

RESOLUTION NO. 12-990

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, DESIGNATING A UTILITY LIEN ENFORCEMENT HEARING OFFICER TO HOLD HEARINGS PURSUANT TO ORDINANCE NO. 10-741

WHEREAS, The Town of Chino Valley ("Town") is a utility service provider; and

WHEREAS, on October 28, 2010, the Town Council adopted Ordinance No. 10-741 adopting Section 51.290 "Lien Enforcement for Unpaid Utility User Fees," to the Town of Chino Valley, Arizona, Town Code; and

WHEREAS, Ordinance No.10-741, authorizes the Town to assess and file a lien on real property for the non-payment of utility user fees if said non-payment is delinquent for more than ninety days ("Delinquency"); and

WHEREAS, prior to assessing and filing such a lien, the Town must provide written notice to a property owner of said Delinquency; and

WHEREAS, said written notice shall be given at least thirty (30) days before filing the lien and shall include an opportunity for a hearing with a designated Town Official; and

WHEREAS, the designated Town Official shall not be a part of or within the chain of command of the Finance Department or the Utilities Division of the Town;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, AS FOLLOWS:

Section 1. That John G. Walker shall be the duly appointed utility Lien Enforcement Hearing Officer to carry out the hearing procedures set forth in Ordinance No. 10-741.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 8th day of May, 2012.

Chris Marley, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, PC
Town Attorney