

AN ORDINANCE AMENDING SEC. 36-156 PENALTY FOR NONPAYMENT OF CHAPTER 36 UTILITIES OF THE CHRISTIANSBURG TOWN CODE IN REGARD TO WATER, SEWER, SOLID WASTE AND STORMWATER FEE NONPAYMENT AND CODIFYING PROVISIONS FOR PAYMENT PLANS

WHEREAS, the Council of Town of Christiansburg, Virginia recognizes the necessity to review and consider amending Sec. 36-156. Penalty for nonpayment. of Chapter 36 "Utilities" of the Christiansburg Town Code; and,

WHEREAS the Town desires to amend procedures for nonpayment of water, sewer, solid waste, and stormwater fees and to codify procedures for payment plans; and,

NOW THEREFORE, BE IT HEREBY ORDAINED by the Council of the Town of Christiansburg that Sec. 36-156 of Chapter 36, "Utilities" of the Christiansburg Town Code is hereby amended as follows:

Sec. 36-156. Penalty for nonpayment.

- (a) Penalties for nonpayment shall be as set forth herein or as established in the latest edition of the town water and sewer utilities service fee schedule, which may be amended from time to time by the town council.
- (b) All bills for service, including industrial surcharge and industrial cost recovery, shall be invoiced monthly and become due on the first day of the month following the date on the bill for service. A penalty of ten percent shall be added to any bill remaining unpaid after the due date. When any bill remains unpaid ~~after the tenth day following the due date~~ 45 days or more from the original due date of the bill, service shall be discontinued unless such bill and penalty are paid prior to disconnection of service. Following disconnection for nonpayment, service shall not be restored until all outstanding charges, penalties, and interest have been paid ~~unless a suitable payment plan is established with the treasurer's office. Failure to make payments on the plan as agreed to shall result in disconnection if payments to the plan are more than 10 days late and an additional restore shall be charged.~~
- (c) When service at a location has been discontinued for nonpayment, service shall not be furnished to a new applicant at that location unless denial of service is prohibited by Code of Virginia § 15.2-2119.
- (d) If any person applies for service while owing a balance for service previously furnished, regardless of the length of time the same has been owing, service shall not be furnished until all outstanding charges and penalties have been paid in full, together with six percent interest compounded annually, which shall be charged on any bill which has been past due for one year or more. If a customer moves from one location to another and desires services at the new location, all amounts owed in connection with service at the old location must be paid in full before service shall be furnished at the new location.
- (e) Penalty fees for late utility payments for customers in good standing with the town who have gone 24 consecutive months with no delinquent payments shall be eligible for a one-time waiver provided the town is presented with a written request. Customers in good standing with the town shall be considered customers who do not have any past due accounts or bills with the town.

* * *

This ordinance shall be effective immediately upon passage. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held October 25, 2022, the members of the Council of the Town of Christiansburg, Virginia, present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor D. Michael Barber*				X
Samuel M. Bishop	X			
Johana Hicks	X			
Tanya Hockett	X			
Casey Jenkins	X			
Henry D. Showalter (acting as non-voting member due to Mayor Barber's absence)				
Tim Wilson	X			

*Votes only in the event of a tie vote by Council.

SEAL:


Tracy Heisline, Town Clerk


D. Michael Barber, Mayor