

ORDINANCE NO. 127

AN ORDINANCE AUTHORIZING CLINTON WATER & SEWER TO LEVY SERVICE CHARGES ON UNCLAIMED SECURITY DEPOSITS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLINTON:

Section 1. Due to the administrative expense of maintaining records of security deposits held by Clinton Water & Sewer after termination of services to the person making such deposit, Clinton Water & Sewer is hereby authorized to charge against any security deposit remaining unclaimed for more than one year after the termination of services to the customer making such deposit, a service charge of FIVE AND 00/100 DOLLARS (\$5.00) per year until such security deposit is claimed or is depleted by such service charges, such amount being the reasonable cost incurred by Clinton Water & Sewer in maintaining records of such deposit. All service charges shall be deposited in the general account of Clinton Water & Sewer.

Section 2. It is hereby found that Clinton Water & Sewer has numerous security deposits that it has held for more than one year after termination of the services secured by such deposit. This ordinance is hereby made retroactive for seven years prior to the date of enactment of this ordinance so that Clinton Water & Sewer may recover for its administrative costs in maintaining records of such accounts.

Section 3. Clinton water & Sewer is hereby authorized to enter into a written security deposit agreement, a form for which is attached hereto, with all future customers, providing that Clinton Water & Sewer shall charge against such deposit a sum of FIVE AND 00/100 DOLLARS (\$5.00) for each year that such deposit is held by Clinton Water & Sewer after termination of services to the customer. All service charges shall be deposited in the general account of Clinton Water & Sewer.

Section 4. If any section of this ordinance is ruled invalid or unenforceable by a court of competent jurisdiction, all remaining sections shall retain their full force and effect and shall not be altered in any way by such ruling and to this end this ordinance is declared to be severable.

Section 5. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist and the same shall be in full force and effect immediately after its passage.

DATED: 5-12-83

APPROVED: Charlie Bradley
CHARLIE BRADLEY, Mayor
City of Clinton

ATTEST: Faye Rodgers
FAYE RODGERS, City Clerk

SECURITY DEPOSIT AGREEMENT

The undersigned agrees to deposit the sum of _____ with Clinton Water & Sewer as security for its provision of water and sewer services to the undersigned, subject to the following terms and conditions:

1. The security deposit shall be refunded by Clinton Water & Sewer after termination of water and sewer services to the undersigned within thirty days after an oral or written request to do so. There shall be deducted from such refunded deposit the amount of any outstanding and unpaid bills for water and sewage.

2. Should the undersigned fail to request a refund within one year after the termination of services, Clinton Water & Sewer shall levy a service charge against such deposit in the amount of FIVE AND 00/100 DOLLARS (\$5.00) per year for each year the deposit remains unclaimed, until the deposit is claimed or depleted.

SIGNED this _____ day of _____, 19 ____.

Customer's Signature

Customer's Printed Name

Property Address