



## CITY OF JENKS

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JENKS, OKLAHOMA 74037-2007

PHONE (918) 299-5883 • FAX (918) 299-4489

To: Mayor and Members of Council

From: Walter Gerow, Deputy Finance Director

Date: January 29, 2020

Re: Proposed Ordinance No. 1507; amending Section 18-1-27, changing the notification method of cut-offs

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While reviewing city ordinances staff identified inconsistencies regarding the “method” of advance notice to citizens / residents regarding City / JPWA work to be performed in their area or on their property.

The two methods of notification of pending work by the City/JPWA include USPS Mail or affixing a door hanger. Specifically,

1. Section 18-1-27 of Jenks Municipal Code, item B states, “*In cutting water off to a customer, sufficient notice will have been given by mail to the residence being furnished water.*”
2. Other Sections that don’t refer specifically to water allow notice to be given via door hanger:
  - a. Section 9-1-8, paragraph under item C, states that solid waste collectors may leave notice with customer in a form approved by the City Manager, and
  - b. Section 13-1-29, states that City / JPWA personnel may give notice of public nuisance by tacking a notice to the resident’s door.

The delivery of JPWA cutoff notices by mail creates customer service issues. Even though notices could be mailed days in advance of actual cut-off, mail delivery may be untimely which cause the customer to receive the notice after their services were disconnected. Also, customers may remit payment for services before receiving the mailed cut-off notice and upon receiving the notice express concern that their payment has not been applied and that staff is unreliable.

Staff recommends approval of Ordinance No. 1507, that changes the language in Section 18-1-27:

- FROM, “In cutting water off to a customer, sufficient notice will have been given by mail to the residence being furnished water.”,
- TO, “In cutting water off to a customer, notice will have been given by affixing a door hanger to the residence where water service is cut-off.”

**ORDINANCE NO. 1507**

**AN ORDINANCE AMENDING CHAPTER 18 OF THE CITY OF JENKS CODE OF ORDINANCES “PUBLIC UTILITIES,” BY AMENDING SECTION 18-1-27, “CHARGE FOR TURNING OFF AND RECONNECT OF WATER SERVICE,” TO DEFINE NOTICE BEING PROVIDE BY DOOR HANGER INSTEAD OF MAIL; PROVIDING FOR SEVERABILITY; REPEALING ALL CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.**

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**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JENKS, OKLAHOMA:**

**SECTION I. BACKGROUND**

Currently the City provides customers notice of water cut-offs by using a door hanger. The City Code states that cut-off notices will be provided by mail. This ordinance updates the City Code to match current practice.

**SECTION II. SECTION 18-127 AMENDMENT**

Section 18-1-27(B) of the City of Jenks Code of Ordinances shall be amended to require a water cut-off notice be provided by a door hanger instead of mail. It shall read as follows:

(B) In cutting water off to a customer, notice will have been given by affixing a door hanger to the residence where water service is cut-off.

**SECTION XII. SEVERABILITY**

If any part of this ordinance is found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

**SECTION XIII. CONFLICT**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION XIV. EMERGENCY DECLARATION**

Since the immediate operation of the provisions of this ordinance is necessary for the preservation of public health, welfare and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the City Council.

**Approved this 4th day of February 2020.**

**CITY OF JENKS, OKLAHOMA**

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**MAYOR**

**Attest:**

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**CITY CLERK**

**Approved as to form:**

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**CITY ATTORNEY**

**Emergency Clause approved separately this 4th day of February 2020.**

**CITY OF JENKS, OKLAHOMA**

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**MAYOR**

**Attest:**

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**CITY CLERK**