

## TITLE 1500 – WATER

### CHAPTER 1500 – TITLE

This Ordinance shall be known, cited and referred to as the “CITY OF SPRING GROVE WATER ORDINANCE” except as referenced to herein, where it shall be known as “this Ordinance.”

### CHAPTER 1502 – POTABLE WATER

#### A. GENERAL PROVISIONS.

1. General Operation. The City has, early in its history, made provision for the establishment of a municipal water system, (herein call the water system) to be operated as a public utility.
2. Use of Water Service. No person other than a city employee shall uncover or make or use any water service installation connected to the city water system except in the manner provided for in this Chapter. No person shall make or use any installation contrary to the regulatory provisions of this Chapter.
3. Use to Circumvent Chapter Prohibited. No person shall permit water from the water system to be used for any purpose to circumvent this Chapter.
4. Damage to Water System.
  - a. No unauthorized person shall remove or damage any structure, appurtenance or part of the water system or fill or partially fill any excavation or move any gate valve used in the water system.
  - b. No person shall make any connection of an electrical welder to the City water main, appurtenance or service or use an electric welder for the purpose of thawing frozen water mains appurtenances or services.
5. Connections Beyond City Boundaries. Where water mains of the City are in any street or alley adjacent to or outside the corporate limits of the City, the City Council may, by policy, allow the owners or occupants of properties adjacent or accessible to the water main to have proper water service pipe connections with the water mains of the City and to be supplied with water in conformity with the applicable provisions of this Chapter and subject to any contract for the supply of water between the City and any other governmental agency.

6. Connection to System Required; Use of Private Wells.

- a. Except where municipal water is not available, it shall be unlawful to construct, reconstruct or repair any private water system which is designed or intended to provide water for human consumption.
- b. All new homes or buildings shall connect to the municipal water system if water is available to the property. At the time that municipal water becomes available to existing homes or buildings, a direct connection shall be made to the public system within a period of time as determined by the City Council. If the connection is not made pursuant to this Chapter, a charge shall be made in an amount established by Section C. of this Chapter.
- c. Where new homes or buildings do not have water available to the property, the City shall determine whether and under what conditions the municipal water system will be extended to serve the property.
- d. If the well is not to be used after the time a municipal water connection is made the following applies:
  - i. The well pump and tank shall be disconnected from all internal piping;
  - ii. The casing shall be filled with sandy soil from the bottom to a point eight (8) feet from the top;
  - iii. The remaining eight (8) feet shall be filled with concrete to the floor level and the well casing cut off as close to the floor level as possible;
  - iv. Within thirty (30) days after the municipal water connection is made, the owner or occupant must advise the Public Utilities Director that the well has been sealed.
  - v. Notwithstanding the foregoing, all well abandonment shall be done in accordance with Minnesota Statutes 1031.301 to 1031.345 and Minnesota Rules Chapter 4725, Wells and Borings, as it may be amended from time to time.

7. Use of Water from Fire Hydrants; Temporary Connections.

- a. Use of fire hydrants. Except for extinguishment of fires, no person, unless authorized by the City, shall operate fire hydrants or interfere in any way with the water system without first obtaining a permit to do so from the City as follows:
  - i. A permit to use a fire hydrant shall be issued for each individual job or contract and for a minimum of thirty (30) days and for an

additional thirty (30) day period as the City shall determine. The permit shall state the location of the hydrant and shall be for the use of that hydrant and none other.

- ii. The user shall make an advance cash deposit to guarantee payment for water used and to cover breakage and damage to the hydrant and meter, which shall be refunded upon expiration of the permit, less applicable charges.
- iii. The user shall relinquish the use of the hydrant to authorized city employees in emergency situations.
- iv. The user shall pay a rental and a water charge as established pursuant to Section C.2. of this Chapter for each day including Sundays and legal holidays and a fee as established by the City Council from time to time.

b. Temporary connection to fire hydrants. An owner of a private water system may make a temporary above ground connection to a fire hydrant, subject to the time periods, conditions and payment specified in Section C.2. of this Chapter. In addition, the method of connection to the private system shall conform to all existing requirements of this Chapter and city ordinances and the type of meter used shall meet the approval of the Public Utilities Director.

8. Water Deficiency, Shut Off and Use Restrictions. The City shall not be liable for any deficiency or failure in the supply of water to consumers, whether occasioned by shutting the water off for the purpose of making repairs or connections or from any other cause whatsoever. In case of fire, or alarm of fire, or in making repairs of construction of new works, water may be shut off without notice at any time and kept off as long as necessary. In addition, the City Council shall have the right to impose reasonable restrictions on the use of the city water system in emergency situations. For non-payment of charges, water service may be discontinued according to the procedures established in D.3. of this Chapter.

## B. WATER REGULATIONS

- 1. Supply from One Service. No more than one housing unit or building shall be supplied from one service connection and each service connection shall have a separate water meter, except manufactured home parks may have a single meter serving multiple housing units or buildings.
  - a.

