

ARTICLE VI.

Miscellaneous

§17-56. Renumbered .§7-3; Ord. 3344, 10-4-2004

§17-57. Renumbered .§7-4; Ord. 3344, 10-4-2004

§17-58. Renumbered .§7-5; Ord. 3344, 10-4-2004

§17-59. Renumbered .§7-6; Ord. 3344, 10-4-2004

§17-60. Rates and eligibility.

(a) Any person meeting all of the following requirements shall be eligible and shall receive a 50% reduction from full water, electricity, sewer and garbage rates otherwise attributable to him. To be eligible for this rate, a person shall:

(1) Be 65 years of age or older, and;

(2) Present evidence showing that his household gross income was less than 250% of the Federal Poverty guideline for one person or for two persons if the household has more than one person, for the year immediately prior to the one in which he seeks to claim the benefits of this ordinance. For the purposes of this section, gross income does include the aggregate of the total earnings of minor children under the age of 18, and; (Ord. 3600, 11-3-2008 Ord. 3614, 2-11-2009)

(3) Be the owner or lessee of the property using the utilities and show that he is the sole source of support of the individuals constituting the household subject to the qualifications of Section (2) above, and;

(4) Submit the information required in this ordinance to the City Clerk of the City of Gillette, in January of each calendar year for certification of the petitioner as an eligible senior citizen for purposes of the rate reduction granted herein for the remainder of that calendar year. The Senior income limit shall be updated each January when the Federal Poverty guidelines are established and shall apply for the following calendar year. Every determination to grant the benefits of this section shall be reviewed in each subsequent January.

(5) For the purposes of section 17-60 of the Gillette City Code, 'household' shall mean a group of individuals who regularly reside together in the property using City utilities.

(b) The City Administrator may waive the above requirements under the following conditions:

(1) An individual of age 65 or over who has made more than the income maximum in the past year, but who has thereafter become disabled, which condition is certified by the Social Security Administration or other appropriate agency as determined by the City Clerk and is making less than the maximum allowable limits in the present year.

(2) An individual who is under 65 and is certified as disabled by the Social Security Administration or other appropriate agency as determined by the City Clerk and meets all other requirements of § 17-60(a).

(c) Any individual utility customer who has been denied a reduction from full water electricity, sewer and garbage rates may file an appeal to the City Council for their consideration of his request, provided the appeal is filed in writing with the City Clerk of the City of Gillette, setting forth the basis for reconsideration, with all supporting material to support the customer's claim of eligibility, within ten calendar days from the date the utility customer received notice of the denial of his request. Upon the receipt of a properly filed appeal, the City Council shall review the original application of the utility customer, the city public file on the application, if any, and any other material the customer may file with his appeal and shall render their decision within 30 days of the receipt of the appeal. (Ord. 1056, 1-7-80; Ord.3257 1-22-2003.)

§17-61. Senior Citizen Apartment Housing Plant Investment Fees.

(a) The commercial plant investment fees for new apartment buildings constructed in whole or in part with federal funds all of which apartments shall only house senior citizens at least 62 years of age shall be determined by reference to this section. The total plant investment fee due shall be 50 (fifty) percent of the total calculated pursuant to Section 17-11 and 17-19 of the Gillette City Code and shall not be or include a credit for transferable plant investment fees. The fees paid pursuant to this section shall not be subject to Section 17-50 of the Gillette City Code and are nontransferable.