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Waseca, MN Code of Ordinances

CHAPTER 50: BILLING PROCEDURE; RATES

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§ 50.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUSINESS USE and **INDUSTRIAL USE.** The use of premises, or a portion thereof, for a purpose other than residential.

COMPANY, GRANTEE and **FRANCHISEE.** Any private utility system to which a franchise has been granted by the city.

CONSUMER and **CUSTOMER.** Any user of a utility.

MUNICIPAL UTILITY. Any municipally owned utility system.

RESIDENTIAL SERVICE and **RESIDENTIAL USE.** Furnishing a utility to premises all, or a portion of which, are used exclusively for residential occupancy, including one-family and two-family dwellings, but not including hotels, motels, boarding houses or apartment houses, unless each unit or apartment is metered separately.

SERVICE. Providing a particular utility to a consumer or customer.

UTILITY. All utility services, whether the same be public municipally-owned facilities or furnished by private utility companies, except those the regulation of which has been placed under the exclusive authority of the state or federal government.

(86 Code, § 3.01)

§ 50.02 FIXING RATES AND CHARGES.

All rates and charges for utilities shall be fixed and determined by the City Council. Upon adoption, the rates and charges shall become provisions of this chapter.

(`86 Code, § 3.02)

§ 50.03 CONTRACTUAL CONTENTS.

Provisions of this chapter relating to municipal utilities shall constitute portions of the contract between the city and all consumers of municipal utility services, and every consumer shall be deemed to assent to the same.

(`86 Code, § 3.03)

§ 50.04 RULES AND REGULATIONS REGARDING MUNICIPAL UTILITIES.

(A) (1) All municipal utilities shall be billed in accordance with city policy, as adopted by Council.

(2) A penalty as determined by the Council thereof shall be added to, and become part of, all delinquent utility bills.

(B) For the cold weather period of October 15 to April 15, city utilities may disconnect a customer's service unless they exercise their rights under M.S. § 216B.097, as it may be amended from time to time. The charge for reconnecting full service will be set by the City Council.

(C) If any bill is not paid in full by the due date, delinquent collection procedures will be implemented up to and including disconnection of service.

(D) Application for municipal utility services shall be made upon forms supplied by the city, and strictly in accordance therewith. No connection shall be made until the application has been approved. All municipal utilities shall be billed based on the current utility billing rate as approved by the City Council.

(E) All municipal utilities may be shut off or discontinued whenever it is determined that:

(1) The owner or occupant of the premises served, or any person working on any connection with the municipal utility systems, has violated any requirement of the city code relative thereto, or any connection therewith;

(2) Any charge for a municipal utility service, or any other financial obligation imposed on the owner or occupant of the premises served, is unpaid after due notice thereof; or

(3) There is fraud or misrepresentation by the owner or occupant in connection with any application for service or delivery or charges therefor.

(F) Ownership of all municipal utilities, plants, lines and mains shall be and remain in the city and no person shall own any part or portion thereof, except property owners own and maintain service lines from water and sewer mains including connections to the mains.

(G) The city has the right to enter in and upon private property, including buildings and dwelling houses, in or upon which is installed municipal utility, or connection therewith, at all times reasonable under the circumstances, for the purpose of reading utility meters, and for the purpose of inspection and repair of meters or a utility system, or any part thereof.

(H) (1) It is unlawful for any person to willfully or carelessly break, injure, mar, deface, disturb or in any way interfere with any buildings, attachments, machinery, apparatus, equipment, fixture or appurtenance of any municipal utility system or commit any act tending to obstruct or impair the use of any municipal utility.

(2) It is unlawful for any person to make any connection with any municipal utility system without first having applied for and received permission from the city to make the same.

(3) It is unlawful for any person to turn on or connect a utility when the same has been turned off or disconnected by the city for non-payment of a bill.

(4) It is unlawful for any person to “jumper” or by any means or device fully or partially circumvent a municipal utility meter, or to knowingly use or consume unmetered utilities or use the services of any utility system, the use of which the proper billing authorities have no knowledge.

(5) It is unlawful for any person to construct a private well for domestic, commercial, industrial, institutional or governmental water use inside the corporate limits of the city after the effective date of this chapter.

(I) (1) No more than one house or building shall be supplied from one service connection or lead for any municipal utility services, as determined by the city.

(2) In the case of multiple dwelling or commercial units where the owner desires more than one meter installed on a service, written request shall be made for approval of the city after an inspection and approval of the multiple metering.

(’86 Code, § 3.04) (Ord. 704, passed 9-16-97; Am. Ord. 733, passed 7-6-99)

(J) (1) In the event the City Council determines by resolution that it cannot economically provide the availability of city services including water, sanitary sewer, or both, to any parcel of land within the city limits, then, in that case only, the City Council may authorize the property owner to construct a well or septic system upon such property.

(2) Any private water or sewer system may serve no more than one lot.

(3) At such time as the city makes available city service to the property, the city shall notify the property owner in writing. The property owner shall have a maximum of three years to connect to city services and cease use of any private well or septic system with the exception of a well used for non-potable uses. Property owner shall have 12 months after connecting to city services to pay all hook-up charges and assessments in full.

(4) Any well must be installed by a licensed Minnesota well driller.

(5) Permits to install a well or septic system must be obtained from city’s Building Inspector. A fee as determined by the City Council shall be charged for each permit. Plans must accompany each permit application and shall be kept on file at City Hall.

(6) Any septic system shall be subject to local and state regulations including shoreland zoning restrictions if such property is located within shoreland zoning area.

(7) Any conflict with city’s Well Head Protection Plan would be reason for a permit application.

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(8) If property has a private well but is connected to city sanitary sewer, a meter shall be installed to measure the amount of wastewater.

(9) There shall be no cross-connections to city water from any private well. This shall be subject to inspection by the city's Building Inspector at any time.

(10) At such time as the property is serviced by city water, the well must be disconnected (unless maintained for non-potable purposes as indicated above) and sealed in accordance with the laws of the state.

(Ord. 766, passed 5-15-2001) Penalty, see § 10.99