

**TITLE 12**

**UTILITIES<sup>1/</sup>**

**Chapters:**

**12.05 General Provisions**

**12.10 Water and Sewer**

**12.15 Solid Waste<sup>2/</sup>**

**12.20 Electricity**

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<sup>1/</sup> See AS 29.35.070 for state provisions allowing municipalities to establish, change and regulate utility service rates and to require meter deposits. See AS 42.05.641 as to exemption from regulation by the Alaska Public Utilities Commission.

<sup>2/</sup> See AS 29.35.050 as to municipal authority to provide for garbage and solid waste services.

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**Chapter 12.05 -- General Provisions**

**Sections:**

**Article 1. Utilities - General Provisions**

**12.05.110 Rates; Exemption for senior citizens.**

**Article 1. Utilities - General Provisions**

**12.05.110 Rates; Exemption for senior citizens.** All head of households who meet the requirements in § 12.20.040 A.1., are also not required to pay the monthly city water, sewer and garbage fees. (Ord. 13-02 § 3 (part), 2013)

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Chapter 12.10 -- Water and Sewer

Sections:

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- 12.10.115 Utility operator.
- 12.10.120 Use of monies collected.
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- 12.10.245 Maintenance of plumbing system; Responsibility of consumer.
- 12.10.250 Misuse of water and sewer facilities.
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- 12.10.260 [Reserved]
- 12.10.265 Consequences of non-payment of service charges.
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Article 3. Prohibitions

- 12.10.310 Use of water sources other than city water system.
- 12.10.315 Disposal of sewage and liquid waste.
- 12.10.320 Operation of individual systems.
- 12.10.325 Illegal discharges.
- 12.10.330 Alterations of individual systems.
- 12.10.335 Cold weather maintenance.

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**Article 1. General Provisions; Administration**

**12.10.110 Administration and enforcement.** This ordinance shall be administered and enforced by the city council. The city council shall have the authority to establish and regulate monthly utility rates for water supply and sewer collection services and connection fees for all domestic and commercial consumers, but no person shall be bound by any such rate unless it shall have been posted for public inspection for five consecutive days after its adoption at the office of the United States Post Office Building, King Cove, Alaska. (Ord. 77-01 (part), 1977)

**12.10.115 Utility operator.** The utility system shall be operated and maintained by a utility operator. The utility operator shall be nominated by the mayor, and approved by the city council and shall serve at the pleasure of the council. Remuneration for the utility operator's services shall be set by the council by resolution. The city clerk shall act as the utility system treasurer. (Ord. 77-01 (part), 1977)

**12.10.120 Use of monies collected.** All monies collected for water and sewage utilities will be used strictly for maintenance, extension, repair, capital improvement, and operation of the systems. (Ord. 77-01 (part), 1977)

**12.10.125 Accounting and disbursement of funds.** All monies collected for water and sewage utilities will be separately accounted for by the city treasurer and disbursed by action of the city council. Two members of the city council must approve any disbursement of the above-mentioned funds. (Ord. 77-01 (part), 1977)

**12.10.130 Quarterly report.** The city clerk and utility system operator shall develop a written quarterly report for the city council. This report shall itemize all income and disbursements from operation and maintenance of the utility system. This report shall be approved and filed in the city records. (Ord. 77-01 (part), 1977)

**12.10.135 Authorized inspection.** The city through its designated representative or representatives is hereby authorized to make inspections at reasonable times during daylight hours to determine satisfactory compliance with this ordinance and regulations promulgated hereunder. (Ord. 77-01 (part), 1977)

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**12.10.140 Additional regulations.** The city council shall adopt such additional regulations, provisions, and procedures pertaining to water supply and sewer collection services (utility services) as it deems proper. (Ord. 77-01 (part), 1977)

**Article 2. Service; Rates**

**12.10.210 Connection to city water system and sewage system.**

A. All connections to the city water and sewage systems shall be made at the expense of the user. Costs of the connection and all appropriate regulations including the use of self-help and use of city equipment shall be established by the council.

