



Ordinance No. 2026- 4

AN ORDINANCE RELATING TO UTILITY SERVICE AND FEES WITH THE CITY OF CLAREMORE; AMENDING SECTIONS 54.16, 54.17, 54.18, and 54.20 AND ADDING SECTION 54.19 OF CHAPTER 54 OF THE CODE OF ORDINANCES OF THE CITY OF CLAREMORE, OKLAHOMA; REPEALING ORDINANCES IN CONFLICT HEREWITHIN AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Claremore, pursuant to the powers delegated to it by the Oklahoma Constitution, Oklahoma Statutes as a Charter City, has the authority to amend Chapter 54 of the Claremore Code of Ordinances.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF CLAREMORE, OKLAHOMA, AS FOLLOWS:

SECTION 1 Amendment. That the City of Claremore Code of Ordinances, Title V, Chapter 54 be amended as follows (all deletions are struck through and insertions underlined)

General Provisions

- 54.01 Public works facilities design and construction specifications
- 54.02 Violations of manual

Charges and Fees

- 54.15 Application for service
- 54.16 Residential deposits
- 54.17 Commercial deposits
- 54.18 Credit
- 54.19 Payment date for utility bills and service discontinuance for non-payment of bill
- ~~54.19~~ 54.20 Service fees

CITY OF CLAREMORE
CITY CLERK
P.O. BOX 249
CLAREMORE, OK 74018-0249

§ 54.01 PUBLIC WORKS FACILITIES DESIGN AND CONSTRUCTION SPECIFICATIONS.

A certain document, three copies of which shall be on file in the office of the City Clerk, being titled the *City of Claremore Manual and Standards for the Design, Construction, Improvement, and Specifications for Streets, Sidewalks, Water Distribution Systems, Sanitary Sewers, Sewage Pumping Stations, Storm Sewers, Drainage, and Detention, 2000 Edition*; and each and all of the regulations and provisions, conditions and terms of the design manual are hereby referred to, adopted and made a part hereof as if fully set out in this section.

§ 54.02 VIOLATION OF MANUALS.

Any person who violates a provision of the manual set out in this subchapter or who fails to comply therewith or with any of the requirements thereof, shall be guilty of a misdemeanor. Each day upon which a violation continues shall be deemed a separate offense.

CHARGES AND FEES

§ 54.15 APPLICATION FOR SERVICE.

All persons, firms and corporations desiring utility (electric, water, sanitation or sewer) service from the city shall make application therefor to the Utility Department of the city at the Light and Water Department located at the city hall. Each application shall contain the name of the applicant and shall indicate the class of service that the applicant is applying for and the reasons for applying for the class of service. In addition to the information set forth herein, the supervisor of the Utility Department may develop application forms that contain such information as is necessary to determine what class of utility service the applicant may qualify for. The city shall be the sole judge of which class of utility service the applicant qualifies for based upon the anticipated utility usage by the customer. If during service to the customer, the customer's utility usage changes so that it no longer falls into the class of usage assigned to the customer, or in the event the customer's actual usage turns out to be different from the anticipated usage, then the city may reclassify the customer's utility service so that it is in accord with the customer's utility usage.

§ 54.16 RESIDENTIAL DEPOSITS.

A utility deposit for residential customers shall be required as set forth in this subchapter. The amount of the deposit shall be as follows:

(A) *For electric (electric only), or for electric and water, and/or sewer, and/or sanitation.*

(1) Residential customers owning the home where the utilities will be used shall, prior to obtaining utility service, deposit a sum of ~~\$400~~ \$250 to guarantee payment for service used.

(2) Customers renting their residence or who own a mobile home which is located on leased real property, shall pay a ~~\$200~~ \$350 deposit to guarantee payment for

service used, ~~\$100 of which shall be paid before utility service is provided and the remaining \$100 will be billed on the first month's bill and shall be due when the first bill is due.~~

(B) *For sanitation or water or sewer.*

(1) All residential customers where one of the listed utilities will be used shall, prior to obtaining utility service, deposit a sum of ~~\$40~~ \$80 to guarantee payment for the service used.

