

Sample Water Utility Availability (WAC) Ordinance

Charges for Water and/or Sewer Consumed:

A. Where only water service is connected, the water usage will be metered but only the cost of the water service will be billed. The minimum billing will be set by City Council resolution.

B. Where only sewer service is connected, the usage will be determined by the _____ Water and Wastewater Department. Only the cost of the sewer service will be billed, and the minimum will be set by City Council resolution.

Outside City Limits Rates: Up through _____, 20__, the City may furnish water and/or sewer to places outside of the boundaries of the City under the same rules and regulations and at the same or greater rates as fixed for the consumption of water and/or sewer within the City, provided that such furnishing is available and may not be detrimental to the supply of water and sewer within the City. Properties outside the _____ city limits that request to hook up to the City's services after _____, 20__, will be required to annex into the City in order to get the City services. Applications for hook up are good for a period of one year from the application date, with no extensions. The City shall allow connection upon payment of the Water Access Charge (WAC) and Sewer Access Charge (SAC), which shall be forfeited to the City if connection is not made within a year from the application date.

Accordingly: There shall be an additional charge of fifty percent (50%) of the rates set forth above to all users outside of the _____ City Limits.

Garbage Disposal. All commercial users of garbage disposal must procure a special permit from the City Council. The rate to be charged for such permit and the rate to be charged for such commercial garbage disposal use shall be established by the City Council.

Hydrant Rentals. Hydrant rentals shall be set by the City Council resolution.

SECTION IV

Charges for Service Connections

Subdivision 1. Permit and Fee. No connection shall be made to the City water or sanitary sewer system without a permit received from the City Clerk. The fee for such permit shall be set by City Council resolution. These fees shall be in addition to any fees required under Subdivisions 2, 3, and 4.

Subdivision 2. Connection Fees. When a connection requires installation of a service line from the main to the property, the applicant for a permit shall pay to the City an amount not less than the cost of making the necessary connection, taps, and installation of lines and appurtenances to provide service to the property and the necessary street repairs.

Subdivision 3. Certification. No permit shall be issued to connect with any water or sanitary sewer main unless the applicant certifies to the truth of one of the following, or payment required under Subdivision 4 is made:

1. The lot or tract to be served has been assessed for the cost of construction of the main with which the connection is made or that proceedings for levying such assessment have been or will be commenced in due course; or
2. That the cost of construction of the main has been paid by the developer or builder platting the lot or tract; or
3. That, if neither of the foregoing is true, a sum equal to the portion of the cost of constructing the main which would be assessable against the lot or parcel has been paid to the City.

Subdivision 4. Additional Connection Fee. If no such certificate can be issued, the applicant shall pay an additional connection fee equal to the portion of the cost of construction of the main attributable to the property upon the same basis as any assessment previously levied against other property for the main. The determination shall be made by the City Council. If no such assessment has been levied, the assessable cost shall be determined upon the basis of the uniform charge which may have been or will be charged for similar connection with the main. The amount shall be determined on the basis of the total assessable cost of the main allocated on the basis of frontage.

Subdivision 5. Term of Application.

Applications for Water Access and Sewer Access are good for a period of one year from the application date, with no extensions. The Water Access Charge (WAC) and the Sewer Access Charge (SAC) are forfeited to the City if connection is not made within a year from the application date.

Notice and Hearing.

Subdivision 1. Notice and Hearing. Before the City Council makes a final determination of the additional connection fee under Subdivision 4, it shall submit a written notice to the applicant stating the amount of the proposed connection fee and the basis of its calculation. The notice shall also state that the applicant may, within 10 days of receipt of the notice, demand a hearing on the matter. If the applicant requests a hearing within that time, 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 proposed connection fee complies with the requirements of Subdivision 4, it shall so determine. If it determines that the proposed fee is in excess of the amount that would have been assessed had the property been assessed for the main or is in excess of the increase in market value attributable to construction of the main, it shall make a determination of the proper amount of the fee within the limits specified in Subdivision 4.

No connection shall be made without payment of the connection fee determined after the hearing or determined after the expiration of then (10) days from receipt of the notice when there has been no request within that time for a hearing.

SECTION V.

Accounting, Billing and Collecting

Subdivision 1. Accounts in Name of Owner. All accounts shall be carried in the name of the owner who personally, or by his/her authorized agent, shall apply for such service. The charge for application shall be \$25.00. The owner shall be liable for water and sewer service supplied to his/her property, whether he/she is occupying the property or not, and any charges unpaid shall be a lien upon the property.

Subdivision 2. Bills for Service. Water and sewer service charges shall be billed together. Bills shall be mailed to the customer monthly and shall specify the water consumed and the sewer and water charges in accordance with the rates set out by City Council resolution.

Subdivision 3. Meter Readings. It is the responsibility of the customer to read their water meter monthly and to submit such reading to the City for billing purposes. Failure to submit meter readings will result in additional charges as specified herein (Section II) or disconnection of water service until a meter reading is provided to the City.

Subdivision 4. Delinquent Accounts. All charges for water and sewer service shall be due on the monthly due date specified by the City. The City shall endeavor to collect delinquent accounts promptly. All delinquent accounts shall be assessed a late penalty of ten dollars (\$10.00) or ten percent (10%) for the amount due, whichever is greater, and in addition, the cost of service of the notice of delinquency in Subdivision 5.

In any case, where satisfactory arrangements for payment have not been made, the City Clerk may, after the procedural requirements of Subdivision 5 have been complied with, discontinue service to the delinquent customer by shutting off the water at the stop box and/or removal of the water meter. When water service to any premises has been disconnected, service shall not be restored except upon the payment of all delinquent bills and a fee of \$25.00. 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 shall be delivered to the Council for adoption on or before November 1 of each year for certification to the County Auditor for collecting along with the taxes. Such action is optional and may be subsequent to taking legal action to collect delinquent accounts.