2. Tapping of mains Restricted. No person, except persons authorized by the City Council, shall tap any distributing main or pipe of the water supply system or insert stopcocks or ferrules therein.
3. Sewer Gallons based on Water Gallons Used. There will be no sewer charge forgiveness for excess water/sewer gallons that a property owner claims does not go into the sewer system. When a water leak has occurred, no matter the amount of gallons used, the property owner is responsible for all water/sewer charges. The City may offer a 3-month payment plan for the extra water/sewer costs incurred because of the leak.
4. Repairs.
  - a. Determination of need for repairs. Based on the information supplied by the property owner or available to the City, the City will make a determination whether a problem exists in that portion of the service which is the City's responsibility. If the problem appears to exist in the areas for which the City has no responsibility, the private owners will be responsible for correction of the problem.
  - b. Thawing of water services. The City will attempt to thaw water services on request of the resident. If the problem is found within that portion of the service for which the private owner is responsible, the private owner thereafter will be responsible for thawing the service and correcting the problem. Additionally, a charge for the actual cost of labor will be the responsibility of the owner.
  - c. Excavation or repair of water service.
    - i. The City will arrange for the investigative digging up and repair of any water service where the problem apparently exists within that area for which the City has responsibility.
    - ii. Unless it is clearly evident, however, that the problem is the responsibility of the City, the excavation and repair will not be made until the property owner requests the City in writing to excavate or repair the service and agrees to pay the cost.
    - iii. The owner further agrees to waive the public hearing and be special assessed the cost of the excavation and repair if the problem is found to be other than the City's responsibility. The City will make the determination for responsibility of the cost of investigation or repair.
    - iv. The matter of whether the dig up is done by City employees or contracted would depend on the urgency or need of repair and the availability of City employees to do the work. Recovery by the City for faulty construction

will depend upon the circumstances and the decision of the City Attorney on the likelihood of recovery.

- d. Failure to repair. In case of failure upon the part of any consumer or owner to repair any leak occurring in his or her service pipe within twenty-four (24) hours after verbal or written notice thereof, the water may be turned off by the City and shall not be turned on until the leak has been repaired. There will also be a fee paid to the City in the amount of \$100.00 for the first day and \$50.00 every day thereafter until the leak is fixed.
5. Abandoned or Unused Services.
    - a. If the premises served by water have been abandoned, or if the service has not been used for one year, then the service shall be shut off at the curb stop box by the City and the water meter will be removed.
    - b. When new buildings are erected on the site of old ones and it is desired to increase or change the old water service, no connections with the mains shall be made until all the old service has been removed and the main taps plugged or yoked connections installed by the City at the owner's expense.
  6. Suspending Services. Water and sewer "usage" services may be suspended only when a customer has vacated the property for 4 or more months consecutively. There will be a fee of \$25.00 to place these services on suspension. Customers must provide the following criteria to City Hall to be eligible for suspension services: a water reading before leaving, the leave and return dates, and a water reading within the 1<sup>st</sup> business day after returning. Water and sewer infrastructure services will not be suspended to a property.

In the event a structure is removed from a property, the property owner will be required to cap off the water and sewer lines, with approval of the maintenance department, to have all infrastructure services removed from the property.

7. Disconnection Permit. A permit must be obtained to disconnect from the existing water service leads at the curb stop box. The fee shall be set pursuant to Section C.2. of this Chapter.
8. Service Pipes. Every service pipe shall be laid so as to allow at least one (1) foot of extra length in order to prevent rupture by settlement. The service pipe must be placed no less than seven (7) feet below the ground and in a manner as to prevent rupture by freezing. Service pipes must extend from the curb stop box to the inside of the building, or if not taken into the building, then to the hydrant or fixtures which it is intended to supply. Type K copper tubing shall be used up to and including two (2) inch services. All underground joints are to be mechanical, except joints under floors shall be silver soldered, unless otherwise approved by the Public Utilities Director. Joints of copper tubing shall be kept to a minimum,

with not more than one (1) joint used for service for each seventy (70) feet in length. Splicing may be approved with three-piece unions only. All joints and connections shall be left uncovered until inspected by the Public Utilities Director and tested at normal water line pressure. Unions must be three-part type. All services over two (2) inches shall be ductile iron. Connections with the mains for domestic supply shall be at least three-quarter ( $\frac{3}{4}$ ) inch up to the curb stop box.

