

BILL #22-1234
ORDINANCE#22-1234

**AN ORDINANCE ADDING SUBSECTION G TO CHAPTER 720.010 OF THE CITY
CODE OF THE CITY OF VANDALIA, MISSOURI**

**WHEREAS, CITY ADMINISTRATION AND STAFF HAVE REVIEWED THE
PROVISIONS OF CHAPTER 720 AND BELIEVE ADDING SUBSECTION G,
REGARDING PROCEDURE UPON DEATH OF UTILITY ACCOUNT HOLDER,
WOULD CLARIFY PROCEDURES AND RESULT IN CONSISTENCY FOR UTILITY
CUSTOMERS; AND**

**WHEREAS, THE BOARD OF ALDERMEN HAS CONSIDERED THIS INPUT AND
FINDS THE SUGGESTED CHANGES TO BE BENEFICIAL TO THE CITY AND ITS
CITIZENS.**

**NOW BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF
VANDALIA, MISSOURI AS FOLLOWS, TO-WIT :**

I.
SUBSECTION ADDED (720.010(G))

**Section 720.010 Discontinuance of Utility Service—Notices—Penalties for Late
Payment—Reconnection Charge and Reasons for Discontinuance of Service-**Procedure
Upon Death of Utility Account Holder****

- A. *Bills To Be Sent.* All bills for utility service for electric, water, and sewer services (including trash and waste collection) shall be sent as near as possible to the twenty-fifth (25th) day of the month. All bills for the above utility services not paid by the fifteenth (15th) day of the next month shall receive a late payment penalty of ten percent (10%) of the user charge bill.
- B. *Bill to Contain Information Regarding Late Payment and Disconnection.* Said bill for utility services described in subsection A above shall contain information that a ten percent (10%) penalty will be affixed to the utility service if said bill is not paid as set forth in subsection A above. Said bill shall advise the customer that if the bill is not paid in full by the twenty-fifth (25th) day of said month, that said services shall be discontinued and disconnected. Said bill shall also provide therein the reconnection fee or charge in the event such services are discontinued or disconnected.
- C. *Reconnection Fees and Charges.* The fee for reconnection after service has been discontinued shall be twenty-five dollars (\$25.00). If a reconnection is done after regular working hours, such reconnection fee shall be fifty dollars (\$50.00). No reconnection will be done without all delinquent bills being first paid in full.

D. *No Further Notice Required.* There shall be no further notice required for disconnection of service of utility service to any customer of the City utilities for the City of Vandalia, other than the notices required above.

E. Service to customers may also be discontinued by the City for any of the following reasons:

1. For willful or indifferent waste of water due to any cause.
2. For failure to protect from injury or damage the meter and connections, or for failure to protect and maintain the service pipe or fixture on the property of the water user (or the property occupied by the water user) in a condition satisfactory to the City.
3. For molesting or tampering, by the water user, or others with the knowledge of the water user, with any meter, connections, service pipe, curb cock, seal, valve, or any other appliance of the City's controlling or regulating the water user's water supply.
4. For failure to provide the owner's employees free and reasonable access to property supplied, or for obstructing the way of ingress to the meter or other appliances controlling or regulating the water user's water supply.
5. For non-payment of any account for water supplied, for water service or for meter or service maintenance, or for any other fee or charge accruing under these rules and regulations, the rate schedule of the City.
6. In case of vacancy of the premises.
7. For violation of any rules and regulations of the City.
8. For any practice or act prohibited by the Missouri Department of Natural Resources.
9. For the failure to allow any of the City's employees, officers, agents, or representatives the right to reasonably inspect the water user's premises for any purposes set forth in these rules and regulations.

F. The discontinuance of the supply of water to a property for any reason shall not prevent the City from pursuing any lawful remedy by action at law or otherwise for the collection of monies due from the water user or property owner. Water will not be turned on to any property unless there is at least one (1) adult person therein at such time to see that all water outlets in the premises are closed to prevent damage by escaping water. Only an employee, officer or agent of the City may turn on the water and all applicants and water users are expressly forbidden to do so.

G. *Procedure Upon Death of Utility Account Holder.* Upon the death of an individual owning a utility account in his or her sole name within the City of Vandalia, the following procedure shall be followed:

1. Upon the passing of 60 days after the resident's death, any utility accounts held in the name of said resident shall be disconnected or discontinued, except as described below.
2. If a legal spouse survives, the ownership of the utility account shall be transferred into the name of the surviving spouse, and the deposit in the deceased resident's name shall be transferred to the new account in the name of the surviving spouse.

3. Any currently held deposit will be applied to any outstanding bill, except as described herein. If there is a balance due, and the City is aware that a decedent's probate estate has been opened, the City may elect to file a claim against said decedent's estate for the remaining balance.

4. If the property which is the subject of the deceased resident's account is serving as a rental property and was not occupied by the decedent, the renter must pay the currently required renter's utility deposit and start an account in his/her name. The renter may not continue to use the utility account in the deceased person's name beyond 60 days after death. If said renter owes a past-due utility services bill to the City, satisfactory arrangements must be made with the City for the payment of the prior delinquent account before establishing new service.

III.

ORDINANCES IN CONFLICT

All ordinances in conflict herewith or to the same effect hereof are hereby ordered repealed.

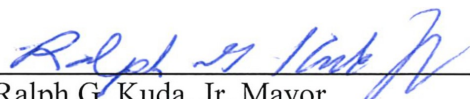
IV.

EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its date of passage and approval.

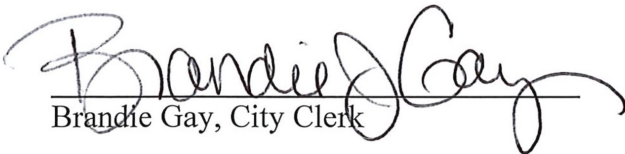
**THIS ORDINANCE PASSED AND APPROVED THIS 13TH DAY OF
DECEMBER, 2022.**

CITY OF VANDALIA, MISSOURI



Ralph G. Kuda, Jr. Mayor

ATTEST:



Brandie Gay, City Clerk

Vote on final passage and approval of Bill No. 22-1234/**Ordinance No. 22-1234**

Alderman Weiser:	"Aye"
Alderman Wenzel:	"Aye"
Alderman Hopke:	"Aye"
Alderman Turner:	"Aye"
Alderman Wheeler:	"Aye"
Alderman Shaw:	"Aye"