

Ordinance 2026-04

An Ordinance regulating connection to all city utilities, charges, and penalties for failure to pay or connect.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MULBERRY, KANSAS:

Section 1. Utilities required

It will be unlawful for anyone to stay in a structure that is not connected to all city utilities. The owner of the premises is liable for ensuring that utilities are connected. Persons building houses, businesses, garages or locating mobile homes in the city will connect to all city utilities. It is unlawful for any person to use, store, supply, deliver propane fuel or fuel oil for heating or cooling in houses, businesses, mobile homes, garages, and other structures, except propane bottles for grills and small portable camp heaters in the city. It is unlawful to use a generator to obtain electricity, unless there is a power outage for an extended period of time.

Section 2. Deposit

The City will require a cash deposit of five hundred and no/100 (\$500.00) from any new (user being defined as a single person or husband and wife jointly, who occupy the residence) of gas, electric, water, and sewer service before any such services are extended to said user. If the user or users have a past history of being delinquent, the deposit will be the total of the average anticipated bill for a three month period. (Per K.S.A. 12-808c), only if the total is greater than \$500.00. The city will require two forms of identification from the user to be kept on file in the city office. The city will deduct from any such deposit a sum equal to the balance of any gas, electric, water, or sewer bill which remains due and unpaid at termination of services. The balance of the deposit will then be refunded to the user.

Section 3. Date for billing, delinquency, and disconnection

Users of the gas, electric, water, and sewer systems of the city will be liable for payment of the costs of any utility services plus any cost adjustments, surcharges, or other costs imposed by the city's wholesale suppliers as from time to time incurred by reason of market price fluctuation or otherwise. Bills will be due and payable on the 9th day of each month. Bills unpaid by 4:30PM on the 9th will be delinquent and a late charge of 10% will be added to each bill upon payment. Bills dropped in the drop box after 4:30PM on the 9th will have the late fee debited to their account. The city will disconnect any user of city utilities whose bill is delinquent as of the 9th day of the month. Disconnection will take place at NOON on the 19th of the month. Owners of a premises served by utility service under this Ordinance will be liable for payment of the cost of any utility account delinquency arising from service provided to such premises, regardless of whether the utility service was furnished upon the application and request of the owner or the lessee of the premises. This provision will apply when the premises are leased by or through an agent or other representative of the owner.

Section 4. Notice of Disconnection

Disconnections will be made after written notice is sent to the user at the last known address. Such notice will state that the user shall have the right to request an extension in writing. An application for extension must be submitted to the city office before the close of business, 3 business days before the termination date of the 19th. Requests made after that will not be considered. Only two such extensions shall be granted in a calendar year. Any user that has previously left an account unpaid for more than 2 months will not be eligible for any extensions. If an extension is granted, the payment must be made in full no later than noon on the 25th of the month that the bill was due. If a customer has more than one utility account, all accounts will be subject to immediate disconnection if any account is in default. The City does not fall within the rules and regulations of the KCC. Therefore, weather, temperature, or medical conditions have no bearing on disconnection of services due to nonpayment.

Section 5. Reconnection fees and penalties

The city will require a \$50 reconnection fee from any user whose utilities have been disconnected due to termination of service for nonpayment as well as requiring payment of all deposits as set out in Section 2.

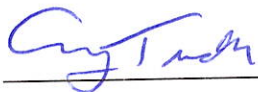
Any person found to be violating Section 1 by staying or allowing someone to stay in a structure not connected to utilities shall be guilty of a misdemeanor, and on conviction shall be fined in the amount not exceeding \$500 for each violation. Each 24- hour period in which any such violation shall continue shall be deemed a separate offense.

Ordinances 95-3, 96-01, 2010-08 and 2023-06 are hereby reaffirmed in all other respects.

This Ordinance shall take effect on its passage and publication once in the Official City Paper.

PASSED AND APPROVED BY THE GOVERNING BODY OF MULBERRY, KANSAS, THIS 9th Day of June, 2026.

ATTEST:



Amy Tucker, City Clerk



Randy Jones, Mayor