

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE 2018-27**

**AMENDING SECTION 1040.03: ANNUAL LATE FEE UTILITY FORGIVENESS UPON  
CUSTOMER REQUEST**

**Whereas**, The Village of Yellow Springs provides utility services for electric, water, sewer and solid waste (collectively "Village Utility Services") to all residents and businesses eligible for said services within the Village; and

**Whereas**, the Village of Yellow Springs is committed to a service oriented, non-punitive relationship with the community; and

**Whereas**, it is recognized that a delayed Village Utility Services payment may be due to an oversight or other factors; and

**Whereas**, the Village is committed to providing affordable Village Utility Services in furtherance of the Village's goal to create and sustain affordable housing; and

**Whereas**, the Village Council has determined that it is a reasonable exercise of its home rule powers to authorize a one-time each calendar year forgiveness of the five (5) percent late fee for the consolidated Village bill for electric, water, sewer and solid waste for residential users only.

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO  
HEREBY ORDAINS THAT:**

**Section 1.** A modification to **Section 1040.03 NonPayment of Utility Charges; Delinquent Status Charges** of the Codified Ordinances of Yellow Springs, Ohio is hereby amended to read as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

**Section 2.** This ordinance shall take effect and be in full force at the earliest date permitted by law.

\_\_\_\_\_  
Brian Housh, President of Council

Passed: 7-16-2018

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

**ROLL CALL**

Brian Housh \_\_Y\_\_      Marianne MacQueen \_\_Y\_\_      Judith Hempfling \_\_Y\_\_  
Kevin Stokes \_\_Y\_\_      Lisa Kreeger \_\_Y\_\_

## **EXHIBIT A**

### **1040.03 NONPAYMENT OF UTILITY CHARGES; DELINQUENT STATUS.**

Each utility service account provided pursuant to this chapter and the rate schedules of these Codified Ordinances, as they now exist or are hereafter amended, is due and payable upon issuance of the utility bill by the Village. If the utility bill for service is not paid in full within 30 days after the utility bill is issued, the customer's account shall be classified as delinquent. If the customer's account is delinquent at the time of the issuance of the next regular utility bill, then such utility bill shall be stamped with a delinquent notation. The customer's bill shall continue to be delinquent notation until such time as the customer's account shall be paid in full and made current. **Upon request by a residential customer, no more than once per calendar year, the residential customer shall be entitled to a one-time forgiveness of the five percent late fee. Only residential customers are eligible for the late fee forgiveness.**