15, 16, 17, 19, 20, AND 22A OF EXISTING WATER ORDINANCE NO. 214; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF CLARK FORK, IDAHO AS FOLLOWS:

SECTION 1.0 AMENDMENT OF SECTIONS 13, 14, 15, 16, 17, 19, 20, AND 22A OF EXISTING WATER ORDINANCE NO. 214.

The following sections of Water Ordinance No. 214 are hereby changed to read as follows:

Section 13. USER RATES, CHARGES AND CONNECTION FEES. All base rates, user charges, connection/reconnection/disconnection fees, delinquent fees, and any deposit required for connection of service shall be set by resolution of the City Council. All monthly water rates will be charged against the property for which the City water service line is installed.

Section 14. MODIFICATION OF USER RATES AND/OR CONNECTION FEES. The City Council of the City of Clark Fork may change or modify the rates, charges and fees listed in this Ordinance Base Rate, User Charge and/or connection fee as contained in the resolution of rates and fees upon any resolution of the City Council duly passed to become effective on the date as established by said resolution.

Section 15. USER CHARGES; WHEN DUE AND PAYABLE. All base rate and user charges shall be due and payable to the City Clerk on the first of each calendar quarter and upon failure to pay the same within thirty (30) days of the first of each quarter, as prescribed, each user shall pay, in addition to the amount due, the sum of Five Dollars (\$5.00) a delinquent fee as set forth in a resolution of the City Council.

Section 16. DISCONTINUANCE OF WATER SERVICE FOR DEFAULT. ~~The due date of all water service charges shall be the first day of each quarter following the rendering of said service. All bills for water service not paid within thirty (30) days after said due date shall be subject to a late fee of Five Dollars (\$5.00).~~ The City of Clark Fork may discontinue water service to any defaulting customer after fifteen (15) days written notice to said customer. In such event, a reconnection fee, of Ten Dollars (\$10.00) as set forth in a resolution of the City Council, shall be assessed against said customer upon request for reconnection. Reconnection of water service shall be made following the payment of any reconnection and delinquent water charges and delinquent late fees due. The City may accept a contingent payment plan by the user/property owner.

Section 17. CONNECTION/DISCONNECTION OF SERVICES. Should an owner or his agent request a City water service line to be disconnected, the City shall disconnect the same by closing the meter. There will be no charge for this disconnect/reconnect service if it is requested during the City Maintenance Personnel's normal working hours. If the request is made during non-working hours, the owner, or his agent, shall pay to the City a disconnect fee of ~~Twenty-Five Dollars (\$25.00)~~. The owner or his agent must request the City to place the line back in service before the meter is to be reopened and shall pay a reconnection fee. The disconnect and reconnect fees shall be as set forth in a resolution of the City Council ~~There shall be a charge of Twenty-Five Dollars (\$25.00) for reconnecting the said service.~~

Section 19. RESERVED. SEPARATE ACCOUNTS. ~~A separate account shall be maintained by the City Clerk which shall keep separate all funds collected for water services.~~

Section 20. DELINQUENCY; NOTICE. All delinquent charges or fees, as provided in this Ordinance, not paid within fifteen (15) days of the date when notice of delinquency is sent, shall be imposed as a lien against and upon the property or premises against which such charge or fee is levied or assessed, and The City Clerk shall certify such delinquencies together with all penalties to the Tax Collector of Bonner County, and when so certified the same shall be a lien upon the property, and will be collectible as other taxes. In addition to the above, the City may disconnect the water service line and such corporation stop shall not be opened or placed back into service until all delinquency charges and fees have been paid in full as provided in Section 16 of this Ordinance. All moneys collected by the Bonner County Tax Collector under the provisions of this Section shall be paid over to the City Clerk in the same manner as is required for the payment of other City moneys.

Section 22. UNAVAILABILITY OF MUNICIPAL SYSTEMS. Where the municipal water system is not available under the provisions of this Ordinance, a private water system may be installed, provided that the system complies with all the provisions of this Ordinance. Authority to develop a private water source or system within the City must be expressly granted by the City Council if a private water source is to be used.

A. Before the commencement of construction of a private water system, the owner shall first obtain a written permit from the City. The application for said permit shall be made on a form furnished by the City, which the applicant shall supplement by plans, specifications and other information as may be deemed necessary by the City. A permit and inspection fee as set forth in a resolution of the City Council ~~of Ten Dollars (\$10.00)~~ shall be paid to the City at the time the application is filed.

SECTION 2.0 SEVERABILITY.


If any section, subsection, sentence, clause, phrase or word of this Ordinance is declared to be invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3.0 PUBLICATION AND EFFECTIVE DATE.

This Ordinance shall be in full force and effect upon its passage, approval and publication in one issue of the Bonner County Daily Bee, a newspaper of general circulation, published in the city of Sandpoint, Idaho.

Passed under suspension of the rules and duly enacted by the City Council as an Ordinance of the City of Clark Fork on the 12 th day of December, 2007.

Approved by the Mayor on the ____ th day of _____, 2007.


Thomas A. Shields, Mayor

City Council Members:	<u>Yes</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
Russell W. Schenck	✓			
H. Lynn Siple	✓			
Brian L. Cantrell	✓			
Linda V. Reed	✓			

ATTEST: 
Jonell Davisson, City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) ss.

County of Bonner)

Valerie Syth, being first duly sworn on oath, deposes and states:

1. I am a citizen of the United States of America, over the age of 18 years, a resident of Bonner County, Idaho, and am not a party to the proceedings referred to in the attached #8153 Ord #249.
My business address is P.O. Box 159, Sandpoint, Idaho.

2. I am the Book Keeper of the Bonner County Daily Bee, a newspaper of general publication in Bonner County, Idaho;

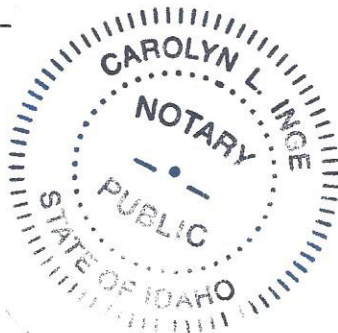
3. Said newspaper has been continuously and uninterruptedly published in Bonner County, Idaho during a period of 12 months prior to the first publication of said Notice, and thereafter.

4. The attached Notice was published in the regular and entire issue of the Bonner County Daily Bee for a period of 1 ~~consecutive weeks~~, commencing on the 27 day of Sept., 2006, and ending on the 27 day of Sept., 2006.

Valerie Syth

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public, this 29 day of Sept., 2006.

Carolyn L. Inge
Notary Public
Residing at: Sandpoint
Comm. Exp.: 8/12



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