B. All individual water service and sewer connections and repairs, modifications, or disconnections shall be made only under the terms and conditions as set forth in the plumbing code adopted by the State of Alaska in 8 AAC Chapter 63 and such further regulations as the city may make. (Ord. 77-01 (part), 1977; Ord. 95-10 §3, 1996)

**12.10.215 Application for water and sewage service and/or connection.**

A. Each application for water and/or sewage service connection shall be in writing and shall include the following:

1. legal name and address of the applicant.
2. legal description and sketch of the property and building for which the water service is required.
3. the name and address of the person who will install the service lines from the building to be served to the city water and/or sewer system.
4. a description of the fixtures to be used in the structure or building.
5. an agreement to be responsible for and to pay promptly all charges for the service in accordance with this ordinance.
6. such additional information as the city council may require to demonstrate that the proposed connection complies with this ordinance and any applicable regulations promulgated by the city council.

B. The city is authorized to require installation of a water meter at the user's expense on any industrial or commercial consumer line and to charge for such services at a similarly established meter rate, as set forth by resolution. (Ord. 77-01 (part), 1977)

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**12.10.220 Approval of application; Appeal.** A. If the city is satisfied that the application and the proposed connection complies with this chapter and applicable regulations hereunder relating to the utilization of the community water and sewage system, it shall approve the application and provide for the connection upon receipt of established fees.

B. Any person whose application for connection has been denied or conditionally approved may appeal to the city council at its next regularly scheduled meeting. (Ord. 77-01 (part), 1977)

**12.10.225 Installation of service lines.** A. All consumer lines to the point of connection to the city water and sewer lines shall be installed by the user, at his own expense, and remain his responsibility for maintenance and repair.

B. The point of connection shall be the property line in all cases. Where the point of connection is greater than 100 feet from an existing main, the case shall be considered separately by the city council.

C. Standards for the installation of domestic fixtures to be served by the city water and sewage systems, water and sewer lines, and all related appurtenances as needed to ensure the safe utilization of the city water and sewer systems shall conform to the plumbing code adopted by the State of Alaska in 8 AAC Chapter 63, and any other regulations as adopted by the city. (Ord. 77-01 (part), 1977; Ord. 95-10 §4, 1996)

**12.10.230 Turning on service.** No water from the city water supply shall be turned on for service into any premises by a person except such person or persons as the city council shall authorize to perform this service. (Ord. 77-01 (part), 1977)

**12.10.235 Application for service.** Application to have water turned on shall be made in writing to the city clerk and shall contain an agreement by the applicant to abide by and accept all of the provisions of this chapter and of any regulations adopted pursuant to this chapter as conditions governing the use of the city water supply and waste disposal facilities by the applicant. A fee of three dollars (\$3.00) shall be charged for each start of service. (Ord. 77-01 (part), 1977)

**12.10.240 Permits for construction of individual water and sewer systems.** A. An application for a permit for the construction, alteration, or extension of an individual water system or sewage disposal system shall be made in writing to the city and shall include the following:

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1. legal name and address of applicant;  
2. legal description and sketch of the property on which the construction, alteration, or extension is proposed; and  
3. a sketch of the proposed disposal facility and such additional information as the city may deem necessary to demonstrate that the proposed disposal facility shall comply with this ordinance and the standard of the Alaska Department of Environmental Conservation.

B. If the mayor is satisfied that the proposed facility will comply with this ordinance and with the health regulations, or if, following formal review by the Alaska Department of Environmental Conservation, it is determined that the proposed facility will comply with this ordinance and with state health regulations, he or she shall approve the application and issue a permit for the work.

C. Any person whose application for a permit has been denied may appeal to the next regular meeting of the city council.

D. The city council may require payment of such fees or service charges for review of applications submitted under this chapter as it may deem appropriate.

