

Sponsor: J. Peters, Colby

**ORDINANCE NO. 17-20**

**AN ORDINANCE REGARDING UTILITY BILLING AND FINANCIAL RESPONSIBILITY OF A NON-RESIDENT PROPERTY OWNER / LANDLORD TO BE CODIFIED AS SECTION 919.031 AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Jackson requires financial responsibility of the owner of a premises serviced by City utilities and has enacted statutes for the placement of liens for unpaid utility charges upon the premises served, as found at sections 921.12, 927.13 and 929.05 of the Codified Ordinances; and

WHEREAS, in order to supplement and better implement the existing ordinances regarding financial responsibility of utility customers and property owners, this legislative authority finds it necessary to make clear that the non-resident premises owner shall be jointly and severally responsible, together with the resident utility customer, for the utility charges on a served premises and to enact a method whereby the City may give notice of delinquent utility charges to the non-resident owner; and

WHEREAS, this matter constitutes an emergency required to protect the health, safety and welfare of the City as it is a necessary action to collect significant amounts of unpaid utility charges that are required for the sustainable operation of the City utility services.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO THAT THERE BE INCLUDED IN THE CODIFIED ORDINANCES OF THE CITY OF JACKSON, OHIO, THE FOLLOWING SECTION NUMBER 919.031 AND DECLARING AN EMERGENCY:

**919.031 FINANCIAL RESPONSIBILITY OF NON-RESIDENT PROPERTY OWNER FOR THE DELINQUENT UTILITY CHARGES OF RESIDENT UTILITY CUSTOMER.**

(a) Utility service shall be obtained by a non-owner resident of the premises to be served only upon a joint application by the non-resident property owner, landlord or agent thereof, and the resident utility customer. The non-resident owner and resident utility customer shall be jointly and severally responsible for the payment of utility charges. The resident utility customer shall permit delinquency and termination notices to be delivered to the non-resident owner of the premises. The City of Jackson Utility Department shall provide an application in accordance with this section which shall obtain assurances, consents and information from the applicants deemed necessary by the Department for its purposes.

(b) Nothing contained herein shall reduce the obligation or liability for the payment of all utility charges by either the non-resident property owner or resident utility customer nor shall anything contained herein create a cause of action against the City or by the resident utility customer against the non-resident owner.

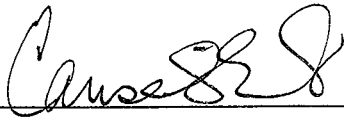
(c) This section is subject to and does not replace the terms and requirements related to liens, fees, service charges, deposits or rates as established by any other ordinance of the City

This Ordinance is hereby declared to be an emergency Ordinance necessary to maintain the public health, safety and welfare of the City as it is a necessary action to collect significant amounts of unpaid utility charges that are required for the sustainable operation of the City utility services. Therefore, this Ordinance shall go into effect upon passage and as provided in Ohio Revised Code Section 731.30.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 26 day of May, 2020.




President of Council

ATTEST:

  
Clerk of the Legislative Authority

Approved this 26<sup>th</sup> day of May, 2020.



Mayor