

05/21/2018

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 102-91 OF CHAPTER 102 UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO INCREASE LATE PAYMENT CHARGES AND AUTHORIZE CONDITIONAL WAIVER OF SUCH CHARGES, REPEAL CONFLICTING ORDINANCES, AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Section 102-91 of Chapter 102, Utilities, of the Code of Ordinances of the City of Rochester Hills shall be amended, as follows:

**Sec. 102-91. Due date; late payment charge.**

- (a) All charges billed monthly to customers of the water and sewage disposal system shall be paid and received by 5:00 p.m. on the due date of payment, which due date shall be stated on the bill. Failure to receive a bill shall not excuse payment.
- (b) A late payment charge equal to ~~two~~five percent of any balance remaining unpaid on the second city working day following the due date for the preceding monthly bill shall be added to the unpaid balance and charged to the customer.
- (c) The Chief Financial Officer is authorized to waive the late payment charge under conditions which reasonably assure the City that the customer's future payments will be made on time. However, no such waiver shall be given after City Council has assigned the delinquent charge to the property tax roll.

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Penalty. All violations of this ordinance shall be misdemeanors and upon conviction thereof shall be punishable by a sentence of not more than ninety (90) days of confinement to jail or by a fine of not more than \$500, or both, in the court's discretion.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on \_\_\_\_\_, 2018 following its publication in the *Oakland Press* on \_\_\_\_\_, 2018.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on \_\_\_\_\_, 2018.

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Bryan K. Barnett, Mayor  
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON \_\_\_\_\_, 2018.

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Tina Barton, Clerk  
City of Rochester Hills