

City of Cuyuna, Minnesota

ORDINANCE NO. 402A

Water Rates

November 7, 1994

ORDINANCE 402A.
AN ORDINANCE CONCERNING WATER RATES, WATER HOOKUP CHARGES,
METERS AND METER READING, REPEALING INCONSISTENT ORDINANCES,
AND PROVIDING A PENALTY FOR VIOLATION

The Council of the City of Cuyuna, Minnesota, ordains:

1. PERMITS. Before any person, firm, association or corporation shall be allowed to open any ditch on any street, alley or avenue in said City of Cuyuna (hereinafter Cuyuna) for the purpose of placing therein sewer or water mains or pipes, a permit therefore shall first be obtained from the City Clerk, and any person, firm, association or corporation so opening any ditch must keep the same guarded by a fence by day and a red light or lights by night, and any work performed by any such parties for Cuyuna must be guaranteed for a period of one year after its installation.

2. SPECIFICATIONS. All material used in the construction of any sewer or water main, or any part thereof, including mains, hydrants, curb cock and curb boxes shall be as prescribed by the superintendent of the Waterworks of Cuyuna in conformity with the provisions of the Minnesota State Plumbing Code and the rules and regulations of the State Board of Health and the placing of any of the same in position shall be as and in the manner directed by such Superintendent pursuant to the provisions of the before mentioned Plumbing Ordinance and the rules and regulations of the State Board of Health respecting the same, and no ditch or water main shall be closed before the same has been inspected by the person or persons appointed for that purpose by Cuyuna and all filling shall be done as prescribed by such inspector.

3. TAPPING. Before any tapping to any water main shall be done, a permit therefore must first be obtained from Cuyuna and upon the payment to Cuyuna of a tapping fee of \$350.00 to cover cost of tapping and all materials to and including the curb stop; plus the further sum of \$650.00 to cover the cost of street repair, should said street repair be necessary. The determination of necessity of street repair shall be totally at the discretion of the City Council. All such tappings shall be done by the Superintendent of the Waterworks, or his agents, and no taps shall be made between the water main and the inside of the water meter and no ties, branches or other taps shall be made between the water main and the inside of the water meter and it shall be unlawful for any person except the Superintendent of the Waterworks, or his agents, or the fire department in case of fire, to turn on or off the water at the curb or at any other place on City property.

4. WATER RATES. All taps used by any individual, form association or corporation for the supply of water from Cuyuna shall be provided with a 3/4 inch water meter by Cuyuna and each consumer requiring a larger meter shall purchase said meter and it shall remain his property.

Each dwelling, apartment, office, business or mobile home (hereinafter water consumer) shall pay the City of Cuyuna \$13.60 fixed sewer charge for capital recovery.

Each water consumer shall pay the City of Cuyuna \$10.00 per month for the first thousand (1,000) gallons of water or any part thereof so used in any month. In addition to the fees before mentioned, and for the purpose of providing funds for the operation and maintenance of the water and sewer system of the City of Cuyuna, there shall be charged, added and collected monthly with each water consumer bill an amount equal to one-and-a-half times the rate for water (\$6.00 per 1000 gallons for sewer and \$4.00 per 1000 gallons for water for a total of \$10.00 per 1000 at this time).

5. NON-OWNERS. No tapping shall be made and no water shall be turned on for any person not the owner of the property where such water is desired until such person shall have paid to Cuyuna, through the City Clerk, the sum of \$25.00, if an individual user, and the sum of \$25.00, if a business or hotel user, as a guarantee for the payment of the water bill for the time such person shall be so in possession of any such property, and in the event that such person or persons shall move away without paying the water bill or bills for such property, the amount then due shall be deducted from such deposit and the balance, if any, shall be paid to the person so making such deposit.

6. METER READING. Cuyuna shall have the water meters read between the 15th and the 25th days of the month.

7. WATER BILLS. The City Clerk of Cuyuna shall, on the 5th day of the month following the meter reading, send to each water user a statement of amount due for water used the past month; also including any past due balance, which amount shall be due and payable to the City Clerk on or before the 20th day of the month in which the statement is received and, if not then paid, shall be in default. In the event any water user shall be in default in the payment of any water bills exceeding sixty (60) days, such water service shall be turned off until such water bill is paid. It shall be mandatory upon the City Clerk, in case of a default in the payment of any water exceeding sixty (60) days, to see that the proper city employee shall turn the water off because of such delinquency.

- A. There shall be a charge of \$30.00 for the reconnection of any water turned off as the result of the non-payment of the water account.
- B. There shall be a charge of \$10.00 made to the water user each time the city crew is required to turn said water on or off.
- C. A deposit of \$20.00 shall be required of each person contracting to receive the water from the city water supply and may be applied by the city clerk to any delinquency that may exist from time to time in connection with the payment of water bills or sewer disposable charges. Said deposits shall be returned to any water user when he shall cease to receive water from the city water supply, less any charges as provided above.

D. Any water payment not received by the 25th of each month shall result in the addition of a late payment charge in the amount of 1.5% of the unpaid balance of the delinquent account. Said late payment charge shall be added to the next monthly billing.

8. NONPERFORMANCE. The applicant shall furnish all necessary labor and excavation and material to connect the water system from the curb stop and stop box to his/her residence and pay for the necessary labor and excavation from the curb stop to the water main at the applicant's own expense. All excavation and connection work shall be under the supervision and direction of the water superintendent or other authorized officer of the City. The final connection shall be made under the supervision of the water superintendent or other authorized officer of the City and no backfill shall be placed until the work has been inspected and approved.

9. REPAIR OF LEAKS. The consumer or owner shall be responsible for maintaining the service from his/her residence to the stop box and for maintaining the meter. If he fails to repair any leak in such service within 24 hours after notice by the City the City may turn the water off. Prior to any work or repairs performed by or for a consumer within the right-of-way area of the City, the consumer shall first contact the City Maintenance Department for permission and conditions upon which the work can be done. Water shall not then be turned on again until the sum of \$20.00 has been paid to the City. When the waste of water is great or damage is likely to result from the leak, the City shall turn the water off immediately upon giving notice if repair is not commenced immediately.

The consumer or owner shall be responsible for heating the meters so as to prevent freezing. Any damage caused by failure to heat or by the negligence of the consumer or owner shall be the responsibility of the consumer or owner and may be billed and assessed in the same manner as water rate fees.

10. PENALTY. Any person violating any provision of this ordinance is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$700 or imprisonment in the county jail for not more than 90 days, or both, plus the cost of prosecution in any case.

11. REPEAL. Ordinance No. 402 passed September 24, 1988 and inconsistent provisions in Ordinance 401 passed July 26, 1988, are hereby repealed.

12. EFFECTIVE DATE. This ordinance becomes effective upon its passage and publication according to law.

Passed by the council this ____ day of _____, 19__.

Steve Endrizzi, Mayor

ATTEST:

William Bedard, Clerk

Published in the Cuyuna-Ironton Courier on _____, 19__.