



VILLAGE OF MOSQUERO

ORDINANCE NO. 2026-01

**AN ORDINANCE RELATING TO ORDINANCE 2022-04
ENTITLED “WATER, SEWER, AND SOLID WASTER SERVICES”
AMENDING ARTICLE III. WATER AND SEWER LINES, METERS, AND FACILITIES,
TO INCLUDE AN ADDITIONAL SUBSECTION 10. PERTAINING TO RENTER UTILITY ACCOUNT
REQUIREMENTS AND AMENDING ARTICLE V. BILLING PROCEDURE AND
TO INCLUDE ADDITIONS TO SECTION 5. “DELINQUENT BILLS AND PENALTY”.**

WHEREAS, the Village of Mosquero has therefore adopted a comprehensive ordinance establishing terms and conditions for provision of water, sewer, and solid waste utility services in the Village; and

WHEREAS, these provisions were approved by the Village council and set forth in Ordinance 2022-04 as of April 28, 2022, and is currently in effect; and

WHEREAS, the Village Council wishes to introduce additional amendments to include requirements pertaining to utility services for long-term, leased rental properties;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF MOSQUERO, THAT

SECTION 1. SHORT TITLE – This Ordinance may be sited as the “Renter Utility Ordinance”.

SECTION 2. PURPOSE – The purpose of this Ordinance is to amend Ordinance 2022-04 “Water, Sewer, and Solid Waste Services” to include the following additions:

Article III. Water and Sewer Lines, Meters, and Facilities

Section 10. Renter Utility Account Requirements

A. Definition of Rental Properties:

1. Short-Term Rental: a furnished residential property—such as a house, apartment, or single room—usually not requiring a residential leasing agreement, rented out to guests for a brief, temporary period, generally defined **as fewer than 30 consecutive days**.

2. Long-Term Rental: a residential leasing arrangement, typically lasting for **31 consecutive days to 1 year or longer** as sited in the leasing agreement between renter and landlord or property owner.
3. Commercial Property Rental: Commercial Property – such as offices, retail stores, restaurants, or warehouses, exclusively for profit-generating business activities.

B. Utility Service Registration Requirements for Long-term Renters

1. All renters of long-term rental and commercial rental properties required to establish independent utility services by their landlord with the Village shall complete a Renter Utility Registration Form at the time of account setup.
2. The registration form shall include, at minimum:
 - Full legal name of the renter
 - Service address
 - Mailing address (if different)
 - Phone number and email address
 - Landlord/property owner name and contact information
 - Start date of occupancy
 - Government-issued identification number
3. No utility account shall be activated for a rental property until the completed registration form has been submitted to the Village.

C. Utility Deposit Requirement

1. All renters of long-term rental and commercial rental properties shall pay a utility deposit of \$100.00 at the time of account setup.
2. The deposit shall be held by the Village until the account is closed.
3. Upon closure of the account, the Village shall apply the deposit toward any outstanding balance owed.
4. If a customer requesting water service has an outstanding account on another meter, all outstanding and delinquent charges for that other meter must be paid in full at the time the deposit is paid and before water service is connected on the new meter.
5. If no outstanding balance exists, the Village shall refund the deposit to the renter within thirty (30) days of account closure.

D. Evictions

1. Should a renter be evicted from the service address, the renter shall remain responsible for all utility charges accrued through the date the Village is notified to close the account. The Village shall not transfer or terminate service due to an eviction unless requested by the property owner or authorized agent. Any outstanding balance shall be handled in accordance with the deposit and collection provisions of this ordinance.

E. Death of Account Holder

1. In the event of the death of a renter who is the named utility account holder, the Village shall close the account upon receiving notice and reasonable documentation. The Village shall apply the renter's deposit to any outstanding charges. Any remaining balance owed after application of the deposit shall be billed to the renter's estate in accordance with applicable law.

Article V. Billing Procedure

Section 5. Delinquent Bills and Penalty

A. Collection of Unpaid Balances

2. If a renter's outstanding balance exceeds the \$100.00 deposit amount, the remaining unpaid amount shall be the responsibility of the renter.
3. The Village is authorized to pursue all lawful means of collection, including but not limited to:
 - Referral to a third-party collection agency
 - Reporting delinquent accounts as permitted by law
4. Any fees incurred by the Village in the collection process may be added to the renter's outstanding balance, as allowed by state and federal law.

B. Landlord Notification

1. For all delinquent bills, the Village shall cause a notice of delinquency to be issued to the property owner and tenant advising of any penalties, fees and/or charges assessed and informing the property owner and tenant that service will be discontinued unless payment is received in full.

SECTION 3. SAVING CLAUSE – This Ordinance applies to the Village of Mosquero and does not apply to any other local municipality.

SECTION 4. SEVERABILITY – If any section, paragraph, sentence, clause, word, or phrase of this Ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decisions shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 5. EFFECTIVE DATE – This Ordinance shall become effective and be in full force immediately upon its passage, publication and posting according to law, and shall apply to all new renter accounts established thereafter.

SIGNED, PASSED, APPROVED, AND ADOPTED by the Governing Body of the Village of Mosquero this 10th day of March, 2026.

Absent

Victor Vigil, Mayor

Theresa Trujillo

Theresa Trujillo, Mayor Pro Tem

Jacob Green

Jacob Green, Trustee

Margaret Green

Margaret Green, Trustee

Attest:
Dallas Baker

Dallas Baker, Village Clerk

Absent

Jimmie Ridge, Trustee