

CITY OF MONTROSE  
WRIGHT COUNTY, MINNESOTA

**ORDINANCE NO. 2021-02**

**AN ORDINANCE AMENDING TITLE III, CHAPTERS 30 AND 31  
OF THE CITY CODE RELATING TO THE ASSESSMENT  
OF DELINQUENT GARBAGE AND REFUSE ACCOUNTS**

**THE CITY COUNCIL OF THE CITY OF MONTROSE ORDAINS:**

**Section 1.** City Code, Chapter 30, section 30.1 is hereby amended as follows:

30.1. DEFINITIONS.

A) For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- 1) COMPANY, GRANTEE and FRANCHISEE. Any public utility system to which a franchise has been granted by the City.
- 2) CONSUMER and CUSTOMER. Any user of a utility.
- 3) HOOK-UP. The original connection to the utility for that property.
- 4) MUNICIPAL UTILITY. Any City-owned utility system, including, but not by way of limitation water, and sewerage ~~and refuse service~~.
- 5) SERVICE. Providing a particular utility to a customer or consumer.
- 6) UTILITY. All utility services, whether the same be public City-owned facilities or furnished by public utility companies.

**Section 2.** City Code, Chapter 31 is hereby amended by adding new sections 31.8, 31.9, and 31.10 to read as follows:

31.8. CHARGED TO OWNER OR OCCUPANT

A) All garbage and refuse service accounts must be carried in the name of the property owner, regardless of whether or not the property owner is occupying the residence. In the event that a tenant is occupying the residence, the tenant may be added to the account and may pay for the service, but in the event that the tenant does not pay the charges, any outstanding charges will be the responsibility of the property owner.

31.9. SERVICE CHARGE

A) The City shall charge each residence served on the basis of service rendered. Such charge shall be determined by the council, and the bill for such charges shall be sent to all account holders on a quarterly basis.

B) If the delinquent charges are not paid by the date indicated on the bill, written notice of the delinquency shall be sent to the account holder. If the account holder does not pay the delinquent amount within 30 days after the date of the written notice, a penalty not to exceed 10% may be added to the delinquent account.

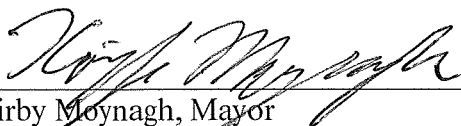
31.10. ASSESSMENT AGAINST PROPERTY FOR NON-PAYMENT

A) For all accounts that remain delinquent, the City will prepare an assessment roll each year providing for assessment of delinquent amounts against the respective properties served, pursuant to Minnesota Statutes, Section 443.015. After adoption of the assessment roll by the City Council, the City shall certify to the County the amount due, which shall include delinquent services charges, late payment penalties, and interest, in an amount not exceeding six percent per annum, as determined by the Council. The assessment procedure is optional and does not preclude the City from using other legal remedies to collect delinquent charges.

**Section 3.** This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED this 12<sup>th</sup> day of July, 2021 by the City Council of the City of Montrose.

**CITY OF MONTROSE**

By:   
Kirby Moynagh, Mayor

ATTEST:

By:   
Wendy Manson, City Clerk/Treasurer