

**ORDINANCE NO. 24-10
AN ORDINANCE AMENDING SECTION 50.26
FOR THE CITY OF EMILY
COUNTY OF CROW WING, STATE OF MINNESOTA**

The City of Emily ordains:

Section 1. **Purpose and Intent.** The purpose and intent of this Ordinance is to amend Section 50.26, DETERMINATION OF SEWER SERVICE CHARGES.

Section 2. **Amendments.** This ordinance amends City Ordinance Section 50.26, by striking current Section 50.26 and enacting a new Section 50.26 as follows:

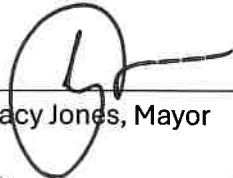
Section 50.26 DETERMINATION OF SEWER SERVICE CHARGES

Amended as attached.

Section 3. **Repeal.** This ordinance shall supersede and repeal all ordinances or policies inconsistent herewith. All aspects of Section 50.26 not amended herein shall remain in full force and effect.

Section 4. **Effective Date.** This ordinance shall become effective upon its passage and publication as provided by law.

Passed by the City of Emily City Council this 10th day of December, 2024, by a 5/5ths vote.



Tracy Jones, Mayor

Attest:



Cari Johnson, City Clerk/Treasurer

§ 50.26 DETERMINATION OF SEWER SERVICE CHARGES.

(A) Effective January 1, 2017, laundromat facilities located within the city shall receive a per gallon user fee evaporation credit to their monthly sewer service charges. See the Fee Schedule Ordinance on file in the city offices.

(B) (1) Users of the city wastewater treatment works shall be identified as belonging to one of the following user classes:

(a) Residential;

1. The property owner of guest quarters must pay quarterly residential sewer rates and the residential sewer service connection fee per the Fee Schedule Ordinance on file in the city offices.

(b) Commercial (including industrial, institutional and governmental); and

(c) Laundromat.

(2) The allocation of users to these categories for the purpose of assessing user charges shall be the responsibility of the city. Allocation of users to user classes shall be based on the substantive intent of the definitions of these classes contained herein.

(C) (1) The city will require commercial users to install water meters for the purpose of determining wastewater volume. Such meters shall be of a type approved by the city, equipped with remote registering recorders and located at an accessible site on the owner's property.

(2) If there is a chronic issue with continuous meter failure, the issue will be reviewed on a case by case basis.

(D) (1) Each user shall pay based on assignment to user class and according to user fees. User fees will include a base rate charge that may or may not include an initial amount of gallons used. Usage in excess of the included base rate gallons are added to the base rate at the usage rate. User rates are to be billed according to the Fee Schedule Ordinance, which is on file in the city offices. .

(2) (a) Water meters provided by the city to measure usage are to be installed at the time of the Superintendent's approval of the property owner's connection to the municipal sewer system. A commercial property owner that is connected to the municipal sewer system, and which does not have a water meter installed for the purpose of determining waste water usage volume, within one month of connection to the municipal sewer system will be presumed to have used the following gallons of water upon which the sewer user fees are based: commercial, usage shall be presumed to be 18,500 gallons per month, resulting in a usage rate, as set forth in the Fee Schedule Ordinance on file in the city offices.

(b) The presumed usage rate shall be doubled for each consecutive month in which the water meter is not installed until such time as the property owner installs the city-provided water meter and the city is able to read the meters for billing purposes. Usage rate fees paid by the property owner prior to installation of the water meter shall not be refundable after becoming due and payable.

(3) (a) Sewer rates, including the monthly base rate and the usage rate, shall increase as set forth in the Fee Schedule Ordinance on file in the city offices.

(b) The increase shall take effect on the first day of the second quarter in the year of the approval. Subsequent increases shall take effect on the first day of the year thereafter.

(c) The City Council reserves the ability to modify sewer charges on a more frequent basis if the City Council so desires.

(E) Calculation of basis for availability and connection charges shall be as follows.

(1) Except as provided herein, the city will charge properties a connection or debt service charge at the time such property is required to connect to the public sewer pursuant to § 50.03(C) of this chapter. A connection charge will be allocated for a single ERC. For commercial and industrial users, the City Engineer and Superintendent shall determine the appropriate equivalent number of ERCs by which to multiply the connection charge.

(2) Except as provided herein, the city will charge property an availability charge if it has a deferred connection or is vacant, but served by a lateral sewer. For the fee charged in this division, see the Fee Schedule Ordinance on file in the city offices.