E. No permit shall be granted for the construction, alteration or extension of a private water system for drinking and sanitary purposes at any building which is located within 200 feet of lines of the city water system. (Ord. 77-01 (part), 1977; Ord. 82-10 § 4, 1982; Ord. 95-10 § 2, 1996; Ord. 07-06 § 3, 2007)

**12.10.245 Maintenance of plumbing system; Responsibility of consumer.** Each consumer of community water or sewage service shall maintain his or her individual water and waste facilities in good repair at his or her own expense. The consumer's responsibility for water and sewer facilities shall begin at the point of connection to the city's water and sewer lines and shall include all facilities from that point throughout the building. In the case of individual water and sewer systems, the consumer shall have complete responsibility for his own system. (Ord. 77-01 (part), 1977)

**12.10.250 Misuse of water and sewer facilities.** Water and sewer facilities may be discontinued by the city where defective fixtures or misuse of water and sewage facilities may affect the safe and proper operation of the city water and sewer system; where there is a willful waste of water; where there is a refusal to permit an inspection by the city. (Ord. 77-01 (part), 1977)

**12.10.255 Water and sewer service rate structure.** A. Each person who is furnished with water and/or sewer service shall pay for the same at the monthly rates set forth in this section.

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When a water meter is installed on a commercial or industrial consumer's line, whether pursuant to §12.10.215 B. or otherwise, such consumer shall thereafter pay for water at the commercial/industrial metered rates set forth in this section.

Water Rate

Domestic Flat Rate

Single family dwelling	\$ 24.00
Apartments - per unit	24.00

Commercial/Industrial Flat Rate

Restaurant	\$ 50.00
Bar	50.00
Club with restaurant and bar	60.00
Garage/Shop	50.00
Hotel/Motel - per unit	15.00
Store	50.00
School	300.00
Church	24.00
Offices - per office	24.00

Flat rates for commercial or industrial users not listed shall be set by further ordinance.

Commercial/Industrial Metered Rates

(Meter to be installed at user's expense)

0 - 30,000 gallons per month	\$2.00 per 1,000 gallons
over 30,000 gallons per month	\$1.30 per 1,000 gallons
Peter Pan Seafoods Complex all quantities	\$.84 per 1,000 gallons

Sewage Service Rate

Domestic Flat Rate

Single family dwelling	\$ 13.50
Apartments - per unit	13.50

Commercial/Industrial Flat Rate

Restaurant	37.50
Bar	37.50
Garage/Shop	37.50
Hotel/Motel - per unit	11.25
Store	27.00
School(per facility)	187.50
Church	9.00
Offices - per office	18.00



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Peter Pan Seafoods Complex	2,000.00
Small Business	13.50
Post Office	13.50

B. The city may enter into a water users agreement with any major commercial or industrial water customer. When approved by ordinance, the water service rates set forth in such an agreement shall prevail over the water service rates set forth in this section.

(Ord. 77-01 (part), 1977; Ord. 89-09 § 4, 1989; Ord. 95-9 § 1, 1995; Ord. 98-9, § 2, 6-6-98; Ord. 99-05, § 1, 10-17-98)

**12.10.260 [Reserved].**

**12.10.265 Consequences of non-payment of service charges.**

The water supply may be shut off to any premises for which the water or sewer bill remains unpaid for a period of 60 days after the bill is mailed. When shut off, water shall not be turned on except by properly authorized representatives of the city. (Ord. 77-01 (part), 1977)

**12.10.270 Public inspection of rates.** A current file of all rates adopted by the city council under this chapter shall be available for public inspection during regular business hours at the city office. (Ord. 77-01 (part), 1977)

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**12.10.310 Use of water sources other than city water system.**

A. It shall be unlawful for any person to construct, maintain, or utilize a source of water supply other than the city water system for drinking and sanitary purposes at any building which is located within 200 feet of lines of the city water system.

B. It shall be unlawful for any person to construct or to allow a cross-connection to be constructed between any portion of the city water system, or any portion of customer water facilities connected thereto, and any other source of water.

