

**ORDINANCE NO. \_\_-\_\_\_\_**  
**CITY OF PASCAGOULA, MISSISSIPPI**

**AN ORDINANCE OF THE CITY OF PASCAGOULA, MISSISSIPPI AMENDING  
CHAPTER 86, ARTICLE I, SECTION 86-4 OF THE CODE OF ORDINANCES  
REGARDING REFUNDING WATER SERVICE DEPOSITS**

**WHEREAS**, Chapter 86, Article I, Section 86-4 of the City of Pascagoula’s Code of Ordinances establishes requirements for deposits for water service; and

**WHEREAS**, Mississippi Code Section 21-27-23 authorizes refunding utility deposits under certain circumstances; and

**WHEREAS**, the City of Pascagoula desires to implement a system for refunding water utility deposits to incentivize timely payment for utility services; and

**WHEREAS**, on August 23, 2022, the City Council for the City of Pascagoula adopted an ordinance amending Chapter 86, Article I, Section 86-4 of the Code of Ordinances to provide for refunds of water service deposits; and

**WHEREAS**, the City Council for the City of Pascagoula desires to rescind the adoption of said ordinance and replace it as set forth herein to clarify that commercial accounts are not eligible for refunds of water service deposits; and

**WHEREAS**, the City Council for the City of Pascagoula hereby amends Chapter 86, Article I, Section 86-4.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA AS FOLLOWS:**

**SECTION 1.** The City Council for the City of Pascagoula hereby rescinds its approval of the Ordinance adopted on August 23, 2022, amending Chapter 86, Article I, Section 86-4 of the Code of Ordinances to provide for refunds of water service deposits.

**SECTION 2.** Chapter 86, Article I, Section 86-4 is hereby amended to include the

following subsection (c):

- (c) *Disposition of deposits.* Deposits shall be held in trust to ensure payment of water and sewer charges and shall be applied toward a customer’s account for water and/or sewage services when the account becomes delinquent. Deposits shall not bear interest, and any amount remaining on deposit upon termination of the customer’s contract shall first be applied to any final balance on the customer’s account with any remaining amount refunded to the customer on request. Residential account holders who continuously make payments on such accounts on or before the appropriate due date for a period of two (2) years (twenty-four (24) consecutive months) and are not otherwise indebted to the City shall have their deposit refunded upon request. Where the residential account holder qualifies for such a refund and appropriately requests the same, the refund shall be issued by applying the amount of the deposit to the customer’s account until the amount of the deposit is exhausted. Account holders for multi-family residential developments with master meters shall not be eligible for the refund established herein.

**SECTION 3.** This ordinance shall become effective as provided by law.

**SECTION 4.** Sections 1 and 4 of this ordinance shall not be codified.

The above Ordinance was introduced in writing by Mayor Willis, seconded for adoption by Councilman \_\_\_\_\_, and received the following vote: Mayor Willis voted “\_\_\_”, Councilman \_\_\_ voted “\_\_\_”, Councilman \_\_\_ voted “\_\_\_”, Councilman \_\_\_ voted “\_\_\_”, Councilman \_\_\_ “\_\_\_”, Councilman \_\_\_ voted “\_\_\_”, and Councilman \_\_\_ voted “\_\_\_”.

Passed this the \_\_\_ day of \_\_\_\_\_ 2022.

APPROVED:

/s/

Jay Willis, Mayor

/s/

Karen Kennedy, City Clerk