

ORDINANCE NO. 218

AN ORDINANCE OF THE VILLAGE OF LODGEPOLE, CHEYENNE COUNTY, NEBRASKA. IMPLEMENTING THE FINANCIAL RESPONSIBILITY OF LANDLORDS WITH REGARD TO UNPAID UTILITY BILLS; WAIVING THE UTILITY DISCONNECT FEE FOR RENTAL PROPERTY OWNERS UPON TENANT NON-PAYMENT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; TO PROVIDE THAT THE CHAIR AND THE APPROPRIATE DEPARTMENT, WHETHER ONE OR MORE, OF THE VILLAGE OF LODGEPOLE NEBRASKA, ARE HEREBY AUTHORIZED AND DIRECTED TO IMPLEMENT THIS ORDINANCE; TO PROVIDE FOR THE SEVERABILITY OF ANY SECTION, CLAUSE, PROVISION OR PORTION FOUND UNCONSTITUTIONAL OR INVALID; TO PROVIDE THAT THIS ORDINANCE SHALL BE PUBLISHED ACCORDING TO LAW, AND SHALL BE IN FULL FORCE AND TAKE EFFECT FROM, AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION AS PROVIDED BY LAW, AND AS PROVIDED HEREIN; AND TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL BE MADE A PART OF THE MUNICIPAL CODE OF THE VILLAGE OF LODGEPOLE, NEBRASKA.

BE IT ORDAINED BY THE CHAIRMAN AND VILLAGE BOARD OF THE VILLAGE OF LODGEPOLE AS FOLLOWS:

SECTION 1. Section 3-1000 of the municipal code of the Village be and hereby is amended to read as follows:

Rental property shall be billed as follows:

- A. All landlords shall be required to sign an Owner's Consent form agreeing to pay all unpaid utility charges for their property before a tenant's utility application will be accepted and the landlord re-connect fee waiver will be allowed.
- B. All unpaid utility charges after final billing and/or disconnect of electricity, which include light, water, sewer and trash, shall be the primary responsibility of the property owners of any rental properties within the village. Any utility deposit paid by the tenant shall be credited to the account.
- C. Prior to disconnection of utilities from any known rental units within the Village, the property owner shall be given a five day notice of the failure of the renter to pay such bills when due.
- D. In the event the renter and the owner fail to pay such utility charges within the time set forth in the village ordinances, the utilities to such property shall be disconnected.
- E. Upon payment in full by the owner of the property, the re-connection charges shall be waived. Waiver of a re-connection fee will not be granted for partial payment of the past due utility charges. The re-connection fee shall not be waived for a tenant.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. That the Chair and the appropriate department, whether one or more, of the Village of Lodgepole, Nebraska, are hereby authorized and directed to implement this Ordinance.

SECTION 4. That should any section, paragraph, sentence of this Ordinance hereby adopted be declared for any reason be invalid, it is the intent of the Chair and Board of Trustees of the Village of Lodgepole, Nebraska, that it would have passed all other portions of this Ordinance independent of the elimination here from of any such portion as may be declared invalid.

SECTION 5. This ordinance shall be effective from and after its passage, approval and publication as required by law.

SECTION 6. That the provisions of this Ordinance shall become and be made a part of the Municipal Code of the Village of Lodgepole, Nebraska and that the Clerk publish passage of this Ordinance according to law.

Dated this 1 day of August, 2016

VILLAGE OF LODGEPOLE, NEBRASKA

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Board Chairman

Attest:

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Village Clerk