

Ordinance No. 2013-6

COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA

UTILITY DISCONNECT

The Common Council of the City of Rockport, Indiana met in regular session on the 6th day of August, 2013 at 6:00 p.m. in the Council Chambers, City Hall, 426 Main Street, Rockport, Indiana, after due notice as required by law. The Council discussed an Indiana Court decision that addressed due process and notice requirements in the event that the City proposed to notify a customer of the City's intention to disconnect utility service for failure to pay for such service. Following discussion of the requirements concerning such disconnects and notices, upon the motion of Ferman Yearby, seconded by Carol Huff, and carried unanimously, the Council adopted the following provision:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ROCKPORT, INDIANA that, in the event that the City intends to proceed with disconnection of utility service for failure to pay for such service, the customer shall be sent a written notice at the address on the utility account stating that the utility service will be disconnected for failure to pay for such service. The notice shall state the following:

You may contest the disconnection of utility service by appearing, with or without an attorney, at a hearing before a hearing officer for the Rockport Board of Public Works and Safety in the Council Chambers, City Hall, 426 Main Street, Rockport, Indiana on the ____ day of _____, 20____ at 3:00 p.m., where you may confront witnesses and offer evidence why your utility service should not be disconnected. YOU ARE REQUIRED TO INFORM ROCKPORT'S UTILITY OFFICE BY CALLING (812) 649-2242 OR APPEARING AT THE ROCKPORT CITY HALL NOT LATER THAN 4:00 P.M. ON THE ____ DAY OF _____, 20____ TO CONFIRM WHETHER OR NOT YOU WILL ATTEND THE HEARING. IF YOU FAIL TO CONFIRM THAT YOU WILL

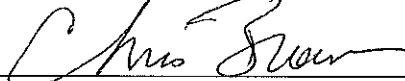
ATTEND THE HEARING, YOUR SERVICE WILL BE DISCONNECTED ON
THE ___ DAY OF _____, 20__.

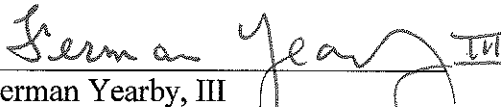
BE IT FURTHER ORDAINED that one of the following is hereby authorized to
serve as the hearing officer: Mayor or Clerk-Treasurer of the City of Rockport, Indiana.

BE IT FURTHER ORDAINED that the hearing officer, in his or her discretion,
may offer the customer a payment plan to satisfy the delinquency.


Adopted this 6th day of August, 2013.

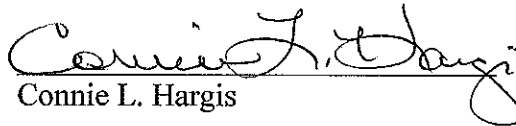
COMMON COUNCIL OF THE
CITY OF ROCKPORT, INDIANA


Chris Brown

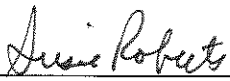

Ferman Yearby, III

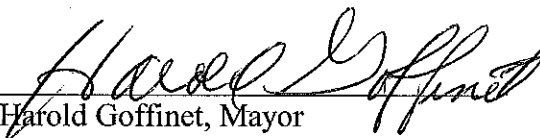

Carol Huff


Robert C. Mack


Connie L. Hargis

ATTEST:


Susie Roberts,
Clerk-Treasurer


Harold Goffinet, Mayor