

ORDINANCE NUMBER 1613-2-20

WHEREAS, the Town of Avilla Indiana has heretofore passed Ordinance Number 1477-07-08; and

WHEREAS, as part of said Ordinance, the Town of Avilla desires to institute modifications pertaining to the deposits for customers.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF AVILLA, INDIANA that Town of Avilla, Indiana, Code of Ordinances, Title V Public Works, § 51.30 (A)(4) and (B)(1) be amended to read as follows:

(A) Deposit to insure payment of bills; residential customers.

(4) The town may require a deposit from an existing customer when such customer has been mailed two consecutive disconnect notices, or three non-consecutive disconnect notices within the preceding 12 months. If services are disconnected for non-payment, then the customer shall pay all monies owed, including their current utility bill, disconnect and reconnect fees, and a deposit in order for the customer's utilities to be reconnected. See Title V §§ 50.01(E) and 50.02.

(B) Deposit to insure payment of bills; non-residential customers.

(1) A non-residential customer may be required at any time, or from time to time, to make a cash deposit to assure payment of such customer's final bill. Such deposit may be required as a condition for obtaining or continuing service. Deposits taken after the effective date of Avilla rules shall not exceed \$170, plus one-sixth the estimated annual billings for electric service to customer at the address service is rendered.

ALL OF WHICH IS ORDAINED THIS ____ day of _____, 2020.

AVILLA TOWN COUNCIL

Paul Shepherd, President

William Krock, Jr.

Philip Puckett, Jr.

ATTEST:

Rita Grocock, Clerk-Treasurer

ORDINANCE NUMBER 1614-2-20

WHEREAS, the Town of Avilla Indiana has heretofore passed Ordinance Number 1453-06-02;

WHEREAS, as part of said Ordinance, the Town of Avilla desires to institute modifications pertaining to the deposits for consumers;

WHEREAS, as part of said Ordinance, the Town of Avilla desires to include a return check fee for checks that are returned for connection fees for electric, sewer, and water utilities.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF AVILLA, INDIANA that Town of Avilla, Indiana, Code of Ordinances, Title V Public Works, § 50.01 be amended to read as follows:

- (A) All persons who desire to connect with the sewer utility, owned by the town, when buying a house, shall pay a deposit in the amount of \$90.
- (B) All persons who desire to connect with the water utility, owned by the town, when buying a house, shall pay a deposit in the amount of \$45.
- (C) All persons who desire to connect with the town electric utility when renting a dwelling, shall pay a deposit to the electric utility of \$170. All persons who desire to connect to the water utility when renting a dwelling shall pay a deposit in the sum of \$45. All persons who desire to connect to the sewer utility when renting a dwelling shall pay a deposit in the sum of \$90.
- (D) All persons who own a home or dwelling and desire to connect to the electric utility shall, for residential service, pay a deposit of \$170. For non-residential service, all persons or entities shall pay a deposit of \$170, plus one-sixth of estimated annual billings for electrical services to customer at the address services are rendered.
- (E) If a consumer's utilities are disconnected for non-payment, then a deposit shall be required to reconnect said utilities. If the delinquent consumer already has a deposit with the town that is less than the present deposit amount(s), then the consumer shall pay an additional sum to bring their deposit amount(s) up to the current deposit amount(s) as required by this Section.

If a consumer pays any of the aforementioned deposits 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.

NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE TOWN OF AVILLA, INDIANA that Ordinance Number 1453-06-02 (Town of Avilla, Indiana, Code of Ordinances, Title V Public Works, Exhibit I: Deposits and Fees, New Service) be amended to read as follows:

Deposits

New Service:

Residential When applying for new service, either as a homeowner or renter, the initial deposit shall be \$170. The deposit shall be made payable to Avilla Municipal Electric Department at the time service is requested.

Non-Residential: When applying for new service other than as a homeowner or renter, the initial deposit shall be \$170, plus one-sixth the estimate annual billings for electric service to customer at the address service is rendered.

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