C. It shall be unlawful for any person to allow a premises or facility which is served by the city water system to be connected to

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to another water system, including a private well or other water supply, or to have water from another system readily available to that premises or facility in such a manner that the integrity and purity of the city water system water service may be jeopardized. (Ord. 77-01 (part), 1977; Ord. 95-10 §1, 1995)

**12.10.315 Disposal of sewage and liquid waste.** It shall be unlawful for any person to dispose of sewage, liquid wastes, or human excreta from any building located within the city by any method other than through the utilization of the city sewage disposal system, if the building is located within 200 feet of any community sewage line, provided that the building is at a higher elevation than the sewage line, unless application for an individual sewage system may be submitted to and approved by the city council. (Ord. 77-01 (part), 1977)

**12.10.320 Operation of individual systems.** It shall be unlawful for any person to operate or maintain an individual sewage disposal system, unless such system is constructed and maintained in such fashion that it does not contaminate any source of drinking, public, or domestic water supply. Such systems shall comply with the applicable standards of the Alaska Department of Environmental Conservation. (Ord. 77-01 (part), 1977)

**12.10.325 Illegal discharges.** It shall be unlawful for any person to discharge sewage or other domestic wastes on the surface of the ground within the city. (Ord. 77-01 (part), 1977)

**12.10.330 Alterations of individual systems.** It shall be unlawful for any person to construct, alter, or extend an individual sewage disposal system except by permission of the city council. (Ord. 77-01 (part), 1977)

**12.10.335 Cold weather maintenance.** It shall be unlawful for any person using the city water of the City of King Cove to fail to have his use protected from cold weather. All users of city water shall protect their water service lines with insulation to protect them during cold weather. (Ord. 77-01 (part), 1977)

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**Chapter 12.15 -- Solid Waste**

**Sections:**

- 12.15.010 Policy and purpose.
- 12.15.015 Definitions.
- 12.15.020 Use of service required.
- 12.15.025 Types of service.
- 12.15.030 Rates.
- 12.15.035 Exemption for senior citizens.
- 12.15.040 Service requests.
- 12.15.045 Service billings.

**12.15.010 Policy and purpose.** It is hereby declared to be the purpose of this chapter to regulate the storage, collection, processing, recovery and disposal of solid waste in order to protect the public safety, health and welfare, and to enhance the environment of the people of City of King Cove. (Ord. 88-08 (part), 1977)

**12.15.015 Definitions.** As used in this chapter, each of the following terms shall have the meaning herein stated:

**Director:** The city mayor or his designee.

**Garbage:** Any waste food products, food containers, kitchen refuse, and any other putrescible material.

**Haul:** To transport either personally or by use of the services of another individual acting under the direct authority and control of the person whose garbage is transported.

**Hazardous or Toxic Waste:** Waste that requires special handling to avoid illness or injury to persons or damage to property as defined by the United States Government and/or the State of Alaska.

**Head of Household:** The principal wage earner of a place of residence.

**Putrescible Solid Waste:** Organic solid waste matter capable of being decomposed by microorganisms except industrial waste such as fish processing by-products.

**Rubbish or Trash:** All waste material not included within the definition of garbage.

**Secured Load:** A load of solid waste which has been tied or covered in the vehicle in a manner that will prevent any part of the solid waste from leaving the vehicle while the vehicle is moving.

**Solid Waste:** Useless, unwanted or discarded material with insufficient liquid to be free flowing.

**Solid Waste Collection:** The act of removing solid waste from the central storage point of a primary generating source

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(such as a residence or business) to a place of solid waste disposal.

**Solid Waste Disposal:** The orderly process of finally disposing of solid waste.

**Solid Waste Storage:** The interim containment of solid waste, in an approved manner, after generation and prior to collection and disposal. (Ord. 88-08 (part), 1977)

**12.15.020 Use of service required.** A. Every person residing in or occupying a building within the corporate limits of the City of King Cove shall use the system of solid waste collection and disposal provided by the city.

B. All solid waste generated within the City of King Cove shall, unless exempted in writing by the director, be disposed of by delivery to qualified solid waste processing and disposal facilities located in the city.

