ORDINANCE NO. 64

AN ORDINANCE SECURING PAYMENT OF WATER AND SEWER CHARGES, AND PROVIDING FOR THE TERMINATION OF SERVICES THEREOF FOR DELINQUENCIES.

The City Council of the City of Danube hereby ordains as follows:

Section 1. Application for service. Application for a water service installation and for water service shall be made to the City Council on forms prescribed 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 system and municipal sewer system.

Section 2. Accounts in name of the user. All accounts shall be carried in the name of the user who personally, or by his authorized agent, shall apply for the service. The user shall be primarily liable for water supplied to the property, and the owner shall be secondarily liable for water so supplied. Charges unpaid shall be a lien upon the property served.

Section 3. Payment. Statements for water and sewer charges for the preceding quarterly period shall be delivered by the City on the day the meter is read. The amount listed on the statement shall be due on or before the 20th day after such statement delivery. If payment is not made by that date, there shall be added to the amount due 10% for each month or fraction thereof that the account remains unpaid.

Section 4. Shut-off for non-payment. Subdivision 1. The city shall endeavor to collect delinquent accounts promptly. In any case where satisfactory arrangements for payment have not been made, the City may, after the procedural requirements of Subdivision 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 $25.00.

Subdivision 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 served by mail and shall state that if payment is not made before a date stated in the notice but not less than 5 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 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 City Council at least one week after the date on which the request is made. If as a result of the hearing, the City 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.

Section 5. Collection with taxes. Delinquent accounts shall be certified to the city clerk who shall prepare an assessment role 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.

Section 6. This ordinance shall become effective after adoption by publication as provided by law.

Approved and adopted this 9th day of September, 1981.

ATTEST: CITY OF DANUBE

Arlene Frank
City Clerk

Melvin Goldhammer
Mayor