

ORDINANCE NUMBER 1612-2-20

WHEREAS, the Town of Avilla Indiana has heretofore passed Ordinance Number 1459-10-06;

WHEREAS, as part of said Ordinance, the Town of Avilla desires to institute modifications pertaining to the reconnect fees for electric and water utilities for consumers;

WHEREAS, as part of said Ordinance, the Town of Avilla desires to include a disconnect fee and trip charge for electric and water utilities for consumers;

WHEREAS, as part of said Ordinance, the Town of Avilla desires to include the fees to reconnect utilities that were disconnected due to non-payment; and

WHEREAS, as part of said Ordinance, the Town of Avilla desires to include a return check fee for checks that are returned for disconnect fees, reconnect fees, or trip charges.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF AVILLA, INDIANA that Town of Avilla, Indiana, Code of Ordinances, Title V Public Works, § 50.02 be amended to read as follows:

Whenever any consumer requests his or her electric service or water service to be disconnected or reconnected, he or she shall pay to the utility, in full, before service is disconnected or reconnected, the sum of \$25 for a disconnect fee and the sum of \$25 for a reconnect fee for reconnection to the electric or water utility.

If an employee or agent of the Town of Avilla makes a trip to a consumer's residence or place of business to disconnect the utilities for non-payment or by scheduled appointment, the consumer shall pay a \$25 trip charge. If the consumer's utilities are not ultimately disconnected due to payment at the time the disconnection is to otherwise occur or a consumer fails to meet the employee or agent of the Town of Avilla at their location for the scheduled date and time of disconnection or reconnection, the consumer shall still be responsible for paying the \$25 trip charge.

If a consumer's utilities are disconnected for non-payment, then the consumer shall pay all monies owed, including their current utility bill, disconnect and reconnect fees, and a deposit, pursuant to Title V § 50.01(E), in order for the consumer's utilities to be reconnected.

If a consumer pays the aforementioned fees or trip charge by check and the check is returned for insufficient funds, then the consumer shall be assessed the returned check fee set forth under I.C. § 35-43-5-5 or any subsequent statute which addresses returned check fees.

Ordinance Number 1459-10-06 is hereby repealed in its entirety upon the effective date of this Ordinance.

ALL OF WHICH IS ORDAINED THIS 19th day of February, 2020.

AVILLA TOWN COUNCIL

Paul Shepherd, President

William Krock, Jr.

Philip Puckett, Jr.

ATTEST:

Rita Grocock, Clerk-Treasurer