

CHAPTER 18

STORM WATER DRAINAGE UTILITY

Subd. 1. Establishment. There is hereby established a public utility which shall be known as the Storm Water Drainage Utility in and for the City of Eagle Lake. The storm sewer water drainage utility shall be operated as a public utility pursuant to the City Code and applicable statutes. The revenues there from shall be derived subject to provisions of this section and Chapter 444, Minnesota Statutes.

Subd. 2. Fixed Fees and Charges. Storm water drainage shall be established as follows:

- A. A residential unit surcharge shall be considered one metered unit.
- B. A duplex unit surcharge shall be considered two meter units.
- C. The storm water drainage utility rate shall be established by Resolution of the Eagle Lake City Council included in the City Fee Schedule.
- D. Each water/sewer connection will be considered a storm water connection.
- E. Each mobile home/ lot is considered a residential unit.

Subd. 3. Penalty for Late Payment. A penalty charge of past due amount will be added for each month or part thereof that a storm water drainage utility surcharge remains unpaid. The fee will be included in the "City Fee Schedule".

Subd. 4. Past Due. Any consumer who has an unpaid utility bill at the end of the day on the 25th of each month shall be considered past due. All past due accounts shall have applied the late fee amount that is set by resolution by the City Council from time to time. All past due accounts shall be sent a past due reminder indicating the amount past due with the late fee charge applied.

Late fees for utility bills shall be the greater of \$5.00 or 5% of the outstanding utility bill balance.

Subd. 5. Delinquent. Accounts 30 days or more past due shall be considered delinquent and shall receive a disconnection of water service notice, sent by both regular and certified United States Postal Service mail, allowing them 14 days to pay in full. If accounts are not paid in full within the 14 days, water service will be disconnected and a reconnection fee will be imposed.

Water service will not be reconnected until account is paid in full including the reconnection fee which will be determined by the “Fee Schedule” adopted by resolution of the City Council.

Subd. 6. Assessment. On or before October 1 of each year, any utility billing which includes water, sewer, refuse, and storm water drainage not paid within the time limits above specified timeline may have service discontinued to the dwelling. The City Council may then assess such charges against property benefited as a special assessment, pursuant to the provisions of Minnesota Statutes, Chapter 429, for certification to the County Auditor and collection together with current property taxes for the following year.

Subd 7. Dishonored Checks and Payments. A service charge, not to exceed \$30.00, will be imposed immediately on any dishonored check by the payee of holder of the check or rejected Automated Clearing House (ACH) transactions by the payee of holder of the check or account, regardless of mailing a notice of dishonor.

Dishonored check holders will be notified by regular United States Postal Service mail of the dishonored check or rejected Automated Clearing House (ACH) transactions. If the dishonored check or payment is not paid within 30 days after mailing of notice of dishonor, additional penalties may be imposed. This can be as much as the amount of the check plus a civil penalty up to \$100.00 or the value of the check, whichever is greater. If a dishonored check or payment is issued to bring an account current following a notice of disconnection of service, water service shall be disconnected immediately, without prior notice.

The service charge and reconnection charge, plus the balance on the account shall be required to be paid in full, by cashiers check, money order, or cash payment prior to reconnecting service. If a resident issues two (2) dishonored checks or two (2) rejected Automated Clearing House (ACH) transactions within a six (6) month period, all future utility bills must be paid in cash or by cashier’s check or money order. Re-establishing the use of checks or Automated Clearing House (ACH) transactions will be determined by the City Administrator.