
Sec. 86-302. Failure to pay rates and charges; disconnection from service; service charge.

- a) If any user or customer of such service does not pay the rates and charges within 30 days of the mailing date and a bill has been rendered for the following month's rates and charges together with those for the preceding month, the entire amount due for the two months shall be paid within 15 days of the date the second bill was mailed. Failure to pay the entire bill within this 15-day period or to make satisfactory arrangements with the finance department for its payment will subject the service in question to be disconnected without further notice. After this period, there shall be charged and collected a service charge as established by the city and listed in appendix A of this Code.
- b) When delinquent charges imposed for utility services remain unpaid, the City may impose a lien against the real property to which the service was delivered. The lien shall include and secure the delinquent charges for all utility services provided by the city, together with penalties, interest, and collection costs, which shall include administrative fees. The city manager or designee shall perfect the lien by filing a notice of lien containing a legal description of the property, the appropriate utility account number, and a detail of the delinquent charges in the real property records of Dallas County, Texas.
- c) The lien authorized by this section shall not apply to and shall not be filed against homestead property protected by the Texas Constitution. The lien shall not apply to bills for service connected in a tenant's name after notice by the property owner to the city that the property is rental property. The lien shall not apply to bills for service connected in a tenant's name prior to April 21, 2026.
- d) The lien is inferior to a bona fide mortgage lien that is recorded before the recording of the city's lien in the real property records of Dallas County. The lien is superior to all other liens, including previously recorded judgment liens and any liens recorded after the city's lien."

(Code 1969, §§ 27-32, 27-33; Ord. No. 1114, § 1, 8-13-1976; Ord. No. 1130, § 1, 2-11-1977; Ord. No. 1158, § 1, 9-12-1977; Ord. No. 1355, § 1, 8-3-1981; Ord. No. 1405, § 1, 10-4-1982; Ord. No. 1521, § 1, 9-10-1984; Ord. No. 1712, §§ 1—5, 9-12-1977; Ord. No. 1735, § 1, 10-19-1987; Ord. No. 1795, § 1, 10-3-1988; Ord. No. 1841, § 1, 9-18-1989; Ord. No. 1962, § 1, 9-23-1991; Ord. No. 2006, § 1, 9-28-1992; Ord. No. 2077, § 1, 9-9-1993; Ord. No. 2138, § 1, 9-6-1994; Ord. No. 2205, § 1, 9-11-1995; Ord. No. 2278, § 3, 9-9-1996; Ord. No. 2411, § 3, 12-21-1998)