

ORDINANCE 14-11

Passed
5-10-11

AN ORDINANCE AUTHORIZING THE WRITE-OFF OF UNCOLLECTIBLE UTILITY ACCOUNTS FOR THE VILLAGE OF LITHOPOLIS.

Whereas, the Village experiences uncollectible debts for various goods and services provided through the Public Works Department, and

Whereas, the State of Ohio Auditor's office allows for uncollectible debt to be written off by the Village, and

Whereas, Council desires to give the Fiscal Officer discretion to write-off uncollectible debt on utility accounts, and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, FAIRFIELD COUNTY, STATE OF OHIO;

SECTION 1. Council authorizes the Fiscal Officer, with the consent of the Mayor, to write-off utility related debts from customers that are at least two years old and that the Village has made more than two attempts to collect.

SECTION 2. Debt eligible for write-off includes; unable to contact debtor/debtor location unknown, the debt was accrued by a previous property owner and more than one year ago or with another owner in-between, debt was accrued by a renter longer than one year ago, debt is subject to an approved bankruptcy proceedings, debt is otherwise determined to be uncollectible or cost prohibitive to collect.

SECTION 3. Monthly the Fiscal Officer shall review the list of final bills and determine if they are collectible from a landlord or property owner, collectible through assessment or determined to be uncollectible. The Fiscal Officer shall review the list with the Mayor and with the Mayor's consent take action upon those final bills.

SECTION 4. Where either the Fiscal Officer or Mayor has a conflict of interest with a village resident (ie. relative, neighbor, other) the Village Administrator shall act in their place with regards to approving a write-off. Where two of the three Administrative Officers have a conflict, the Village Solicitor shall make the decision independently.

SECTION 5. In the event that any aggrieved party disagrees with the Administrative Officers decision with regards to a debt write-off, that party may appeal such decision to Council with 15 days of notice to continue collections or assess the tax duplicate. Council can overrule the administrative decision with a 3/4 vote. The decision of Council is final.

SECTION 6. Nothing in this ordinance shall mandate a write-off or prevent the Village from using any other means of collection provided by law to collect a debt.

SECTION 7. This Ordinance shall be in full force and effect at the soonest date provided by law.

DATE PASSED: May 10, 2011

ATTEST: Jacinta Seagraves
CLERK

SIGNED: [Signature]
MAYOR

APPROVED AS TO FORM:
JON BROWNING
VILLAGE SOLICITOR