

ORDINANCE 2004-2

AN ORDINANCE AMENDING CHAPTER 3 MUNICIPAL SEWAGE SYSTEM TO INCLUDE THE CITIES WATER SYSTEM AND BY ADDING TWO SECTIONS PROVIDING FOR WATER RATE BILLING AND PROCEDURES FOR SHUTOFF AND DEALING WITH DELINQUENT ACCOUNTS

NOW THEREFORE, BE IT RESOLVED, by the City of Trimont as follows:

Section 1.

Chapter 3 shall be amended to be entitled as follows:

Chapter 3. **MUNICIPAL WATER AND SEWAGE SYSTEM.**

Section 3.

Section 3.03 shall read as follows;

Section 3.03. **ACCOUNTS IN NAME OF OWNER.**

All accounts for City water, sewer, sanitation and recycling shall be in the name of the property owner. The owner shall be liable for all said utilities supplied to the owner's property, whether the owner is occupying the property or not, and any charges unpaid shall become a lien on the property and assessed as provided herein.

Section 3.04 **WATER RATE, BILLS FOR SERVICE, WATER METERS**

All water users shall have meters installed. Water, sewer, sanitation and recycling service shall be billed together. Bills shall be mailed to customers monthly and shall specify the water consumed and the sewer, water, sanitation and recycling service charges and taxes in accordance with rates established by the City.

Section 3.05 **PROCEDURE FOR SHUTOFF OF SERVICE**

Water shall not be shut off until notice and an opportunity for hearing have first been given to the owner of the premises involved. Whenever possible, notice shall also be given to the occupant if not the owner of the property. The notice shall be mailed by first class mail and shall state that if payment is not made before a date stated in the notice, but not less than five days after the date on which the notice is given, the water supply to the premises will be shut off. The notice shall also state that the owner may, before such date demand a hearing on the matter, in which case the supply will not be cut off until after the hearing is held. If the owner requests a hearing before the date specified, a hearing shall be held on the matter by an employee designated by the City Council at the earliest feasible date. If, as a result of the hearing, the City finds that the amount claimed to be owing is actually due and unpaid and there is no legal reason why

the water supply of the delinquent customer may not be shut off in accordance with this ordinance, the City may shut off the supply.

Section 3.06. **REQUIRED INFORMATION.** The Owner, occupant, or person in charge of the premises shall supply the City with such information as it may reasonably require relating to the use of water, use of sewer, or rates. Willful failure to provide such information, willful falsification of such information, or willful failure to comply with any requirement or order issued pursuant to this section constitutes a violation of this section which shall be treated as a petty misdemeanor.

Section 3.07 **DELINQUENT ACCOUNTS.** When water service to any premises has been discontinued, service shall not be restored, except upon the payment of all delinquent bills and a fee for turning off and on the water. The City Clerk shall prepare an assessment role each year providing for assessment of delinquent accounts against the respective property served. The assessment role shall be delivered to the Council for adoption. Such action is optional and may be subsequent to taking legal action to collect delinquent accounts. The penalty for delinquent payments is authorized and shall be established by a Council resolution.

Section 3.08. **RIGHT OF ENTRY.** The City has the right to enter in and upon private property, including buildings and dwelling houses, in or upon which is installed a municipal utility or connection, at all times reasonable under the circumstances for the purpose of reading, inspection and repair of meters or utility system, and for the purpose of connecting and disconnecting service.

Mayor Kevin Kuehl

ATTEST:

City Clerk Melissa Flohrs

Date introduced August 16, 2004

Date adopted September 20, 2004

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