(2) All residential customers where two of the listed utilities will be used shall, prior to obtaining utility service, deposit a sum of ~~\$80~~ \$160 to guarantee payment for the service used.

~~(C) (1) The city will accept a letter of credit from another utility in lieu of a cash deposit from residential customers; provided, the letter of credit is provided at the time of application for service and is in the customer's name. The letter must state that the customer has had 12 months of continuous utility service within the last 18 months and have had no more than two late payments, no collection charges, no cut-offs, and no returned checks within the service year.~~

~~(2) If a letter of credit as provided in this section is accepted and the customer becomes delinquent in the payment of their utility bill, the Utility Department may require the customer to post a utility deposit as otherwise provided in this subchapter. If such a deposit is required and the customer fails to post the deposit, the customer shall be subject to termination of utility service procedures.~~

~~(D) (C)~~ Except as otherwise provided for in this subchapter, any deposit posted under the provisions of this section shall remain with the city until the customer terminates service and will be applied to the final billing. Such deposit may also be applied by the city toward payment of any customer delinquent bill for electrical service. No interest shall be paid to the customer on deposits.

§ 54.17 COMMERCIAL DEPOSITS.

A utility deposit for commercial customers shall be required as set forth in this section. The amount of the deposit shall be as follows:

(A) All commercial customers who locate in previously existing buildings shall pay a utility deposit in an amount equal to ~~two~~ twelve months of average billing for all utility service requested for the building; said deposit, however, shall in no event exceed \$1,000.

(B) All commercial customers who locate in newly constructed buildings shall pay an amount equal to ~~two~~ twelve months of average billing for all utility service for a like business located within comparable size buildings, and such determination shall be made by the utility office of the city; said deposit, however, shall in no event exceed \$1,000.

(C) In no event shall a utility deposit for a commercial customer be less than ~~\$250~~ \$350.

~~—(D) In lieu of paying the deposits, commercial customers may provide an irrevocable letter of credit in an amount equal to the amount determined by the utility office of the city to be the appropriate deposit. The irrevocable letter of credit shall be issued by a financial institution insured by the Federal Deposit Insurance Corporation and it shall be for the benefit of the city.~~

—(E) ~~(D)~~ Except as otherwise provided for in this section, any cash deposit posted under the provisions of this section shall remain with the city until the customer terminates service and will be applied to the final billing. Such deposit may also be applied by the city toward payment of any customer delinquent bill for electrical service. No interest shall be paid to the customer on the deposits.

§ 54.18 CREDIT.

(A) Any residential customer who has maintained 12 months of good payment credit history with the Utility Department shall ~~receive~~ may request a credit towards their utility account in an amount equal to the utility deposit that the customer has on deposit with the city; provided, that any customer who subsequently loses their good credit status shall be required to post a new utility deposit as provided for in this subchapter.

(B) Any commercial customer who has maintained 24 months of good payment credit history with the Utility Department shall ~~receive~~ may request a credit towards their utility account in an amount equal to the utility deposit that the customer has on deposit with the city, ~~or in those cases where the commercial customer has posted an irrevocable letter of credit, then the city will allow the commercial customer to withdraw their irrevocable letter of credit,~~ provided that any customer who subsequently loses good credit status shall be required to post a new utility deposit as provided for in this subchapter.

(C) Good credit as used this section shall mean that a residential customer has no payment which is unpaid ~~for more than ten days~~ from its due date in the most recent 12-month period, has given no bad checks to the city and has no disconnections in the most recent 12-month period, and that a commercial customer has no payment which is unpaid ~~for more than ten days~~ from its due date in the most recent 24-month period, has given no bad checks to the city and has no disconnection in the most recent 24-month period.

§ 54.19 PAYMENT DATE FOR UTILITY BILLS AND SERVICE DISCONTINUANCE FOR NON-PAYMENT OF BILL.

For all classes of utility service the utility bill is due and payable on or before the date set forth in the bill. If the utility bill is not paid on or before the due date, then the city shall mail a cut-off notice to the consumer notifying the consumer that the bill is delinquent and that the consumer's service will be discontinued for nonpayment if the bill is not paid on or before the date set forth on the cut-off notice.

