

**ORDINANCE NO. 424**

**AN ORDINANCE AMENDING THE PUBLIC IMPROVEMENT CODE AND  
ESTABLISHING SECTION 7.645 IN REGARDS TO NON-SUFFICIENT  
FUNDS AND DECLARING AN EMERGENCY**

**WHEREAS**, the City requires utility customers to be responsible for payments of all fees and charges associated with the utilities.

**WHEREAS**, the Drain Public Improvement Code provides that certain utility fees and charges be set by resolution and adopted by City Council.

**WHEREAS**, it has been a long standing policy to charge a fee and require certain payments from utility customers for returned non-sufficient fund checks from financial institutions.


**NOW, THEREFORE, the City of Drain ordains as follows:**

7.645 NON-SUFFICIENT FUNDS.


1. If payment is made by check for utility services and returned by a financial institution due to non-sufficient funds, a fee will be charged to the account. The NSF fee is set by resolution.
2. Upon notice of non-sufficient funds, the customer is required to provide payment by cash or money order on the current utility amount plus any additional charges.
3. If the City does not receive payment within three (3) business days, the utilities may be terminated or disconnected.
4. Upon a second non-sufficient fund notice, the customer will be required to provide payment by cash or money order for a period of six (6) months.

**Emergency Clause.** It has been a long standing policy to charge a fee and require certain payments from utility customers for returned non-sufficient fund checks from financial institutions, therefore, an emergency exists. This ordinance shall be in full force and effect upon adoption by City Council.

**PASSED BY THE CITY COUNCIL, CITY OF DRAIN, DOUGLAS COUNTY, OREGON THIS  
12<sup>th</sup> DAY OF OCTOBER, 2015.**

  
Suzanne Anderson, Mayor

ATTEST:

  
Carl A. Patenode, City Administrator