

ORDINANCE NUMBER 105

AN ORDINANCE SETTING POLICY AND PROCEDURE FOR UTILITY BILLING AND COLLECTION

The City Council of the city of New Auburn, Sibley County, Minnesota, hereby ordains:

SECTION 1. DEFINITIONS

For the purposes of the Ordinance, the following capitalized terms listed in alphabetical order shall have the following meanings:

1. **Account.** A record of utility services used by each property and the periodic costs for those utility services.
2. **City.** The City of New Auburn, County of Sibley, State of Minnesota.
3. **City Utility System.** Facilities used for providing public utility service owned or operated by City or agency thereof, including sewer, storm sewer and water service.
4. **Utility Rate Schedule.** A schedule of all utility rates and charges set by ordinance of the City and updated by the city council.
5. **Waterworks system.** Water and sewer transmission pipes, lines, fixtures, meters and all necessary equipment and appurtenances owned or operated by the City utility system for the purpose of providing water and sewer services for public or private use.

SECTION 2. ACCOUNTS

All accounts shall be carried in the name of the owner who personally, or by his or her authorized agent, applied for such service. The owner shall be liable for water and sewer services supplied to the property, whether he or she is occupying the property or not, and any unpaid charges shall be a lien upon the property. In the case of rental property the owner/landlord may request the account to be in the renter's name. This does not relinquish the owner/landlord's responsibility for the utility bill. The owner/landlord will be notified of any disconnections. The owner/landlord may be notified of shut off notices sent at the request of the owner/landlord and at the owner/landlords expense. In the case of an apartment unit the owners of the unit will be sent one bill and the owner of the unit is responsible for the payment of the utility bill. Unpaid charges for the unit shall be a lien upon the property. In the case of a trailer park the owner of the park will be sent one bill for the entire park and the owner of the park will be responsible for the collection from the lot renters. An administration fee set yearly by the city council will be charged

for any property owner that would like separate readings for each unit. Unpaid charges for the trailer park shall be a lien upon the property.

SECTION 3. METER READINGS

The city is responsible to take all meter readings (except for summer outdoor meters). All meter readings will be taken the ~~first~~ last business day of the month.

SECTION 4. BILLING

1. Water and sewer charges shall be billed on one bill as applicable to each account. All bills will be mailed sometime between the 10th and the 15th of the month. The due date will be the last day of each month. All bills shall contain the address and telephone number of the city; the address and phone number shall be clearly visible and easily readable. Bills shall specify the water consumed and the sewer charges in accordance with the current fee schedule set by the city council.
2. Any non-metered seasonal property owners will be charged for use from May 1 until October 31 of each year.

SECTION 5. DELINQUENT ACCOUNTS.

3. **Penalties.** A late payment penalty shall be assessed on all accounts with a past due balance. The amount shall be set by the city council.
4. **Shut-off for nonpayment.** Water shall not be shut-off until notice and an opportunity for the owner or occupant to discuss the bill with the city council or an employee designated by the city council.
 - a. If any bill is not paid by the due date listed on the bill and the bill is 30 days delinquent, a shut-off notice will be mailed by first class mail and shall state that if payment is not made within ten days of the mailing of the shut-off notice, water service to the premises will be disconnected for nonpayment.
 - b. The shut-off notice shall contain the address and telephone number of the city. The notice will also state the amount owed, date it is due before disconnecting occurs and a reconnect fee that will be charged if the service is disconnected.
 - c. If payment is not made by the tenth day the city will red tag the property and give them until the end of the day the tag was attached to make payment or payment arrangements. Administration charges will be applied at this time, the amount to be set by the city council.
 - d. The customer has a right to be heard at a public hearing. If they would like to be heard at public hearing their water service will not be disconnected until after the hearing date and will only be disconnected if:

- i.** They do not show up to the hearing
- ii.** The council orders the shut off
- iii.** They do not keep the agreement they made with the council
- e.** If the customer fails to pay all delinquent charges and late fees and fails to make payment arrangements with the city council or the designated employee by the specified date the services will be disconnected the next business day.
- f.** The service will not be reconnected until the account is paid in full and any additional charges are paid in full.

5. Certification for collection with taxes. Unpaid charges on water and sewer accounts shall be certified to the county auditor for collection as other taxes are collected.

SECTION 6. REPEAL OF ORDINANCE NUMBER 102

Ordinance Number 102, an ordinance enforcing payment of water and sewer bills is hereby repealed.

This ordinance is in effect upon adoption and publication as required by law.

Adopted this ____ day of August, 2007

Roger H. Becker, Mayor

Attest:

Wendy L Becker, City Clerk

SEAL