C. The city will maintain an appropriate site to be utilized as a sanitary landfill for the disposal of garbage, rubbish, and trash. The sanitary landfill will be open to the public on a schedule established by resolution of the city council.

D. No person may deposit or dispose of any material in the sanitary landfill facility maintained by the city without first paying applicable fees established by § 12.15.030.

E. The director may exempt a person from this requirement if he determines that the person requires solid waste collection and disposal service which cannot be provided by the city. (Ord. 88-08 (part), 1977)

**12.15.025 Types of service.** A. The following categories of services are available under the system of collection and disposal provided by the city:

1. Residential dumpster service shall be provided for all dwellings in the City of King Cove. Dumpsters from one to six cubic yards in size will be located to provide a centralized collection service that is reasonably convenient to the customers and which enables the efficient collection of garbage, rubbish and trash. The director shall determine the locations of the dumpsters and frequency of dumping.

2. Commercial, industrial, and public use dumpster service will be provided to all such establishments located in the City of King Cove. Dumpsters from one to six cubic yards in size will be located at each establishment to provide a centralized collection service that is reasonably convenient to the establishment and which enables the efficient collection of garbage, rubbish and trash. The director shall determine the location of dumpsters and frequency of dumping to accomplish this objective.

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3. Items such as beds, water heaters, furnaces, major appliances, and similar bulky household items discarded by individuals using the established residential collection service must be taken directly to the landfill by the owner and at owner expense. Similarly, large items discarded by commercial, industrial and public use establishments, such as desks, equipment and machinery, must be taken directly to the landfill by the owner and at the owner's expense. The city will provide for the disposal of these items at the sanitary landfill site. (Ord. 88-08 (part), 1977)

**12.15.030 Rates.** A. The rates to be charged for garbage disposal, including operation of the central collection dumpster service and operation and maintenance of the sanitary landfill shall be established by the city council by resolution. The council will establish sufficient rates to make the solid waste collection service operate as a non-subsidized operation.

B. Unsecured loads transported to the sanitary landfill by cars, pickups, or trailers eight feet or less in length shall be charged ten dollars (\$10.00) more than the secured load charge. All other unsecured loads shall be charged thirty dollars (\$30.00) more than the secured load charge.

C. All residential, commercial, industrial and public facility users, except those exempted by resolution of the council, shall be required to pay the rates established for use of the solid waste collection service and the sanitary landfill. All users shall be bound by the rates established by the council following the posting of these rates for public inspection for five consecutive days at the United States Post Office Building, King Cove, Alaska.

D. A current file of all rates adopted by the city council by resolution under the provisions of this chapter shall be available for public inspection during regular business hours at the city office. (Ord. 88-08 (part), 1977)

**12.15.035 Exemption for senior citizens.** A head of household of the City of King Cove shall not be required to pay for solid waste collection services provided by the city to his or her principal place of residence after the head of household has attained the age of 65 years. The city council shall determine at the end of each fiscal year the senior citizen heads of households eligible for this program. (Ord. 88-08 (part), 1977)

**12.15.040 Service requests.** A. Upon establishment of the service, the city will register all existing dwellings and commercial, industrial and public facility establishments for the solid waste collection service provided by the city and

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notify the class of user of the requirement to use this service. Subsequent to the city's initial establishment of the solid waste collection service and registration of users, it shall be the responsibility of all parties that are required to use the service to contact the city office to subscribe to the service. All registered users shall be required to use and pay service until the user requests the city to discontinue the service. It shall be the responsibility of the customer to notify the city of any charges that may affect the monthly charges. (Ord. 88-08 (part), 1977)

**12.15.045 Service billings.** A. Billing for solid waste collection service will commence with the date of occupancy of the dwelling. The city shall have the right to determine how and to whom solid waste collection charges are to be billed. Failure to receive a bill or failure to apply for service does not relieve the user of responsibility for the charges.

B. On or about the first day of each month the person or firm subscribing to the collection service shall be billed directly by the city. Billings by the city for garbage collection service may be combined with billings for other services provided.

