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ORDINANCE 33 STORM WATER DRAINAGE UTILITY

Section 33.01: STORM WATER DRAINAGE UTILITY ESTABLISHED. The City establishes a Storm Water Drainage Utility for the retention and management of storm water, and the purchase, operation, maintenance, and repair of storm water facilities.

Section 33.02: UTILITY FEES.

Subd. 1: Payment required. Rates and charges for use and service of the municipal storm water drainage utility system shall be made against each lot, parcel of land, unit or premises which may have a connection directly or indirectly into the municipal water system.

Subd. 2: Determining storm water discharge. For every water service and the availability thereof, the owner, occupant or lessee of any premise from which water is drawn from the municipal system shall pay a storm water drainage utility charge, the rate for such charge as established and modified by resolution of the City Council. (See Appendix A for the current fee).

Subd. 3: Rates. For all accounts the following rates shall apply.

- a) Base Charge. A “Base Charge” shall be imposed during each billing period for each “Active” water account regardless of the quantity of water usage, and even if no water was drawn.

Subd. 4: Surcharge. A surcharge, as established and modified by City Council resolution, is levied against every storm water drainage utility account which is not timely paid. Invoices are mailed after each bi-monthly period. Payment is due by the 15th of the following month. (See Appendix A for current surcharge.)

Updated Sect. 30.02, Subd. 4 on 7/6/2022

Section 33.03: INACTIVE ACCOUNTS. The City shall have the authority to place a storm water drainage utility account into “Inactive” status. The City may put an account into Inactive status without consent of the property owner when previous charges for any City utility are more than three billing periods delinquent; or when the actions of the owner or occupant of the property have potentially compromised the integrity of the City municipal utility systems, causing services to be discontinued. The City may put an account into Inactive status at the request of the property owner, whether or not utility services to said property have been physically disconnected, when the City may reasonably conclude that the use of its utility systems will discontinue for a period of time. The inactivation of a water account will inactivate the storm water drainage account.

Section 33.04: APPEAL OF STORM WATER DRAINAGE CHARGES. The City Council hereby authorizes staff of the City to hear Users' appeals of their storm water drainage charges; furthermore, to authorize staff to act upon such requests provided that all decisions are ethical, equitable, consistent with past and future desired practices and within the expectations of the City Council to the extent that can be reasonably presumed. A User may appeal the decision of staff directly with the City Council, whose decision shall be final.

Section 33.05: PARTY RESPONSIBLE FOR ACCOUNT. Responsibility for all accounts ultimately rests with the owner of the premises, who personally, or by their authorized agent, shall apply for each service. When a property is occupied by a renter, leasee or otherwise occupied by a party other than the owner, the City may permit said party to have primary responsibility for the utility account. However, the owner shall ultimately be liable for storm water drainage charges furnished whether they are occupying the same or not, and any charges not paid when due may be set by the City Council as a lien upon said premises.