

**RESOLUTION NO. 09-01**

**LITTLE COLORADO SANITARY DISTRICT**

**RESOLUTION AMENDING ARTICLE V, THE SECOND AMENDED RULES AND REGULATIONS REGARDING COMPLIANCE AND PAYMENTS**

**WHEREAS**, Article V of the Little Colorado Sanitary District's Second Amended Rules and Regulations describes when sewer charges are due and payable; disconnect for delinquency procedures; and disconnect and reconnect charges; and

**WHEREAS**, the Board of Directors of the Little Colorado Sanitary District desires a more effective billing method and delinquency and disconnect method and procedure.

**THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LITTLE COLORADO SANITARY DISTRICT THAT:**

Article V, shall be deleted in its entirety and replaced with the following:

**Section 1      COMPLIANCE AND PAYMENTS**

A.      All sewer charges shall be billed at the beginning of each quarter and are due and payable thirty (30) days from the day of billing. Sewer charges shall be billed to the Owner in whose name the service connection is recorded.

B.      In the event that property is sold, conveyed, or otherwise transferred without all user fees being paid in full, the District shall have the option to collect such unpaid user fees from the successor or successors in interest to the owner who incurred said user fees. For purpose of this section, the user fees shall be deemed to be a charge against the land, regardless of ownership, and the same may be collected against a current property owner even if the same were incurred by a previous owner or person in possession of the property.

**Section 2      DISCONNECT FOR DELINQUENCY**

A.      If any sewer charge bill is not received by the District by the last day of the quarter for which sewer charges are due, the bill shall be considered delinquent and subject to late fees, penalties, and disconnect.

B.      Within three days after the last day of the quarter a notice of the delinquent bill, including a penalty on the amount due set annually by the Board of Directors, plus District costs of collection, shall be sent to the Owner by mail and/or email, stating that payment of all amounts due must be received by the District prior to the next scheduled public Board of Directors meeting, normally held on the second Monday of each month, with exact time and location published as required by law.

C.      If payment in full is not received prior to the next scheduled public Board of Directors meeting, normally held on the second Monday of each month, with exact time and location published as required by law, the Board of Directors shall vote to disconnect the property.

D. Within five (5) business days following the Board of Director's vote to disconnect, employees of the District shall go to the property in preparation of disconnection of service, including but not limited to, marking (blue-staking) the land, or actual disconnect.

E. A property owner shall be assessed a disconnection fee at the time the District employee goes to the property in preparation of disconnection of service, or actual disconnect, whichever occurs first.

**Section 3 DISCONNECT AND RECONNECT CHARGES**

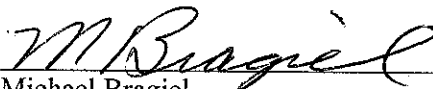
Whenever the District has disconnected any sewer service for failure to pay the sewer charge, or for noncompliance or other purpose, the property shall not be reconnected to the sewer system until all delinquent and penalty sewer charges are paid in full, together with a reconnection charge, as published annually.

In addition to the reconnection charge, the District may require a deposit to cover future sewer services in an amount not to exceed one year's estimated sewer charges before the property is reconnected to the sewer system.

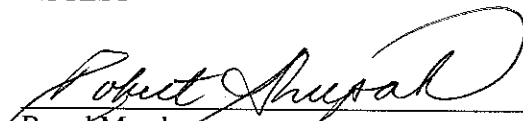
All labor, material and equipment costs incurred to disconnect and reconnect shall be billed to the property owner in addition to the reconnection charge. If the property has been blue staked in preparatory to disconnection, the reconnect and disconnect fee shall incur regardless if delinquent payment is made, or compliance or other purpose has occurred.

ADOPTED THIS 10<sup>th</sup> DAY OF August, 2009.

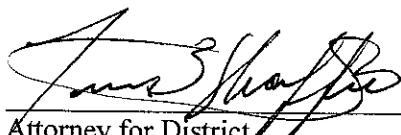
LITTLE COLORADO SANITARY DISTRICT

  
Michael Bragiel

ATTEST

  
Board Member

Approved as to Form:

  
Attorney for District