C. Payments for garbage collection service shall normally be made monthly on or before the 15th day of each month and billings may require payments be made in advance. Payments that are 30 days past due, shall be subject to the interest provisions established by § 5.05.145, accounts receivable.

D. All solid waste collection charges shall be the obligation of the owner of the property served by the city. Credit for vacant residential units may be extended if the user notifies the city in advance of the scheduled vacancy.

E. In the event of overcharges or undercharges for solid waste collection services, credit and debit adjustments will be limited to the most recent six-month period prior to discovery and notification of the error.

F. All charges incurred for use of the sanitary landfill facility shall be paid at the time this service is used. (Ord. 88-08 (part), 1977)

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**Chapter 12.20 -- Electricity**

**Sections:**

- 12.20.010 **Application for service.**
- 12.20.015 **Deposit.**
- 12.20.020 **Connections.**
- 12.20.025 **Meters.**
- 12.20.030 **Wiring.**
- 12.20.035 **Billing; Rates.**
- 12.20.037 **Discontinuance of service; Prepayment meters.**
- 12.20.038 **Regulations and policies.**
- 12.20.040 **Exemption for senior citizens.**
- 12.20.045 **Injury.**
- 12.20.050 **Penalty.**

**12.20.010 Application for service.** Applications for service from the city electricity distribution system shall be made to the city clerk, and shall be referred by him or her to the superintendent of public works. A separate document on city policies and costs will be given to all applicants requesting electrical service from the city. (Ord. 77-01 (part), 1977; Ord. 93-5 § 3, 1992)

**12.20.015 Deposit.** With each application there shall be a deposit of one hundred and twenty five dollars (\$125.00) for residential property and two hundred and fifty dollars (\$250.00), or such amounts as may be determined necessary, for business or commercial property, excluding harbor vessels, to guarantee the payment of all bills. When the service to any consumer is permanently discontinued, this deposit, less the amount of any unpaid bill, shall be returned without interest. (Ord. 77-01 (part), 1977; Ord. 06-08, 2006)

**12.20.020 Connections.** All connections with the city distribution system shall be made at a point to be designated by the superintendent of public works, and under his or her supervision. (Ord. 77-01 (part), 1977)

**12.20.025 Meters.** All premises served by the city electricity distribution system shall be equipped with an accurate meter, approved as to design and accuracy by the superintendent of public works, and all charges shall be on the meter rate. Defective or inaccurate meters shall be tested and repaired by the city. (Ord. 77-01 (part), 1977)

**12.20.030 Wiring.** No current shall be turned on into any wiring which does not fully comply with the provisions of the ordinances of the city relative to electric wiring and installations. (Ord. 77-01 (part), 1977)

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**12.20.035 Billing; Rates.** A. Bills for electric service shall be sent out on a monthly basis to all city residential and commercial accounts; these accounts will be (Choices to make):

1. all accounts will pay a kWh cost of 24 cents beginning with all electricity sold after January 1, 2007.

2. residential accounts will pay a kWh cost of \_\_\_\_\_ cents, and commercial accounts will pay a kWh cost of \_\_\_\_\_ cents as of February 1, 2006.

3. every monthly residential and commercial account (will or will not) be charged a monthly customer charge and/or fuel adjustment based on the \_\_\_\_\_ and the respective amounts will be \_\_\_\_\_.

B. Any of these rates can be modified (increase and/or decrease), including elimination, by City Council resolution, provided that a public written notice is provided to all customers a minimum of 45 days before any rates are charged.

(Ord. 77-01 (part), 1977; Ord. 95-11 §1, 1995; Ord. 05-06, 2006; Ord. 06-06, 2006)

**12.20.037 Discontinuance of service; Prepayment meters.** A. Electrical service may be shut off and discontinued to any premises that has an unpaid account, in whole or in part, 30 days after the due date. The mayor or his or her designee shall give notice to the customer and an opportunity to be heard no less than five days prior to discontinuance of the service.

