

RESOLUTION NO. 10-943

**A RESOLUTION OF THE TOWN OF CHINO VALLEY,
ARIZONA, DESIGNATING A UTILITY LIEN
ENFORCEMENT 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 added Section 51.281, "Lien Enforcement For Unpaid Utility User Fees," to the Town of Chino Valley, Arizona, Code of Ordinances, by Ordinance No. 10-741; 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 involved with the Finance Department or the Utilities Division of the Town;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF CHINO VALLEY AS FOLLOWS:

Section 1. That the Town Manager, with affirmation by the Town Council, shall be authorized to appoint a utility Lien Enforcement Officer to carry out the hearing procedures set forth in Ordinance No. 10-741.

Section 2. That the duly appointed utility Lien Enforcement Officer shall 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 28th day of October, 2010.

Jim Bunker, Mayor

ATTEST:

APPROVED AS TO FORM:

Jami C. Lewis, Town Clerk

Musgrove Drutz & Kack, P.C.
Town Attorney