

**AGENDA  
LEBANON CITY COUNCIL  
MAY 20, 2020**

**7. PUBLIC HEARING ITEMS:**

**7.A – ORDINANCE #2020-06 TO AMEND CITY CODE CHAPTER 136, SEWER SERVICE, ARTICLE X, COLLECTION AND ABATEMENT**

A public hearing for the purpose of receiving public input and taking action to amend City Code, Chapter 136, Sewer Service, Article X, Collection and Abatement, Section 136-80, Abatement.

The City Council scheduled this public hearing at their May 6, 2020 regular meeting. The public hearing was properly noticed in the *Valley News* on May 9, 2020 in accordance with City Code and State Law.

**BACKGROUND**

In reviewing the terms for abatement of sewer use fees and assessments, it was noted that there is no provision in Chapter 136 for the City Manager to permit installment payments for sewer users. There are such provisions in Chapter 182 for water users. The language proposed in Ordinance #2020-06 to amend Chapter 136 is similar to that contained in Chapter 182, Water Service.

**ACTION**

*If the Council decides to move forward, the following motion is offered for consideration:*

***MOVED, that the Lebanon City Council hereby adopts Ordinance #2020-06 to amend City Code Chapter 136, Sewer Service, Article X, Collection and Abatement, Section 136-80, Abatement, as presented in the May 20, 2020 City Council Agenda Packet.***

Included in this Section:

1. Ordinance #2020-06
2. Notice of Public Hearing as Published in the May 9, 2020 Edition of the *Valley News*.

Available but not included in this section:

1. May 6, 2020 City Council Agenda Packet:

[2020-05-06 Item 9.D - ORD 2020-06 Amend CH 136 Sewer Service.Pdf](#)

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**CITY OF LEBANON  
ORDINANCE #2020-06**

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 136, Sewer Service, Article X, Collection and Abatement, Section 136-80, Abatement.

BE IT ORDAINED, by the City Council of the City of Lebanon, as follows:

Section 1

The Code of the City of Lebanon is hereby amended to revise Chapter 136, Sewer Service, Article X, Collection and Abatement, Section 136-80 as follows:

§ 136-80 **Abatement.**

For good cause shown, the City Manager may abate any such fees and assessments made herein. **The Manager, or his or her designated agent, will review in private session with the person requesting abatement that person's need for abatement. The Manager may abate any bill and/or fees by a decision in writing because of financial hardship and inability to pay or may set up an installment payment schedule.** Any person aggrieved by the neglect or refusal of the City Manager to grant an abatement may petition the City Council for relief at any time within 30 days after notice of decision or after 30 days of no notice of decision (from the date of application for abatement) by the City Manager.

Section 2. Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or part of this ordinance.

Section 3. Effective Date

This Ordinance shall become effective upon passage.

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May 11, 2020



**LEBANON CITY COUNCIL  
NOTICE OF PUBLIC HEARINGS  
Wednesday, May 20, 2020 - 7:00pm  
REMOTE VIA  
MICROSOFT TEAMS  
LebanonNH.gov/Live**

The Lebanon City Council will hold public hearings on May 20, 2020, beginning at 7:00pm for the following:

- A. ORDINANCE #2020-06 – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 136, Sewer Service, Article X, Collection and Abatement, Section 136-80, Abatement.

The May 20, 2020 City Council agenda package will be available on the City's website ([www.lebanonnh.gov](http://www.lebanonnh.gov)) beginning May 15, 2020.

*Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Microsoft Teams. Members of the public are encouraged to attend by going to [LebanonNH.gov/Live](http://LebanonNH.gov/Live) where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the Microsoft Teams software or by phone. Please visit [LebanonNH.gov/Live](http://LebanonNH.gov/Live) for full details.*

NE-326777

The foregoing notice was published in the *Valley News*, a newspaper of general circulation in the City of Lebanon, in accordance with the Code of the City of Lebanon on Saturday, May 9, 2020.

*Sandra L. Allard*

Sandra L. Allard, City Clerk

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