

**City of Mayer  
Ordinance 246**

**An Ordinance Amending Chapter 51 of the Mayer City Code  
Regarding Utility Billing, Collection, and Charges**

WHEREAS, City Code Chapter 51 regulates Public Works and the general utility provisions contained therein; and,

WHEREAS, the City Council desires to update the provisions regulating utility billing, collection, and charges to provide for a streamlined approach to billing, late fees, and collection; and,

THE CITY COUNCIL OF THE CITY OF MAYER, MINNESOTA, DOES ORDAIN:

City Code Title V: Public Works, Chapter 51.20 through 51.26 related to Billing and Collection; Charges are repealed in their entirety and replaced with the following:

**Establishing City Water and Sewer Accounts, Rates, and  
Providing for Collection of Delinquent Charges**

**51.20 Accounts.**

All accounts shall be carried in the name of the owner who personally, or by their authorized agent, applied for such service. The owner shall be liable for utility services supplied to the property, whether they are occupying the property or not, and any unpaid charges shall be a lien upon the property. Renters or other such occupants may be named additionally on the account to receive bills.

**51.21 Billing.**

Water, sewer, and storm sewer charges shall be billed on one bill as applicable to each account. All charges for water, sewer, and storm sewer shall be due upon receipt and considered delinquent after the first day of the following month. All bills shall contain the title, address, and telephone number of the official in charge of billing; the title, address and phone number shall be clearly visible and easily readable. Bills shall be mailed to the customers each month as soon as is practicable and specify the water consumed and the sewer and storm sewer charges in accordance with the current Fee Schedule set by ordinance of the City Council.

**51.22 Utility Rate Schedule.**

The utility rate schedule is incorporated into the Fee Schedule which is adopted by the City Council by ordinance.

The City Council ordinance setting out the utility rate schedule shall also establish the number of certification cycles per year. At least one certification cycle will be timed each year to coincide with Carver County's requirements for certification to the following year's taxes. Additional certification cycles may be set in the annual rate schedule ordinance. All City utility accounts, unless exempt for other legal reason, which have been billed a delinquent bill and remain unpaid as of the certification cut-off date shall have the balance on the account including in a preliminary certification list.

### **51.23 Delinquent Accounts.**

Penalties. A late payment penalty shall be assessed on all accounts with a past due balance. The penalty amount is specified in the Fee Schedule.

Shut-off for Nonpayment. Water shall not be shut off until notice and an opportunity for a hearing before the City Council or an employee designated by the City Council have provided to the occupant and owner of the premises involved.

1. If any bill is not paid by the due date listed on the bill, the second bill will be mailed by first class mail and include a shut-off notice. The shut-off notice shall state if payment is not made by the first day of the following month (one month after the original bill was due) water service to the premises will be shut off for nonpayment.
2. The shut-off notice shall contain the title, address, and telephone number of the official in charge of billing; the title, address and phone number shall be clearly visible and easily readable.
3. The notice shall also state that any occupant or owner has the right to a hearing before the water service is shut off. The owner or occupant may be represented in person and by counsel or any other person of his or her choosing. The owner or occupant may present orally or in writing his or her complaint to the City Administrator. The City Administrator shall be authorized to order continuation of the customer's service and shall have the authority to adjust the customer's bill or enter into a mutually agreeable payment plan. The City Administrator may delegate this authority at their discretion to another staff member.
4. If an occupant or owner requests a hearing, the water shall not be shut off until the hearing process is complete.
5. If a customer fails to pay and fails to request a hearing under this part, Public Works shall place a doorhanger notice at the property stating the date and time service will be disconnected. The date and time shall not be less than 48 hours from when the doorhanger is placed.

Certification for Collection with Taxes. Unpaid charges on accounts shall not be certified to the county auditor until notice and an opportunity for a hearing have been provided to the owner of the premises involved. The notice shall be sent by first class mail and shall state that if payment is not made before the date for certification, the entire amount unpaid plus penalties will be certified to the county auditor for collection as other taxes are collected. The notice shall also state that the occupant or owner may, before such certification date, attend or schedule a hearing on the matter to object to certification of unpaid utility charges.

In addition to any penalties provided for in this ordinance if any person, firm or corporation fails to comply with any provision of this ordinance, the City Council or any city official designated by it, may institute appropriate proceedings at law or at equity to procure payment.

Optional Payment Before Certification. The owner of the property shall have the option of paying the balance due on the account until the date the notice of the certification hearing is mailed. After the date the notice of certification hearing is mailed, payments will still be accepted but will include unpaid penalties.

Hearing Required. A hearing shall be held on the matter by the City Council. Property owners with unpaid utility charges shall have the opportunity to object to the certification of unpaid charges to be collected as taxes are collected. If, after the hearing, the City Council finds that the amounts claimed as delinquent are actually due and unpaid and that there is no legal reason why the unpaid charges should not be certified for collection with taxes in accordance with this ordinance, the City Council may certify the unpaid charges to the county auditor for collection as other taxes are collected.

Hearing Options. For each certification sustained, the property owner shall have the following options after the hearing.

1. To pay the delinquent amount listed on the preliminary roll, but without additional interest after the hearing, within ten days of the hearing date.
2. To pay the certified delinquent amount after the hearing date, but before the county certification deadline, with interest at the rate set in the adopted rate schedule, accrued beginning on eleventh day following the hearing date through the date of payment.
3. To pay the certified charges as billed to them by Carver County on their property tax statement with a collection term of one year.

Delivery to County. Fifteen days after the hearing, the certified roll, minus any payments, shall be delivered to Carver County.

**51.24 Other Remedies.**

In addition to any procedures or penalties provided for in this ordinance if any person, firm or corporation fails to comply with any provision of this ordinance, the City Council or any city official designated by it may institute appropriate proceedings at law or at equity to procure payment and or enforce the provisions of this ordinance.

Effective Date. This ordinance shall go into effect as of March 1<sup>st</sup>, 2025.

Adopted by the City Council of the City of Mayer on this 14<sup>th</sup> day of October, 2024.

Attest:

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Mayor

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City Clerk