

ORDINANCE NO. 423-A1
Amend Sewer and Water Ordinance 423

AN ORDINANCE OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; PROVIDING FOR THE AMENDMENT OF CITY OF MACKAY ORDINANCE NUMBER 423, SECTIONS 7(d), 15(a), AND 16; AMENDING THE ORDINANCE TO STATE THAT THE CITY OF MACKAY WILL ONLY PROVIDE SEWER AND WATER SERVICES TO LEGAL PROPERTY OWNERS; DEEMED SEVERABLE; AND PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM THE DATE OF ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW; AND, PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO:

SECTION 1: The City of Mackay will no longer provide sewer and water services to anyone but the property owner of record. Exception: Requestors of sewer and water services who are in the process of purchasing the property where the service will be provided are considered as the property owner for the purpose of this Ordinance.

SECTION 2: Section 7(d) shall be amended to read as follows: Prior to receiving sewer and/or water services, the property Owner/~~Applicant~~ shall submit a written request for sewer and water service by completing an application form, available from the City Clerk during normal business hours. The water connection fee (cash deposit) shall be equivalent to the monthly base rate for sewer and water. This fee is not to be considered as a payment on account. In the event the service is discontinued, the fee will be applied to the closing bill and any amount in excess of the closing amount shall be refunded. No interest shall be paid on the fee.

SECTION 3: Section 15: (a) shall be amended to read as follows: Owners of inhabitable property within the City Limits shall be responsible for all charges for sewer and water services provided by the City to their property. ~~If the said Owner rents the property, requiring the Renter to pay for the sewer and water services (See SECTION 16), the Owner remains responsible for any charges the Renter incurs should the Renter default on those charges; and, shall be subject to all SECTIONS of this Ordinance except Section 16.~~

SECTION 4: Section 16: shall be deleted: ~~All renter of property served by the City sewer and water systems shall be required to post a deposit of the sum of \$50.00 to secure payment of water and sewer charges to the premises, which deposit shall be returned to the depositor without interest upon termination of water and sewer services providing, all charges for water and sewer services to the City have been paid in full.~~ Section 16 shall read as follows: Deleted.

SECTION 5: Provisions of this Ordinance shall be deemed severable and the invalidity of any provision of this Ordinance shall not affect the validity of remaining provisions. The remaining sections of Ordinance 423 shall remain as previously written and be in full force and effect.

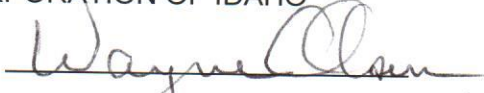
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SECTION 6: This Ordinance shall be in full force and effect immediately upon its passage and publication according to law, the Council dispensing with the rule that ordinances must be read on three different days, all as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO, THIS 4th DAY OF APRIL 2017.

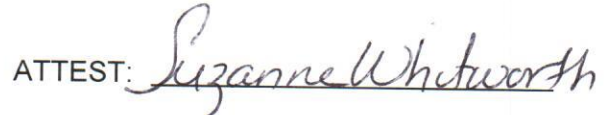
CITY COUNCIL OF THE CITY OF MACKAY, CUSTER COUNTY, IDAHO A MUNICIPAL CORPORATION OF IDAHO

By:



Wayne C. Olsen, Mayor

ATTEST:



Suzanne Whitworth, City Clerk

