

ORDINANCE NO. 4542

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO THE UTILITY SERVICE DEPOSIT FUND AND AMENDING SECTION 2.14.080 OF THE ELLENSBURG MUNICIPAL CODE.

WHEREAS, customer deposits paid into the City's Utility Service Deposit Fund presently earn interest at a rate no lower than the statement savings rate offered by the City's officially designated bank for City banking services, which amount of interest is minimal when compared to the City's direct and indirect costs of administering such interest payment obligation, and

WHEREAS, a municipal utility is not legally required to pay interest on utility deposits, and the City Council finds it is neither reasonable, nor good stewardship of city finances, to pay such interest in the absence of a legal mandate to do so,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Ellensburg Municipal Code Section 2.14.080, as last amended by Ordinance No. 3893 is hereby amended to read as follows:

2.14.080 Deposits shall bear interest. Application of deposit upon account termination.

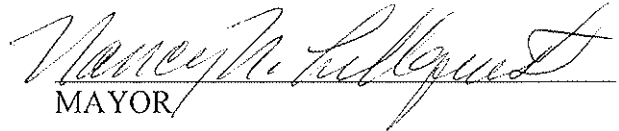
All deposits made hereunder shall be in cash ~~or cash equivalent~~ and shall bear interest at a rate ~~no lower than the statement savings rate offered by the bank designated by the city for city banking services.~~ When utility service has been terminated by the customer or by the city for nonpayment and there are unpaid utility accounts owed to the city, the balance of the deposit ~~plus interest~~ will be applied against any unpaid utility account balance on the final bill for terminated service, and any amount of deposit balance remaining will be refunded to the customer or successors or assigns within 30 days of the final bill after payment of all said unpaid utility charges. Deposits shall not bear interest. [Ord. 3893 § 1, 1993; Ord. 3547 § 2, 1986; Ord. 3514 § 1, 1985.]

Section 2. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

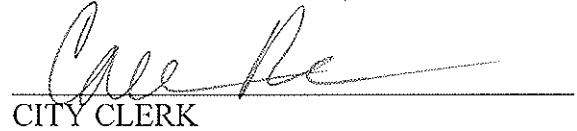
Section 3. Effective Date. This ordinance shall take effect and be in full force (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council


on the 20th day of April, 2009.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

PUBLISH: April 23, 2009

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4542 is a true and correct copy of said Ordinance of like number of said City as the same was passed by said Council, and that Ordinance No. 4542 was published as required by law.


COREEN M. RENO, CMC