

Replacing Ordinance No. 401, dated February 5, 2003.

ORDINANCE NO. 472

AN ORDINANCE OF THE TOWN OF HOLLY, COLORADO ESTABLISHING UTILITY DEPOSIT PROTOCOL AND THE PROCEDURES FOR RETURNING UTILITY DEPOSITS TO THE CUSTOMER, FOR APPLYING UTILITY DEPOSITS TO DELINQUENT CUSTOMER ACCOUNTS, FOR DEMANDING SUBSEQUENT UTILITY DEPOSITS, AND FOR SUCCESSION OF UTILITY DEPOSITS TO FOLLOW CUSTOMER MOVES TO A NEW LOCATION WITHIN THE UTILITY SYSTEM, AND SUPERCEDING TOWN OF HOLLY ORDINANCE NO. 401.

WHEREAS, the Town of Holly owns and operates water and electric utility distribution systems; and

WHEREAS, customers of the water and electric utilities are required to pay a monetary deposit upon request for service; and

WHEREAS, the likelihood that certain utility customers will become delinquent in the payment of monthly utility accounts is apparent; and

WHEREAS, the Town of Holly must establish an avenue by which customer accounts in arrears are held to a minimum in order to protect the utilities' accounts receivable status and the revenues of the Utility Funds; now

THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HOLLY, COLORADO:

Section 1. Upon a twelve month good payment history (no more than one late charge in a twelve month period), the customer deposit, along with the prevailing P.U.C. interest rate, will be returned to the customer in good standing.

Section 2. Should a customer establish a recurring delinquent payment history, the Town may, at its election, apply the initial deposit to the outstanding balance due and require a new deposit of the customer. Any outstanding balance remaining after the initial deposit is applied must be paid in full by the customer at the time the new deposit is required. If full payment of the outstanding balance and the deposit is not forthcoming, termination of service will occur.

Section 3. Should a customer move to a new location within the utility system, the utility deposit, payment history, and any balance forward will follow the customer move.

Section 4. In the opinion of the Board of Trustees of the Town of Holly, Colorado the passage of this Ordinance No. 472 is necessary for the immediate preservation of the public peace, health and safety of the community. THEREFORE, it is declared that an emergency exists and this Ordinance No. 472 shall take affect and be in force immediately upon passage.

APPROVED AND ADOPTED THIS 3rd DAY OF MARCH, 2010.

/s/ W. Bruce Roup, Mayor

ATTEST:

/s/ Mary Rushton, Clerk/Treasurer