

Town of Milton
115 Federal Street
Milton, DE 19968



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ORDINANCE NO. 2018 - 009

AN ORDINANCE TO AMEND TOWN CODE, CHAPTER 215, ENTITLED "WATER"

WHEREAS, the Town Charter of the Town of Milton, Delaware ("Town") provides in Section 29, that, "the Town Council is vested by this Charter with the following powers, to be exercised by the Town Council in the interest of good government, and the safety, health and public welfare of the Town, its inhabitants and affairs"; and

WHEREAS, Section 29(8) of the Town Charter provides in pertinent part that the Town may "...provide an ample supply of potable water for the Town and its inhabitants and to this end to acquire, lease, erect, construct, maintain, operate, extend, enlarge, renew, replace, control and dispose of wells, reservoirs, pumps, machines, stations, tanks, standpipes, water mains, fire hydrants and all other equipment, property or rights used in or about the collection, storage purification, conveyance, or distribution or sale of water; to regulate and prescribe for what public or private purposes the water furnished by the Town may be used, the manner of its use, the amounts to be paid by the users thereof, the means whereby such amounts shall be collected and the fines or penalties, or both, for any willful or negligent injury, or damage to or interference with the water system or the equipment of the Town; to furnish or refuse to furnish water from the Town system to places and properties outside the Town limits;..."

WHEREAS, the Mayor and Town Council previously enacted a water ordinance, codified as Chapter 215 of the Town Code; and

WHEREAS, the Town has determined a need to revise the timeframe in which water bills are due and payable.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Town Council of the Town of Milton, a majority thereof concurring, that the following revisions hereby be incorporated into Chapter 215 of the Town Code, with deletions shown by strike-through and additions shown by underline as follows:

§ 215-5. Termination of service by Town; notice.

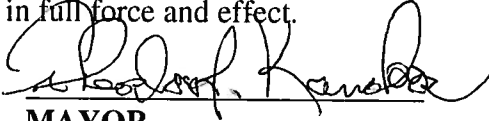
A. Water service to any Consuming Unit shall be terminated and such Consuming Unit disconnected from the water system of the Town for any one of the following reasons:

- (1) The failure to pay all or any part of any amount due for water service or any other services contemplated hereby within ~~30~~ 15 days after the charge shall be due and payable.
- (2) The resale of water furnished to the Consuming Unit.

- (3) A break or leak in any lateral or communication pipe from the street line to the Consuming Unit or in any part of the water system belonging to such Consuming Unit.
- (4) Disconnection by Tidewater Environmental Services, Inc (TESI) from the sanitary sewer system for any reason, including failure to pay TESI's charges in accordance with the TESI policies in effect at the time of disconnection. This precaution is for public safety.

B. Prior to the termination of services under this section, except termination pursuant to Subsection A(3) above, the Town shall send a notice of termination to the owner of the Consuming Unit by certified mail, return receipt requested, stating the amount due and that service will be terminated after a specified date unless payment in full is received by the Town. If the notice of termination is returned to the Town unclaimed or refused, service will be terminated five days from the unclaimed or refused date, unless payment in full is received by the Town. The cost of the certified mailing shall be added to the Consuming Unit's account and included in the total amount due from said Consuming Unit.

I, THEODORE J. KANAKOS, Mayor of the Town of Milton, hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Town Council of the Town of Milton at its meeting held on the 3rd day of December, **2018**, at which a quorum was present and voting throughout and that the same is still in full force and effect.


MAYOR
