

Tenant / Landlord (Property Owner)

Village of Maryville Owner / Tenant Liability Ordinance Notice

50.15 CONTRACT FOR UTILITIES SERVICES.

(C) Using services without paying. Any person using utility services from the village without paying therefor or who shall be found guilty of breaking the seal of any meter or appurtenances or bypass any meter, shall be guilty of violating this code and, upon conviction, shall be fined a sum as provided in § 10.99.

(F) *Failure to receive bill.* Failure to receive a bill shall not excuse a customer from his or her obligation to pay within the time specified. Should the Department be unable to bill a customer for services used during any month, the following billing shall include the charges for services used during the unbilled month.

(H) *Billing; utility shut-off.*

(1) (a) All bills for utility services shall be due and payable upon presentation. If a bill is not paid by the fifteenth day of the month, it shall be deemed delinquent and a penalty equal to 10% of the amount due on the current bill cycle shall be added thereto. This penalty shall be in addition to the charge heretofore established for the utility services.

(b) In the event that any check, online payment, automatic deduction, or other method of payment presented for payment of utility service is rejected or returned not paid to the village (such as for insufficient funds, account closed and the like), a charge in the amount of \$20 for each check so delivered or rejected payment shall be assessed to help defray the processing costs incurred by the village.

(c) This charge will not preclude the village from pursuing any other civil or criminal remedies available by law.

(Ord. 95-13, passed 2-1-95)

(2) Any customer who fails to pay the utility bills within 20 days of presentation shall be mailed notice by the Village Water Clerk of its delinquency. The notice of delinquency shall include an amount of delinquent fees due and a calendar date that the utility services will be disconnected if the bill has not been paid. If the utility bill has not been paid within 30 days of presentation, the utility services shall be disconnected without further notice to the customer.

(3) Once utility services have been disconnected, the same shall not be again connected or used until all delinquent accounts and bills of services are paid in full, including a fee of \$50 for each connection of the utility services, plus expenses incurred in the reconnecting of the utility services.

(I) *Lien notice.*

(1) Whenever a bill for utility services remains unpaid for 30 days after it has been rendered, the Treasurer shall file with the County Recorder of Deeds a statement of lien claim. This statement shall contain the legal description of the premises served, the amount of the unpaid bill and a notice that the municipality claims a lien for this amount to the period covered by the bill.

(2) If the consumer of utility services whose bill is unpaid is not the owner of the premises and the Treasurer has notice of this, then the notice shall be mailed to the owner of the premises if his or her address is known to the Treasurer whenever the bill remains unpaid for a period of 30 days after it has been rendered.

(3) The failure of the Treasurer to record the lien or to mail the notice or the failure of the owner to receive the notice shall not affect the right to foreclose the line for unpaid utility bills as mentioned herein.

(J) *Foreclosure of lien.*

(1) Property subject to a lien for unpaid utility charges shall be sold for non-payment of the same and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. The foreclosure shall be by bill-in-equity in the name of the village.

(2) The Village Attorney is hereby authorized to institute the proceedings in the name of the village in any court having jurisdiction over such matters against any property for which the bill for utility services has remained unpaid 60 days after it has been rendered.

(92 Code, § 38-2-1) (Ord. 90-21, passed 5-16-90; Am. Ord. 2013-11, passed 6-5-13)

50.17 LIABILITY FOR CHARGES.

The owner of any lot, parcel of land or premises and the user of the services shall be jointly and severally liable for the payment of the services to the lot, parcel of land or premises and all services are rendered to the premises by the village only on the condition that the owner, occupant and user shall be jointly and severally liable therefor to the village.

(92 Code, § 38-2-3) (Ord. 90-21, passed 5-16-90)

The Village of Maryville offers landlord / property owners the option of having a copy of the rental property's monthly water bill sent to them. Please contact the Water Clerk at 618-345-7028 to take advantage of this option.

This letter is to be signed and dated by the landlord / property owner to establish a water account with the Village of Maryville Water Department. Once on file, you will not be required to sign another one.

PROPERTY ADDRESS: _____

(If multiple properties are owned, please attach a listing of all rental property addresses)

Landlord / Property Owner
Signature

Landlord / Property Owner
Printed

Date