

**CITY OF CRAIG
ORDINANCE NO. 624**

**AMENDING SECTIONS 8.04, 15.16, AND 15.48 OF THE
CRAIG MUNICIPAL CODE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRAIG, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the code of the City of Craig, Alaska.

Section 2. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be effective immediately upon adoption; provided however, that City of Craig staff may implement procedures to bring all utility accounts into compliance with this ordinance by March 31, 2011.

Section 4. Action. This ordinance amends Sections 3.08.030.E of the Craig Municipal Code by adding the underlined text, as follows:

8.04.045 The rates and charges established for garbage and refuse collection services shall be collected from the owner of record of the real property receiving garbage and refuse collection services. "Owner" means the person or persons, corporation or other legal entity, holding title to land, or as a vendee or vendees under a land sales contract, or holding any other title or interest in land, including, but not limited to, equitable, legal or joint interest of record; provided, however, in determining such ownership, the owner as shown on the most current assessment records of the City of Craig may be relied upon by the City in its sole discretion as conclusive determination of such ownership for collection of amounts owed for the services. The amount of garbage and refuse collection user charges assessed, levied or charged regarding the property, together with penalty and interest, and all such charges shall constitute a lien against the property, which lien shall be enforceable as provided in AS 09.45.170--09.45.220. Such lien shall be prior and paramount to all other liens or encumbrances against the property except those for property taxes or special assessments. All garbage and refuse collection user charges, penalty, and interest may be collected by a personal action in court brought in the name of the city or by foreclosure of the lien, or both. Nothing in this ordinance shall be construed to restrict or compromise the City's right and discretion to accept payment for garbage and refuse collection from other than the "Owner" and the City may, in its discretion, pursue any legal remedy, including an action in court, to collect payment for garbage and refuse services from any owner, tenant, occupant or user of real property.

15.16.080 The rates and charges established for sewer services shall be collected from the owner of record of the real property receiving sewer services. "Owner" means the

person or persons, corporation or other legal entity, holding title to land, or as a vendee or vendees under a land sales contract, or holding any other title or interest in land, including, but not limited to, equitable, legal or joint interest of record; provided, however, in determining such ownership, the owner as shown on the most current assessment records of the City of Craig may be relied upon by the City in its sole discretion as conclusive determination of such ownership for collection of amounts owed for the services. The amount of sewer user charges assessed, levied or charged regarding the property, together with penalty and interest, and all such charges shall constitute a lien against the property, which lien shall be enforceable as provided in AS 09.45.170--09.45.220. Such lien shall be prior and paramount to all other liens or encumbrances against the property except those for property taxes or special assessments. All sewer user charges, penalty, and interest may be collected by a personal action in court brought in the name of the city or by foreclosure of the lien, or both. Nothing in this ordinance shall be construed to restrict or compromise the City's right and discretion to accept payment for sewer services from other than the "Owner" and the City may, in its discretion, pursue any legal remedy, including an action in court, to collect payment for sewer services from any owner, tenant, occupant or user of real property.

15.48.120 The rates and charges established for water services shall be collected from the owner of record of the real property receiving water services. "Owner" means the person or persons, corporation or other legal entity, holding title to land, or as a vendee or vendees under a land sales contract, or holding any other title or interest in land, including, but not limited to, equitable, legal or joint interest of record; provided, however, in determining such ownership, the owner as shown on the most current assessment records of the City of Craig may be relied upon by the City in its sole discretion as conclusive determination of such ownership for collection of amounts owed for the services. The amount of water user charges assessed, levied or charged regarding the property, together with penalty and interest, and all such charges shall constitute a lien against the property, which lien shall be enforceable as provided in AS 09.45.170--09.45.220. Such lien shall be prior and paramount to all other liens or encumbrances against the property except those for property taxes or special assessments. All water user charges, penalty, and interest may be collected by a personal action in court brought in the name of the city or by foreclosure of the lien, or both. Nothing in this ordinance shall be construed to restrict or compromise the City's right and discretion to accept payment for water services from other than the "Owner" and the City may, in its discretion, pursue any legal remedy, including an action in court, to collect payment for water services from any owner, tenant, occupant or user of real property.

APPROVED September 2, 2010

A. Millie Schoonover
MAYOR A. MILLIE SCHOONOVER

ATTEST

Vicki Hamilton
VICKI HAMILTON, CITY CLERK

