

1985

ORDINANCE NO. G-85-04

AN ORDINANCE PROVIDING FOR SECURITY DEPOSITS FOR WATER SERVICE BY LANDOWNERS AND OCCUPIERS ON ALL REAL PROPERTY WITHIN THE TOWN LIMITS OF GEORGETOWN

BE IT ORDAINED BY THE TOWN BOARD OF GEORGETOWN THAT:

WHEREAS, the Town of Georgetown is the entity responsible for providing, maintaining and disconnecting water service for the residents of said Town and,

WHEREAS, the Town derives one of its primary sources of revenue from the fees and charges paid by those individuals using such services, and

WHEREAS, the Town has been experiencing problems with individuals owning, leasing or renting property within the town limits of Georgetown, utilizing said water services, but not paying for same or vacating the premises while still owing fees or charges for said service, thereby depriving the Town of much needed revenue.

NOW THEREFORE, BE IT RESOLVED THAT:

SECTION I. For purposes of this ordinance, "owners" shall mean any person, firms or corporations who or which have legal title to real estate located within the town limits of Georgetown, and who holds said real estate either individually, with rights of survivorship, as tenants in common, as tenants by the entireties, in fee simple, or with life estate, or by remainderman. "Non owner residents" shall include all other persons, firms or corporations residing within the town limits of Georgetown, who derive their interests in the real estate by virtue of a leasehold interest, equitable interest under real estate contract, or any other manner distinguishable from the definition of "owners" herein.

SECTION II. Commencing with the enactment of this ordinance, all persons, firms or corporations ^{ARE OR WHO} become owners of real property within the town limits of Georgetown, and who intend to avail themselves of the water services

provided by said town, shall cause to be paid to the Clerk of said town the sum of Fifty Dollars (\$50.00) deposit as a condition prerequisite to having water turned on at said real property, provided that nothing in this ordinance shall be construed as to require said deposit from any owner who owned said real estate prior to the enactment of this ordinance.

Commencing with the enactment of this ordinance, all persons, firms or corporations who become non owner residents of the real estate within the town limits of Georgetown, and who intend to avail themselves of the water services provided by said town, shall cause to be paid to the Clerk of said town, the sum of Fifty Dollars (\$50.00) deposit as a condition prerequisite to having water turned on at said real property, provided that nothing in this ordinance shall be construed as to require said deposit from any non owner resident who was residing on or at said real estate prior to the enactment of this ordinance and who has continuously occupied said real property up to and including the time of the enactment of this ordinance.

SECTION III. In the event an owner or non owner resident ceases to own and/or occupy real estate within the town limits of Georgetown, after the enactment of this ordinance, and said real estate was receiving water service from the town at the time of cessation of ownership or occupation, the town Clerk shall cause such water service to be turned off. If at the time of the turning off of the water service, there is an outstanding balance due and owing on that account, the Clerk shall send a final statement to the owner and/or non owner resident at their last known address demanding payment in full of any outstanding balance. Should the owner and/or non owner resident not extinguish the outstanding balance due within thirty (30) days from said notification, the Town Clerk shall be empowered to apply the security deposits mentioned in Section II herein to extinguish said obligation. In the event there is a non owner resident who owes the outstanding balance, the Clerk shall first apply that deposit before applying the owner's deposit. If the deposit is great enough to extinguish the obligation leaving a surplus, that surplus shall be refunded to that party whose deposit was partially needed to extinguish said obligation.

SECTION IV. This Ordinance shall supersede and abrogate any former ordinances of this Town concerning security deposits and their application thereof in any manner not consistent with this ordinance.