

ORDINANCE NO. 172
AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA
AMENDING NORTH MANKATO CITY CODE CHAPTER 52 BY THE
ADDITION OF SECTION 52.23 UNPAID UTILITY ACCOUNTS AND
AMENDING NORTH MANKATO CITY CODE SECTION 152.21

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA
ORDAINS AS FOLLOWS:

WHEREAS, the City Council of the City of North Mankato is the official governing body of the City of North Mankato, Minnesota ("the City"); and

WHEREAS, ordinances are designed for the purpose of promoting public, health safety and general welfare; and

WHEREAS, from time to time it is in the best interest of the community to revise its ordinances; and

WHEREAS, the City Council has determined that in order to best protect and promote the public health, safety and general welfare of the city, that the language in Ordinances Chapter 52 and 152 should be modified:

WHEREAS, the City Council has determined that property owners, who rent their real property for the use of other parties are benefited by those parties' use of City utility services;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, does hereby ordain that Chapter 52 of the North Mankato City Code should be amended to include the following section:

SECTION 52.13 Unpaid Utility Bills

Sub 1. Past Due. Any consumer who has an unpaid utility bill at the end of the business day on the 10th day of the month shall be considered to have an account past due. All past due accounts may be subject to a late fee that is set by resolution of the City Council from time to time.

Sub 2. Delinquent. Accounts that are more than thirty (30) days past due will be considered delinquent. A notice of disconnection of water service shall be sent to the consumer and the registered owner of the real property. In the case of manufactured home parks and other properties in which the owner of the real property and the structure sitting upon the real property may be separate entities, the registered owner of the property shall be considered the owner of the real property. Any notice of disconnection of water service that is sent pursuant to this ordinance shall be sent to the consumer and the registered owner of the real property by regular United States Postal Service Mail and shall allow the consumer and/or the registered property owner fourteen (14) days to pay the past due amount

and any delinquent charges that are due. Payment must be made in full of all amounts. If the past due and delinquent charges are not paid in full within fourteen (14) days, water service may be disconnected. A reconnection fee may be required prior to water service being returned to the property.

Sub 3. Disconnect. Any account where the water service was disconnected due to non-payment may be required to pay a re-connection fee prior to being reconnected to the city water system. The reconnection fee shall be determined by the City Council by resolution. Any account which has been disconnected for non-payment shall pay a minimum of the past due amount, any delinquent amount and the reconnection fee prior to services being restored to the property.

Sub 4. Assessment. On or before November 1 of each calendar year, any utility billing which includes any past due or delinquent amounts for water, sewer, storm sewer, refuse, garbage or recycling services or charges that have not been paid within the time line or time limits specified in this ordinance may have those charges assessed against the real property that received the services or upon which a structure received those services. The Council may assess these charges against the real property benefited by the services as a special assessment pursuant to the provisions of Minnesota Statutes Chapter 429 and certify to the County Auditor the charges and fees for collection together with the current property taxes of the following year.

IT IS FURTHER ORDAINED by the North Mankato City Council that Chapter Section 152.21 be amended as follows:

Section 152.21 Water Supply

All manufactured homes/mobile homes shall be served by the city water system. The manufactured/mobile home park may either have a single meter or separate meters for each lot. If the lots have separate meters, billing statements may be sent to the residents that reside on each lot. If the account is not paid and becomes delinquent notice will be sent to the owner of the manufactured/mobile home park if the owner of the manufactured/mobile park is the owner of the real estate. If the real estate is owned by another person or entity notice will be sent to the owner of the real estate. Any unpaid water, sewer, storm water, refuse, garbage or recycling charge or fee for any lot that has a delinquent utility account or is disconnected may be assessed against the real property pursuant to the provisions of Minnesota Statute 429 and certified to the County Auditor together with the current property taxes for the following year. All manufactured/mobile home park water systems must be approved in writing by the State of Minnesota Department of Health as provided by law.

After adoption, signing and attestation this Ordinance shall be published in the official newspaper of the City and shall become effective on or after the date following the publications in accordance with law.

PASSED AND ADOPTED by the City Council of the City of North Mankato, this __ day of _____, 2024.

Scott Carlson, Mayor

ATTEST:

April Van Genderen, City Clerk