

AN ORDINANCE ESTABLISHING LANDLORD LIABILITY FOR UNPAID BILLS OF TENANTS.

WHEREAS, the City of Arcadia has significant losses in unpaid utility bills, and

WHEREAS, Missouri Statute specifically allows the city to provide utility services to landowners only, or to impose liability on landlords for bills incurred by their tenants.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ARCADIA, MISSOURI AS FOLLOWS:

Section 1:

Landlords Responsible for Utility Bills.

Every property owner shall be responsible for any utility charges of fees left unpaid by any tenant of the premises served by the water, sewer, or trash utility. However, when an occupant is delinquent more than one hundred and twenty days (120), the owner shall not be liable for sums due for more than one hundred and twenty days (120) of service. Further, where the landlord or property owner fails to pay the utility charges, the city may refuse to provide any water, sewer and/or trash service to the property with the delinquent charge even in the name of a subsequent tenant or new property owner.

Section 2:

Delinquent Accounts.

When a tenant is delinquent in payment for ten (10) days, the city shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service. The city normally charges a utility deposit of one hundred dollars (\$100.00). Any landlord can require that the deposit for their tenants be increased by 100% to two hundred dollars (\$200.00) and that utility service not be provided until the entire deposit is paid.

Section 3:

Penalty; Severability; Effective Date.

This ordinance shall be in full force and effect upon its passage and approval, except that landlords will not be liable for unpaid delinquent utility bills incurred before the effective date of this ordinance, unless the utility customer remains a tenant after ninety

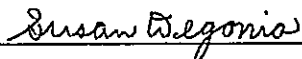
(90) days after the passage of this ordinance. The provisions of this ordinance are severable, as provide under Section 1.140 RSMo.

PASSED BY THE BOARD OF ALDERMEN CITY OF ARCADIA, MISSOURI, THIS 11th DAY OF December, 2017.



MAYOR PRO-TEM

ATTEST:



CITY CLERK

APPROVED AS TO FORM.

BY: Michael Randazzo

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Attorney for City of Arcadia, Missouri

Vote 1st Reading On December 11th, 2017 Vote 2nd Reading On December 11th, 2017

Mayor Pro-Tem Dennison	Yea	Yea
Alderman Richards	Yea	Yea
Alderwoman Matthiesen	Yea	Yea
Alderwoman Yates	Yea	Yea

