



Legislation Details (With Text)

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Title: To amend various sections of Chapter 1163 of the Columbus City Codes, 1959, that addresses Tenant Direct Billing agreements for the Power Section within the Department of Public Utilities, Division of Power and Water; and to repeal the existing sections being amended.

Sponsors: Eileen Paley

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
12/8/2011	1	CITY CLERK	Attest	
12/7/2011	1	ACTING MAYOR	Signed	
12/5/2011	1	COUNCIL PRESIDENT	Signed	
12/5/2011	1	Columbus City Council	Approved	Pass
11/21/2011	1	Columbus City Council	Read for the First Time	

This ordinance authorizes amendments to Columbus City Codes, Title 11, Water, Sewer and Electricity Code, Article V, Electricity, Chapter 1163, hereby removing language pertaining to tenant direct billing agreements. Tenant direct billing agreements will no longer be in use.

This ordinance authorizes that owners of real estate premises with City of Columbus electricity service shall, in good faith, cooperate with the Division of Power and Water's efforts to collect revenue pertaining to delinquent tenant accounts.

This ordinance is necessary for the City of Columbus to ensure that the Department of Public Utilities' *tenant billing* business practices remain consistent with other power industry providers within the Central Ohio area.

Fiscal Impact: None, due to the implementation of other collection efforts.

To amend various sections of Chapter 1163 of the Columbus City Codes, 1959, that addresses *Tenant Direct Billing* agreements for the Power Section within the Department of Public Utilities, Division of Power and Water; and to repeal the existing sections being amended.

WHEREAS, it is necessary to amend Columbus City Codes, Title 11, Chapter 1163.20 and 1163.21 Water, Sewer and Electricity Code, Article V, to remove language referring to tenant direct billing of Power Section accounts; and

WHEREAS, the Department of Public Utilities, Division of Power and Water wishes to remain consistent with the business practices of other power industry provider in Central Ohio; and

WHEREAS, the Department of Public Utilities, Division of Power and Water is taking other active measures against

Power Section delinquencies; and

WHEREAS, it is necessary to revoke Power Section tenant direct billing agreements for the Department of Public Utilities, Division of Power and Water; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1 That Section 1163.20 of the Columbus City Codes, 1959, shall be and is hereby amended to read as follows:

-1163.20 - Unpaid charges Owner liable Collection of Delinquent Charges and Owner Responsibilities.

A. The division may collect unpaid City of Columbus electric charges by actions at law, in the name of the city, from an owner, tenant, or other person who is liable to pay the charges.

B. Notwithstanding section A, owners of real estate premises with electricity services will not be held liable for electric charges incurred by tenant's usage when the tenant is the Division of Power and Water customer of record.

Owners of real estate premises with electricity services shall, in good faith, cooperate with the Division of Power and Water in the division's efforts to collect revenue pertaining to delinquent tenant accounts. The owners of real estate premises installing or maintaining electricity service shall be liable for all electric charges incurred for service at said premises.

~~C. The division will directly bill a tenant for electricity service if the property owner, or authorized agent of the property owner, along with the tenant, sign a written agreement authorizing direct billing of the tenant. Once a written agreement is signed, the division will simultaneously mail, to both the owner and the tenant, copies of any bills and notices concerning delinquent electricity charges. This requirement shall affect contracts made on or after the effective date of this paragraph.~~

~~D. Direct billing of a tenant shall be in no way construed as to relieve the owner of the real estate premises of liability for electricity service charges. No direct billing of a tenant will be allowed where all delinquent electricity charges are not paid in full up until the date the direct billing agreement is accepted by the city, or where electricity service has been terminated for real estate premises.~~

~~E. The owner of real estate premises by installing or maintaining electricity service from the city is deemed to assent to all rules and regulations of the Division of Power and Water and ordinance of the city pertaining to electricity service and distribution.~~

C. The owner of real estate premises by installing or maintaining electricity service from the city is deemed to assent to all rules and regulations of the Division of Power and Water and ordinance of the city pertaining to electricity service and distribution.

Section 2 That Section 1163.21 of the Columbus City Codes, 1959, shall be and is hereby amended to read as follows:

-1163.21 - Billing, meter reading Terms of payment.

- A. Billing. The city may render bills for electricity service on a monthly basis.
- B. Electricity Bill Calculations. All meter readings and billings may be in units of kilowatt hours or kilowatt hours and demand and there shall be no proration of rates, except demand and customer charges and rates which may be prorated at the time of a rate change.
- C. Termination for Nonpayment of Accounts. Electricity service may be terminated for nonpayment of any and all charges now and hereafter in force. Termination of electricity service for nonpayment of account shall be pursuant to the provisions of city code Section 1160.03

Electricity service will not be resumed until all service charges due and payable have been collected or a suitable payment agreement has been received from the customer of record ~~or the owner of the real estate.~~

The customer of record shall be responsible for payment of all applicable service charges as defined in city code Chapter 1163.

- D. Billing Disputes. Customers of record ~~and owners of the real estate~~ wishing to contest any service charges for which they have been billed shall contact the Division of Power and Water at the phone number and/or address provided on the bill, to discuss the matter with a division customer service representative. If the billing dispute is not resolved through discussion with division customer service representatives, the customer of record ~~or owner of the real estate~~ may file a request for a hearing on the matter with the director, pursuant to provisions set forth in city code Section 1160.03 (C).

Section 3 That existing Sections 1163.20 and 1163.21 of the Columbus City Codes, 1959 be and are hereby repealed.

Section 4 That this ordinance shall take effect and be in force from and after the earliest period allowed by law.