B. In lieu of discontinuing electrical service to a customer with a past due account, the mayor or his or her designee may require the installation of a meter that requires prepayment for any electricity used. When a prepayment meter is required, the customer may also be required to make payments toward the past due utility account(s) as a condition to continuing electrical service to the customer.

C. The mayor shall establish a written policy for determining the priority in which customers with past due accounts shall be required to use prepayment meters. In establishing the policy, the mayor may consider all relevant factors, which should include, but are not limited to, the following:

1. past due amount;
2. length of time the account has been past due;
3. whether the customer has entered into a payment plan to bring the account current;
4. extent to which the customer has made payments in an effort to reduce the past due amount of the account;
5. amount of electricity the customer is likely to use in the foreseeable future; and
6. customer's creditworthiness.

D. Any delinquent customer priority list developed pursuant to the policy established under subsection C. and the names on any such list shall be confidential and not open to public inspection.



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E. Payment for utility bills of prepayment meter customers will be credited first to water, sewer and refuse service with the remainder of the payment reserved for electrical service and distributed as outlined in city policy. (Ord. 95-11 §2, 1995; Ord. 97-5 §1 and §2, 1997)

**12.20.038 Regulations and policies.** The mayor may make written regulations and policies to implement this chapter. (Ord. 95-11 §3, 1995)

**12.20.040 Exemption for senior citizens.** A. 1. A head of household of the City of King Cove shall not be required to pay for the first two hundred dollars (\$200.00) of his or her monthly electricity provided by the city to his or her principal place of residence after the head of household has attained the age of 75 years as of July 1, 2011. Documentation of this age requirement may be necessary in order to receive this exemption.

2. A head of household who has reached the age of 65 years as of December 31, 2012 shall not be required to pay for the first two hundred and twenty five dollars (\$225.00) of their monthly electricity, water, sewer, and garbage provided by the city, subject to subsection A.3. effective July 1, 2013.

3. If eligibility is reached after December 31, 2012, program participants shall not be required to pay for the first two hundred and fourteen dollars (\$214.00) of their monthly electricity, water, sewer, and garbage provided by the city, subject to subsection A.3. effective July 1, 2013.

4. The city administration shall prepare, in resolution form, a senior subsidy funding plan and allocation methodology that shall document the program's annual budget guidelines. This funding plan and allocation methodology shall be reviewed and amended, as may be required, by the city council every two years in resolution form.

B. The city council shall determine at the end of each fiscal year the senior citizen heads of households eligible for this program.

C. "Head of household" for this section shall mean the principal wage earner of a place of residence.

D. 1. The city council may determine and direct the city administration to deny this exception to qualified residents if the eligible senior citizen has any delinquent accounts with the city. Such accounts could be electricity, other city-owned utilities, harbor or other miscellaneous city fee services previously provided to the senior citizen.

2. However, in cases where this exemption is denied to any eligible senior citizen per the conditions in the above paragraph, the city council will authorize a \$200 monthly amount to be deducted from the any/all delinquent accounts until such time as the debt is paid back to the city.

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3. During this time, the senior citizen resident must remain current on all other active city accounts. If this does not occur, than any new additional debt and monthly finance charges will continue to accrue, as well as, the enforcement of all existing city policies on disconnecting electrical services and providing no other city services without a full, advance cash payment for these services.

4. After any "pre-senior citizen debt" has been fully reimbursed to the city, and all other city accounts are current, the senior citizen will commence to receive the \$200 monthly subsidy for electricity within 30 days.

(Ord. 86-02 § 2, 1985; Ord. 93-3 § 2, 1992; Ord. 2004-14, 2004; Ord. 06-01 § 3, 2006; Ord. 13-02 § 3 (part), 2013)

**12.20.045**      **Injury.** It shall be unlawful to tamper with or injure any part of the city electricity distribution system, or any meter thereon, without authority from the city council. (Ord. 77-01 (part), 1977)

**12.20.050**      **Penalty.** Any person, firm or corporation violating any provision of this chapter shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) for each offense. (Ord. 77-01 (part), 1977)