

Chapter 13.02 UTILITY CODE

13.02.010 Utility Code.

Chapters 13.02 through 13.16 MMC shall be known as the "Utility Code."

13.02.020 Exclusive control of utility systems and services by city.

The City of Molalla has exclusive control of the water, sewer and stormwater management utility systems and services within the city limits, including all connections and contributions to the utility systems. It is prohibited for any person to install any service, connect to any system, discharge sewer or stormwater into the system, provide utility service or otherwise tamper or interfere with any part of the system without authorization from the city.

13.02.030 Jurisdiction and operation.

The city may provide utility service to or receive utility service from any other utility service provider pursuant to an agreement authorized by the city council. Such agreements may include, but are not limited to:

- A. Sale or purchase of surplus water to or from any other municipal corporation, special district or utility company.
- B. Sale or purchase of treatment services to or from any other municipal corporation, special district or utility company.
- C. Provision of utility service within the city limits by any other municipal corporation, special district or utility company.

13.02.040 Payments for utility services.

A. All charges for utility service shall be due and payable monthly on the date of mailing and become delinquent on the 16th of each month. A late fee set by resolution shall be assessed on any utility accounts, which become delinquent. After a customer's utility bill is delinquent, the Finance Director or designee shall mail to customer a notice stating:

1. That the utility bill is delinquent;
2. The amount necessary to cure the delinquency;
3. That the utility service to the property will be shut off 20 days after the date of the notice, unless the delinquency is paid in full.
4. After termination of utility service, the full account balance including the fees will be required before service can be restored. If notice is mailed as provided in this section, the City may shut off utility service to the property 20 days after mailing of the notice unless the total amount due is paid in full, but subject to the City's compliance with the options specified in subsection C.

B. Utility services disconnected for lack of payment of the utility bills will be assessed a disconnect/reconnect fee as set by resolution and shall not be restored until all past-due-bills, late fees, and any other utility charges or connection fees are paid in full.

C. 1. The customer may request in writing a one-time emergency extension of payment (not to exceed 10 days) to avoid service being shut off and a disconnect fee being charged. If customer defaults on this agreement the utility account will be shut off the morning after the agreement expires and a disconnect fee will then be charged.

2. Any customer may request a waiver of their late fee in writing providing no other late fees have been assessed in the prior 12 months.

3. A customer may appeal a notice of utility shut-off by filing a written request for an informal hearing with the City within 15 days after the date of mailing of the notice. The appeal shall be filed with the City Manager and shall specify the reasons for the appeal. If an appeal is so filed, utility service shall not be disconnected before the business day after the announcement of the result of the hearing. The informal hearing shall be held as soon as is practically possible before the City Manager or designee. The City shall provide the customer reasonable notice of the date of the hearing. The customer may be represented by an attorney at the hearing, and any probative evidence shall be admissible. The hearing officer may affirm, overrule, or modify the notice of utility shut-off, considering applicable law and the nature of any hardship of the customer.

D. All payments shall be made to the City either by mail, online bill pay, at the office of the City, placed in drop box, or such other place as the Council may from time to time designate.