

ORDINANCE NO. 92-01
WATER AND SEWER UTILITY PAYMENTS

The City Council of the City of Orr does hereby ordain:

1. Provisions on application and owner-customer responsibility.

Sec. 1.1 Application for service. Subdivision 1. Procedure. Application for a water service and sewer installation and for water and sewer service shall be made to the Clerk of the City of Orr on forms prescribed by the City Council and furnished by the City. Every person applying for water service from the municipal water system, and every owner of property for which such application is made, shall be deemed by such application to consent to all ordinances, rules and regulations of the city relating to the municipal water and sewer system.

Subdivision 2. Application Forms. The application forms prescribed by the City Council shall provide for the signature of the applicant and include a promise to pay the charges set by the council including connection fees for connection to the main water or sewer lines turn on or shut off fees as prescribed by resolution of the council and agreement to consent to all ordinances, rules and regulations of the city regarding the city water and sewer system.

Sec. 1.2 Accounts in name of owner. All accounts shall be carried in name of the owner who personally, or by his authorized agent, shall apply for such service. The owner shall be liable for water and sewer service to their property, whether they are occupying the property or not and any charges unpaid shall be a lien upon the property.

2. Provision on deposits.

Sec. 2.1 Deposit. At the time of filing an application for water service, any applicant who has not during their last period of water service from the city had a record of payment of all his water and sewer bills for the most recent 12-month period before they have made application shall deposit a sum of \$20.00. The deposit shall be refunded after 12 consecutive months of prompt payment or upon prior termination of service with all bills paid. Deposits shall bear no interest. If the customer is 2 monthly service periods delinquent in his water and sewer account, his deposit shall be applied on the delinquent account and an additional deposit shall be required to bring the deposit up to the amount originally required.

3. Provisions on discounts or penalties.

Sec. 3.1 Payments. Statements for total water and sewer charges for the preceding month shall be mailed to each customer on or before the 5th day of each month. The amount listed on the statement shall be due on or before the 15th day of the month following the period covered by such statement. If payment is not made by that date, there shall be added to the amount due the sum of \$5.00 for each month or fraction thereof that the account remains unpaid. Payment must be made at the Orr City Hall, to such location as designated by resolution of the City Council, 8:00 a.m. to 2:00 p.m. to the Clerk of the City of Orr, or during regular business hours at the Orr Municipal Liquor Store, or by mail to the City of Orr, P. O. Box 237, Orr, MN 55771.

4. Provision for shut-off for non-payment.

Sec. 4.1 Shut-off for non-payment. Subdivision 1. The City shall endeavor to collect delinquent accounts promptly. In any case where satisfactory arrangements for payments have not been made on any account over 2 monthly service periods in arrears, the Orr City Council may, after the procedural requirements of Sec. 4.2 have been complied with, discontinue service to the delinquent customer by shutting off the water at the stop box. When water service to any premises has been discontinued, service shall not be restored except upon the payment of all delinquent amounts due plus a fee for disconnection and reconnection of \$20.00.

Sec. 4.2 Procedure. Water shall not be shut off under Subdivision 1 until notice and an opportunity for a hearing have first been given the occupant of the premises involved. The notice shall be personally served and shall state that if payment is not made before a date stated in the notice but not less than 10 days after the date on which the notice is given, the water supply to the premises will be shut off. The notice shall clearly inform the customer of the available opportunities to present to the city his objections to the bill, and shall identify the telephone number, address, and officer or employee who will handle the customer's complaint and who has the authority to review the facts and files, to correct any errors in the billing and to arrange for credit terms. The notice shall also state that the occupant 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 customer requests a

hearing before the date specified, a hearing shall be held on the matter by the Orr City Council immediately following the next regular council meeting falling at least one week after the date on which the request is made. If as a result of the hearing, the Council finds that the amount claimed to be owing is actually due and unpaid and that 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. No water supply may be shut off between October 15th and April 15th to a residence if and only if the water is an integral part of the residences main heating system.

5. Provision for collection with taxes.

Sec. 5.1 Collection with taxes. Delinquent accounts shall be certified to the city clerk who shall prepare an assessment roll each year providing for assessment of the delinquent amounts against the respective properties served. The assessment roll shall be delivered to the council for adoption on or before October 1 of each year. Upon such adoption, the clerk shall certify the assessment roll to the county auditor for collection along with taxes.

This ordinance shall be published in the city's official newspaper on February 17, 1992.

Effective Date: February 17, 1992
Passed: February 10, 1992

Ayes: ALL
Nayes: NONE

James Raridon
James Raridon
Mayor

Attest:

Rosemary Hoffer
Rosemary Hoffer
Clerk