

Ordinance No. 02-02

City Of Finlayson, Minnesota

**AN ORDINANCE PROVIDING FOR APPLICATIONS FOR SERVICE, DEPOSITS,  
PAYMENTS OF ACCOUNTS AND DISCONNECTION OF SERVICE FOR MUNICIPAL  
WATER AND SEWER SYSTEMS**

**WHEREAS**, the City of Finlayson administers the municipal water and sewer systems existing in the City of Finlayson; and

**WHEREAS**, the City is desirous of amending its ordinances providing for the applications for service, deposits, payment of accounts and disconnection of service relating to said systems;

The council of the City of Finlayson, Minnesota, ordains as follows:

**Section 1. Applications for Service.** Application for water or sewer service installation shall be made to the city of Finlayson on forms prescribed and furnished by the City Clerk. By the applicant's signature(s), the applicant(s) shall agree to conform to this ordinance and to the rules and regulations that may be established by the City of Finlayson, as conditions for the use of the water and sewer service.

**Section 2. Deposits.** At the time of filing an application for new service, the applicant shall deposit a sum of \$100.00. The deposit shall be refunded after twenty-four (24) consecutive months of prompt payment or upon prior termination of service with all bills paid. Deposits shall bear interest at the rate fixed by Minnesota Statutes, from the date of deposit to the date of refund. If the customer is delinquent in their account, their deposit may be applied on the delinquent account, and if so applied, an additional deposit shall be required to bring the deposit up to the amount originally required.

**Section 3. Payments of Accounts.** Accounts for water and sewer service shall be payable every month or at such times and periods as may be designated by the City Council of the City of Finlayson. Statements for water and sewer charges for the preceding monthly period shall be mailed or delivered by the city to each customer during the first week of the month. The amount listed on the statement shall be due on or before the 20<sup>th</sup> day of the month following the monthly period covered by such statement. If the payment is not made by that date, there shall be added to the amount due a late penalty of \$15.00 or 10%, whichever is greater, of the total amount of the bill.

**Section 4. Initial Water/Sewer Hookup Fee.** An initial water/sewer hookup fee in accordance with ordinance 155 shall be billed immediately upon hookup.

**Section 5. Collection and Taxes.** Any charges unpaid for service (and connection fees) shall be a lien upon the property. Delinquent accounts shall be certified by the City Clerk who shall prepare an assessment roll each year providing for an assessment of the delinquent

amounts against the respective property served. The assessment roll shall be delivered to the Council for adoption on or before October 1<sup>st</sup> of each year. Upon such adoption, the City Clerk shall certify the assessment roll to the Pine County Auditor for collection along with taxes.

**Section 6. Disconnection of Service.**

**Subdivision 1. Shutoff for Non-Payment.** 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 below have been complied with, shall discontinue service to the delinquent customer. When service has been disconnected, service shall not be restored except upon the payment of all delinquent amounts due plus a fee for disconnection and re-connection in accordance with ordinance 155.

**Subdivision 2. Procedure.** Service shall not be shut off under Subdivision 1, above, until notice and an opportunity of hearing have first been given to occupant of the premises involved. The notice shall state that if payment is not made before a date stated in the notice but not less than ten (10) days after the date on which notice is given, the service to the premises will be shut off. Said notice shall be either served personally or by U.S. certified mail. The notice shall also state that the applicant may, before such date, demand a hearing on the matter, in which case the service 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 a hearing officer designated by the City of Finlayson at least one (1) week after the date on which the request is made. If as a result of the hearing, the hearing officer finds that the amount claimed to be owing is actually due and unpaid and that there is no legal reason why the service of the delinquent customer may not be terminated in accordance with this ordinance, then the City of Finlayson may disconnect the applicable service.

**Section 7. Repealer.** All other ordinances and parts of other ordinances inconsistent or in conflict with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

Adopted by the City Council of the City of Finlayson,

Minnesota on the 10th day of April, 2023.

Approved:  {Deputy Mayor}

Attested:  {City Clerk}

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