

**ORDINANCE NUMBER 1354**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, CALIFORNIA, AMENDING SECTION 14.08.100 OF CHAPTER 14.08 AND SECTION 14.28.210 OF CHAPTER 14.28 OF TITLE 14 OF THE CITY OF PERRIS MUNICIPAL CODE REGARDING WATER AND SEWER ENTERPRISES**

**WHEREAS**, the City Council has determined to repeal or amend old ordinances and sections of the Municipal Code that are no longer applicable.

**WHEREAS**, the City Council now desires to amend Section 14.08.100 of Chapter 14.08 and Section 14.28.210 of Chapter 14.28 of Title 14 of the City of Perris Municipal Code; and

**WHEREAS**, on November 28, 2007, the City Council adopted Ordinance No. 1229 which amended Sections 14.08.100 and 14.28.210 of the City of Perris Municipal Code; and

**WHEREAS**, Section 14.08.100 of Chapter 14.08 and Section 14.28.210 of Chapter 14.28 states that the City may exercise any remedies available under the law with respect to delinquent service charges and that the City Council elects to achieve these collections by placing delinquent service charges on the tax roll; and

**WHEREAS**, the City Council now desires to amend Ordinance No. 1229 of Chapter 14.08, Section 14.08.100 and Chapter 14.28, Section 14.28.210 of the City of Perris Municipal Code allow for a third party collection agency to provide for the management and collection of past due service fees.

**THE CITY COUNCIL OF THE CITY OF PERRIS HEREBY ORDAINS AS FOLLOWS:**

**Section 1.** Recitals Incorporated. The foregoing Recitals are incorporated herein by reference as if set forth in full.

**Section 2.** Amendment of Sections 14.08.100 and 14.28.210. Ordinance No. 1229, Sections 4 and 5 of the City of Perris Municipal Code Chapter 14.08, Section 14.08.100 and Chapter 14.28, Section 14.28.210, are hereby amended to state:

- (a) The City may exercise any remedies available under the law with respect to delinquent service charges.
- (b) The City Council hereby elects to collect delinquent charges using a third party collection agency to provide for the management and collection of past due service fees and penalties.
- (c) If the delinquent service fees and penalties are unreasonably high and collection is not achieved by the third party collection agency, then the City Council hereby elects to collect delinquent charges on the tax roll in the same manner and together with its general taxes, and in a manner required by law.

- (d) Upon determination that the service fees and penalties are unreasonably high and that collection has not been achieved by the third party collection agency, the City Finance Director may at any time record with the County Recorder a list of delinquent charges and penalties and shall include in each such list a description of the real property upon which the same is a lien, and the name of the City. All delinquent charges and penalties when so recorded shall constitute a lien upon the real property served by the water or sewer system, except no such lien shall be created against any property owned by a public corporation.

**Section 3.** Effective Date. This Ordinance shall take effect 30 days after its adoption.

**Section 4.** Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases or portions thereof be declared invalid or unconstitutional.

**Section 5.** Certification. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Perris.

***ADOPTED, SIGNED and APPROVED*** this 26<sup>th</sup> day of September, 2017.

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Michael M Vargas, Mayor

ATTEST:

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Nancy Salazar, City Clerk

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) §  
CITY OF PERRIS )

I, Nancy Salazar, City Clerk of the City of Perris, do hereby certify that the foregoing Ordinance Number 1354 was duly and regularly introduced by the City Council of the City of Perris at a regular meeting thereof held on the 12<sup>th</sup> day of September and regularly and duly adopted by the City Council of the City of Perris at a regular meeting thereof held on the 26<sup>th</sup> day of September 2017, by the following vote:

AYES: RABB, ROGERS, BURKE, CORONA, VARGAS  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

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City Clerk, Nancy Salazar