

ORDINANCE NO. 96

AN ORDINANCE ESTABLISHING A STORM WATER DRAINAGE UTILITY WITHIN THE CITY OF BROWNTON

The City Council of the City of Brownton, McLeod County, Minnesota does ordain as follows:

1. Establishment.

A storm water drainage utility for the City of Brownton is hereby established. The municipal storm water system shall be operated as a public utility pursuant to Minn. Stat. §444.075, from which revenues will be derived subject to the provisions of this chapter of the Minnesota Statutes. This storm water drainage utility will be part of the City Public Works Department and under the administration of the Public Works Supervisor.

2. Purpose of Funds Derived and Allocation of Revenues.

The purpose of all funds derived from the storm water drainage utility is to pay for all or part of the construction, reconstruction, repair, enlargement, improvement or other obtainment in the maintenance, operation and use of the storm sewer utility as established by the City of Brownton. All revenues derived from the storm water drainage utility fee shall be credited to the appropriate storm sewer fund.

3. Storm Sewer Utility Fee.

- (a) A storm sewer utility fee for the connection and availability of storm sewer facility shall be determined by resolution of the City Council, from time to time, and shall be just and equitable. The charge for the connection and availability of storm sewer service may be imposed to all premises abutting on streets and other places where municipal storm sewers are located, whether or not connected to them.
- (b) The storm sewer utility fee for the use of the storm sewer facility shall be determined by resolution of the City Council, from time to time, and shall be just and equitable. Charges made for the use of facilities may be fixed by reference to a reasonable classification of the types of premises to which the service is furnished, or by reference to the quantity, pollution qualities, and difficulty of disposal of the water, or in any other equitable basis, including, but not without limitation, any combination of those referred to above.

4. Adjustments.

The City Council may adopt by resolution policies and standards for the adjustment of fees for parcels. Such adjustments shall not be made retroactive.

5. Exemptions.

- (a) Public rights-of-way, public park land, and other lands owned by the City are exempt from the fees established pursuant to this ordinance.

- (b) Unplatted residential parcels outside of the municipal urban service area boundary, agricultural property, undeveloped parcels, golf courses, and any other parcels as required by law are exempt from the fees established within this ordinance.

6. Billings.

All fees shall be charged on a monthly basis and included upon the monthly utility bill sent by the City of Brownton. All bills shall be payable to the City of Brownton no later than the due date stated upon the utility bill.

7. Challenge of Fees.

Any challenge to a fee under this ordinance must be made in writing to the Brownton City Clerk within six (6) months of the billing date.

8. Collections.

It shall be the duty of the City to attempt to collect delinquent utility accounts, according to the City of Brownton Utility Policy. Utility payment checks must be made payable to the City of Brownton. The policy may be amended from time to time by the City. Failure to receive a bill or past due notice shall not relieve the responsibility to pay. In all such cases where satisfactory arrangements for payments have not been made, all delinquent accounts shall be certified by the City Clerk, who shall prepare an assessment of the delinquent accounts against the property served or to be served. To each account there may be added certification charges in the amount provided for by City Council resolution. This assessment roll shall be delivered to the City Council for adoption prior to the final date for certification to the County for collection within the ensuing year's property taxes. Such action may be optional or subsequent to taking legal action to collect delinquent amounts.

This ordinance shall be in full force and effect after its passage and publication.

Adopted the 5th day of January, 2021.

Norman Schwarze, Mayor

Attest:

Lori Cacka, City Clerk