

ORDINANCE NO. 23-4

AN ORDINANCE AMENDING CHAPTER XV, ARTICLE 1A, SECTION 15-1A02 OF THE CODE OF THE CITY OF OZAWKIE, KANSAS REGARDING THE DISCONTINUANCE OF UTILITY SERVICES IN THE CITY OF OZAWKIE, KANSAS AND REPEALING ALL OTHER ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OZAWKIE, KANSAS:

SECTION 1. That Section 15-1A02 of the Code of the City of Ozawkie is hereby amended to read as follows:

15-1A02 DISCONTINUANCE OF UTILITY SERVICES. (a) The city may discontinue or refuse a particular utility service to any customer, without notice or hearing, for any of the following reasons:

(1) When the customer so requests upon the transfer of ownership or tenancy in the property. The city will not discontinue utility service temporarily or at the convenience of the owner due to travel, absence, etc. or any other reason other than a change of ownership, a change in tenancy or the reasons listed below.

(2) When it is determined by an employee of the city utility department, fire department or police department that the continuance of a particular utility service constitutes a dangerous condition presenting a likely immediate threat to health or safety of persons or to property on or near the customer's premises.

(b) The city may discontinue or refuse a particular utility service to any customer, whether at the property where unpaid service was provided or any other property owned or occupied by the customer subsequent to the unpaid billing period, following compliance with the notice and hearing requirements of section 15-1A04, for any of the following reasons:

(1) Nonpayment of utility bills and charges as provided in section 15-1A04.

(2) When the customer misrepresents his or her identity or otherwise intentionally provides false information for the purpose of obtaining utility services from the city.

(c) The city may discontinue or refuse a particular utility service to any customer, following notice to the customer, for any of the reasons set out in this subsection. The customer shall have the right to a hearing within a reasonable time, not to exceed 10 days, following termination or refusal of service after such hearing the hearing officer finds In favor of the customer the hearing officer may order connection or reconnection of the service at no cost to the customer.

(1) When the customer refuses to grant employees of the city's utility department access to equipment installed upon the premises of the customer for the purpose of inspection, meter reading, maintenance or replacement.

(2) When the customer violates any rule, regulation or ordinance of the city pertaining to utility services, which violation adversely affects the safety of the customer or other persons, or the integrity of the city's utility services delivery system.

(3) When the customer attempts, causes or permits unauthorized

interference, diversion, theft, tampering, damage or use of utility services or the utility services' delivery system situated or delivered on or about the customer's premises. (Code 2016)

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts or Sections of ordinances in conflict herewith are hereby repealed.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication in the official City Newspaper.


PASSED by the council on this 11th day of December, 2023.

APPROVED by the Mayor on this 11th day of December, 2023.



LOREN LUTES, Mayor

ATTEST:



City Clerk