(A) It is the policy of the city to discontinue utility service to consumers by reason of non- payment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for application for utility service shall contain, in addition to

the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

- (1) All bills are due and payable on or before the date set forth on the bill;
 - (2) If any bill is not paid on or before the date set forth on the bill, a cut-off notice will be mailed to the consumer not less than five days after the due date set forth in the bill notifying the consumer that if the bill is not paid within ten days of the due date of the bill, service will be disconnected for nonpayment. The utility account will at this time be subject to a reinstatement fee whether utility service is actually disconnected or not;
 - (3) Utility account late fee. A late fee of 5% on all utility account past dues balances outstanding at the time that each month bill is determined to be past due; in writing his or her complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the consumer's service not be discontinued and shall have the authority to make a final determination of the consumer's complaint. The provisions of this subdivision shall also be included in all delinquency notices; and
 - (4) Any consumer disputing the correctness of his or her bill shall have a right to a hearing at which time he or she may present orally or in writing his or her complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the consumer's service not be discontinued and shall have the authority to make a final determination of the consumer's complaint. The provisions of this division shall also be included in all delinquency notices; and
 - (5) Requests for delays of payment will not be entertained except as provided for in this section; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided in this section, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least ten days.
- (B) If payment is not received by the city by the end of the official business day (5:00 p.m.) on the date set forth on the cut-off notice, the delinquent utility account and/or service will be reinstated only after all bills for service then due have been paid, along with a reinstatement charge in the sum of \$50 for residential consumers and \$100 for commercial consumers. Reinstatement and/or reconnection of service after 4:00 p.m. or on a legal holiday or weekend shall require an additional fee of \$60 for residential and commercial customers.

§ 54.19 54.20 SERVICE FEES.

The following service fees shall apply to utility customers:

- (A) Residential service disconnect/reconnect fee. If utility bill is paid after 5:00 p.m. on the cut-off date or the utility service is disconnected for any reason by the city and later restored by the city between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, a fee of \$30 \$50 shall be charged.

(B) *After business hours residential service reconnect fee.* If utility service is disconnected for any reason by the city and is later restored by the city, and the customer requests that the reconnect be done between the hours of 4:00 p.m. and 10:00 p.m., or on a legal holiday or weekend, an additional fee of ~~\$30~~ \$60 shall be charged, ~~\$60~~ \$110 total.

(C) *Commercial service disconnect/reconnect fee.* If utility bill is paid after 5:00 p.m. on the cut-off date or the utility service is disconnected for any reason by the city and later restored by the city between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday, a fee of ~~\$60~~ \$100 shall be charged.

(D) *After business hours commercial service reconnect fee.* If utility service is disconnected for any reason by the city and is later restored by the city, and the customer requests that the reconnect be done between the hours of 4:00 p.m. and 10:00 p.m. or on a legal holiday or weekend an additional fee of ~~\$30~~ \$60 shall be charged, ~~\$90~~ \$160 total.

(E) *Returned check.* A fee of ~~\$25~~ \$30 shall be charged when a check is returned to the city due to insufficient funds.

(F) *Electric service initiation or transfer fee.* When new electrical service is initiated, a fee of \$20 shall be charged. When an existing electrical service is transferred, a fee of \$10 shall be charged.

(G) *Water service initiation or transfer fee.* When new water service is initiated, or an existing water service is transferred, a fee of \$10 shall be charged.

(H) *Temporary electric and water service fee.* A fee of \$10 shall be charged for each temporary electric or water service connection.

SECTION 2 The City Clerk is hereby ordered and directed to cause this ordinance to be published as required by law.

SECTION 3 REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

SECTION 4 SEVERABILITY. If any section, sub-section, sentence, clause, phrase, portion of this ordinance if, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

PASSED AND APPROVED by the Mayor and the Council of the City of Claremore, Oklahoma, this 2nd day of February, 2026.



Debbie Long
Debbie Long, Mayor

ATTEST:

Sarah Sharp
Sarah Sharp, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Adam Heavin
Adam Heavin, City Attorney

CITY OF CLAREMORE
CITY CLERK
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