

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE

ESTABLISHING THE DISCONTINUANCE OF GAS AND ELECTRIC UTILITY SERVICE DURING HOT-WEATHER PERIODS

Whereas, the 94th General Assembly enacted SB 720 § 393.108, codified as Section 660.123 RSMo. by the Revisor of Statutes (“Hot weather rule”), establishing a state mandate prohibiting the discontinuance of gas and electric utility services during hot weather; and

Whereas, it is appropriate to protect the health and safety of residential customers receiving gas and electric utility service during extreme summer heat by controlling the process used for the discontinuation and refusal of utility service due to delinquent accounts of those customers; and

Whereas, the City further is authorized to adopt regulations herein applicable to extreme weather utility service pursuant to the City’s authority provided in Chapter 91 RSMo., granting cities the authority to erect and maintain gas and electric works and authorizing the City to prescribe and regulate the delivery of such service;

NOW THEREFORE, BE IT ORDAINED BY THE [INSERT BOARD OF ALDERMEN, COUNCIL] OF THE CITY OF [INSERT CITY], MISSOURI, AS FOLLOWS:

Section One: *Hot Weather Rule, Prohibition of the Discontinuance of Electric and Gas Service During Hot Weather Periods.* During the period between June first and September thirtieth, no residential customer shall be disconnected from electric or gas service for nonpayment of bills, including all residential users of apartment buildings, when gas or electricity is used as the source of cooling or to operate the only cooling equipment at the residence, during the following occurrences:

- (1) On any day when the National Weather Service local forecast between 6:00 a.m. and 9:00 p.m. for the following twenty-four hours predicts that the temperature shall rise above ninety-five degrees Fahrenheit or that the heat index shall rise above one hundred five degrees Fahrenheit;
- (2) On any day when utility personnel are not available to reconnect utility service during the immediately succeeding day or days and the National Weather Service local forecast between 6:00 a.m. and 9:00 p.m. predicts that the temperature during the period of unavailability shall rise above ninety-five degrees Fahrenheit or that the heat index shall rise above one hundred five degrees Fahrenheit; and

(3) In any other applicable hot weather situations as subsequently directed by the [INSERT BOARD OF ALDERMEN OR CITY COUNCIL] and provided for in rules established and amended by the Missouri Public Service Commission.

Section Two. *Effective Date.* This ordinance shall take full force and effect from and after the date of its passage by the [INSERT BOARD OF ALDERMAN OR CITY COUNCIL] and approval of the Mayor.

This Bill was passed and approved this ____ day of _____, 2010, by the [INSERT BOARD OF ALDERMEN OR CITY COUNCIL] of the City of [INSERT CITY], Missouri, after having been read by title or in full two times prior to passage.

Mayor

Attest:

City Clerk