

## **§ 53.12 CERTIFICATION OF PAST DUE FEES ON TAXES.**

Any past due storm water drainage fees in excess of 90 days past due on October 1 of any year may be certified to the County Auditor for collection with real estate taxes in the following year pursuant to M.S. § 444.075, Subd. 3, as amended from time to time. In addition, the city shall also have the right to bring a civil action or to take other legal remedies to collect unpaid fees.

(Ord. 2003-12-2, passed 12-17-2003)

**§ 93.09 ASSESSMENT.**

On or before September 1 of each year, the Clerk shall list the total unpaid charges for each type of current service against each separate lot or parcel to which they are attributable under this chapter. The Council may then spread the charges against the property benefitted as a special assessment under M.S. Ch. 429, as amended from time to time, and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments, not exceeding 10, as the Council may determine in each case.

(Prior Code, § 302.10)

## **§ 50.05 ACCOUNTING, BILLING AND COLLECTING.**

(A) *Accounts in name of owner.* All accounts shall be carried in the name of the owner. The owner shall be liable for water supplied to his or her property, whether he is occupying the property or not, and any charges unpaid shall be a lien upon the property.

(B) *Bills of service.* Water and sewer service charges shall be billed together. Bills shall be mailed to the customers monthly and shall specify the water consumed and the sewer and water charges in accordance with the rates set out in this chapter.

(C) *Delinquent accounts.* All charges for water and sewer service shall be due on the monthly due date specified by the city for the respective account and shall be delinquent if payment in full is not received by said due date. The city shall endeavor to collect delinquent accounts promptly. In any case, where satisfactory arrangements for payment have not been made, the Water Department may, after the procedural requirements of division (D) of this section 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 bills and a shut-off fee as set forth in the city fee schedule. Delinquent accounts shall be certified to the City Clerk or their designee 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 25 of each year for certification to the County Auditor for collection along with taxes. Such action is optional and may be subsequent to taking legal action to collect delinquent accounts. In the event the city certifies the delinquent water account to the County Auditor, the customer shall be charged an administrative fee as set forth in the city fee schedule as part of the certified amount.

(D) *Procedure for shut off of service.* Water shall not be shut off under division (C) of this section or for a violation of rules and regulations affecting utility service until notice and an opportunity for a hearing have first been given the occupant and owner of the premises involved. The notice shall be personally served or delivered by certified mail and shall state that if payment is not made before a day stated in the notice, but not less than 3 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 Council at least 1 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 title, the city may shut off the supply.

(Prior Code, § 401.05) (Am. Ord. 2010-4-1, passed 4-13-2010; Am. Ord. 2011-8-2, passed 8-9-2011; Am. Ord. 2014-11-1, passed 11-12-2014; Am. Ord. 2019-5-4, passed 5-14-2019)