

TO: Mayor Rogin and Members of the Board of Trustees
FROM: Aaron Caplan, Engineering, Building & Utilities Director
DATE: 22 Aug 2023
ITEM: Ordinance 1151 - an Ordinance of the Town of Lyons, Colorado Amending Section 13-1-150 of the Lyons Municipal Code Regarding Late Fees on Utility Services

ORDINANCE
 MOTION / RESOLUTION
 INFORMATION

- I. REQUEST OR ISSUE:** Amend Section 13-1-150 of the Lyons Municipal Code to state that late fees shall be assessed on accounts that remain unpaid for more than 30 days.
- II. RECOMMENDED ACTION / NEXT STEPS:** Host a public hearing and consider approving the ordinance on 2nd reading.
- III. FISCAL IMPACTS:** None.
- IV. BACKGROUND INFORMATION:** This section of the municipal code was recently amended, and late fees were incorrectly lumped in with other delinquent account fees. This amendment would state that late fees shall be assessed on accounts that remain unpaid for more than 30 days rather than accounts that have been delinquent for more than 30 days. An account is late if not paid by the due date. In our case, that is 30 days from the billing date. We then charge additional fees on accounts that are delinquent for 30 days such as service shut-off and reinstatement fees. These would be on accounts that are not paid within 60 days from the billing date. The current code is included as **Exhibit A**
- V. LEGAL ISSUES:** None
- VI. CONFLICTS OR ENVIRONMENTAL ISSUES:** None
- VII. SUMMARY AND ALTERNATIVES:**
 - a. Approve Ordinance 1151
 - b. Request changes to the Ordinance and have it brought back.
 - c. Decline Ordinance 1151

PROPOSED MOTION:

"I move to approve Ordinance 1151 on Second Reading."