

ORDINANCE NO. __

AN ORDINANCE TO AMEND SECTION 17-60 OF THE GILLETTE CITY CODE CONCERNING ELIGIBILITY REQUIREMENTS FOR DISCOUNTED UTILITY SERVICE FOR INCOME ELIGIBLE SENIORS AND DISABLED PERSONS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GILLETTE, WYOMING:

SECTION ONE. Section 17-60 of the Gillette City Code is amended to read as follows:

§17-60. Rates and eligibility.

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

(1) Be 65 years of age or older or a disabled veteran of the United States military, certified as such by the Federal Veterans Administration, and;

(32) 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 (24) A above or (5) A, and;

(53) 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.

(4) To apply for the annual reduction the applicant shall:

(2)A 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, 11-3-2008Ord. 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)B 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 applicant as an income 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.~~

(5) To apply for a quarterly reduction, before a qualifying annual income can be established, the person shall:

A Present evidence showing that his household gross income for the last quarter was less than 1/4 of 250% of the Federal Poverty guideline for one person or for two persons if the household has more than one person, for the quarter 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)

B Submit the information required in this ordinance to the City Clerk of the City of Gillette, January of each calendar year for certification of the applicant as income eligible senior citizen for purposes of the rate reduction granted herein for the remainder the next quarter 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 quarterly in each subsequent January.

(6) Evidence of all income for the preceding year or quarter shall include 1099s for Social Security payments, SSI payments, W2s from any employment and

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the IRS Tax return if the person filed one and documentation of any other household income such as rents, pensions, dividends, etc. If an applicant who has received either an annual or quarterly reduction does not reapply and qualify for this reduction by the end of the first week of the next year or quarter, as the case may be, they shall be thereafter billed without the reduction.

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(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, the Federal Veterans 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, the Federal Veterans 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 all utility services, such as water, electricity, sewer, yard waste ~~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.)

(d) If any applicant knowingly submits fraudulent or inaccurate or incomplete information to establish eligibility for this program, the City Clerk shall give them written notice of the determination of ineligibility and if applicant does not appeal

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to the City Council according to the preceeding section (c), then at the end of the ten day appeal period, their reduced account shall be terminated and the amount of the reduction actually credited to their account shall be billed to them with their next utility bill at its normal full rate. In addition the applicant will not be considered in the future for reduced utility service under this program.

PASSED, APPROVED AND ADOPTED this ___ day of _____, 2014.

John Opseth, Mayor

(S E A L)
ATTEST:

Karlene Abelseth, City Clerk
Published:

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