9. Excavation and Construction Requirements.

- a. No excavation shall be made until a permit for the connection has been issued by the City.
- b. No water service pipe or water connection shall be installed in the same trench or closer than ten (10) feet horizontally to a sewer trench or drain laid, or to be laid, either in the street or in private property, except that the water pipe on private property may be in a common trench with a sewer drain which is of a material that is in conformance with the current Minnesota Plumbing Code, Minnesota Rules Chapter 4715, as it may be amended from time to time.
- c. Where it is desired to lay the water service pipe and the building sewer pipe in the same trench or in separate trenches less than ten (10) feet apart, the water service pipe shall be above the sewer pipe unless approved by the City Engineer. It shall be placed at least one (1) foot above the sewer and on a solid shelf excavated at one side of the trench. The sewer pipe shall be of a material that is in conformance with the Minnesota Plumbing Code with tested watertight joints. The water service pipe shall be watertight and corrosion resistant. Copper pipe and cast-iron water pipe with specially protected joints is acceptable for this construction. Cast iron pipe shall conform to the American Water Works Association specifications for this pipe. Bell joint clamps with rubber gaskets are provisionally acceptable as extra protection for the joints on cast iron water pipes. In all cases, precautions shall be taken to assure a firm foundation for the pipes. The intervening space between the pipes shall be backfilled with compacted earth.
- d. In case the installation is on a surfaced street, the following shall apply: All backfill materials shall be mechanically compacted in twelve (12) inch layers to the density of the adjacent material in the roadway area and to the existing street grades in accordance with the Minnesota Department of Transportation Standards; complete surface restoration shall be made.

10. Connection to Other Water Supplies Restricted. No water pipe of the water system shall be connected with any pump, well, tank or piping that is connected with any other source of water supply except to service municipal systems.

11. Water Connections; Applications and Charges.

a. Connection applications.

- i. All applications for service installations and for water service shall be made to the City. All applications for service installations and water service shall be made by the owner or agent of the property to be served and shall state the size and location of service connection required. The applicant shall, at the time of making application, pay to the City the amount of fees as set forth in the City's fee schedule as may be amended from time to time, or deposit required for the installation of the service connection as hereinafter provided. Applications for services larger than one (1) inch shall be accompanied by two sets of plans or sketches indicating preferred location of service pipe and size of service based on building demand.
- ii. The size of the water service connections and meter shall be subject to approval of the City Engineer.
- iii. Water billing shall start at the time of installation of the water meter or in the event the meter is not installed, seven days after completion of outside piping and shall be calculated upon the minimum monthly rate.

b. Connection charges.

- i. A permit must be obtained to connect to the existing water service leads at the curb stop box. The fee for the permit shall be set pursuant to Section C.2. of this Chapter. The City shall install or have installed all service connections from the water main to the curb stop including the stop box. Payment for service connections must be made before the work is started and should be based upon one hundred and twenty-five percent (125%) of the estimate of costs provided by the City Engineer. Any excess deposit shall be returned to the applicant.
- ii. Additional charges shall be paid at the time of making application for tapping and making connections with the water main to where a curb stop box and service lead is not previously installed. The charge shall include the tapping of the water main, corporation cocks, the installation of a service line, the installation of a curb stop box, cost of restoring disturbed areas and all other costs related to the installation.
- iii. There shall be a connection charge pursuant to Section C.2. of this Chapter levied by the City to contribute to the payment of the costs of the Public Water System Facilities. The City Council shall set the charges to be made for non-residential installations.

- iv. When water services have been stopped because of a violation of this Chapter, the City shall collect the fee established pursuant to Section C.2. of this Chapter before service is reconnected.
- v. If a person desires to connect to the system and service a parcel that has not been assessed for the cost of water main and lateral construction, then before a permit is granted, the City shall collect an amount from the applicant that is established pursuant to Section C.2. of this Chapter.

12. Location of Curb Stop Box. Curb stop boxes will be installed on the right-of-way line or easement limits at a location as determined by the City Engineer to be best suitable to the property and shall be left in a vertical position when backfilling is completed. Curb stop boxes will be installed at an approximate depth of seven (7) feet below the finished ground elevation and the top of the curb stop box shall be adjusted to be flush with the finished ground elevation. Curb stop boxes must be firmly supported by a masonry block. No person shall erect any fence or plant any tree or other landscaping that would obstruct the use of the curb stop box or cause damage to the same.

13. Water Meters.

- a. Generally. Except for extinguishment of fires, no person, unless otherwise authorized by the City Council or Public Utilities Director, shall use water from the water system or permit water to be drawn therefrom unless the same be metered by passing through a meter supplied or approved by the City. No person not authorized by the City Council or Public Utilities Director shall connect, disconnect, take apart or in any manner change or cause to be changed or interfere with any meter or the action thereof, or break any meter or valve seal.
  - i. A charge established pursuant to Section C.2. of this Chapter shall be paid by customers to the City for water meters including installations and check valves and payment for same shall be made at the time of water service application. This payment shall be made only once, subject to the following.
  - ii. Where a consumer has need for a larger line in addition to his or her domestic line, as in the case of a commercial consumer who needs a one-inch line for normal use and a six-inch or larger line for a fire sprinkler system, he or she will be permitted to run one line into the premises and “Y” off into two lines at the building. When this is done, the meter will be attached to the small or domestic line and a check valve as well as one-inch detection meter shall be put on the large line.
  - iii. The City shall maintain and repair all meters when rendered unserviceable through ordinary wear and tear and shall replace them if



necessary. When replacement, repair or adjustment of any meter is rendered by the act, neglect (including damage from freezing or hot water backup) or carelessness of the owner or occupant of the premises, any expense caused the City thereby shall be charged against and collected from the water consumer.

- iv. A consumer may, by written request, have his or her meter tested by depositing the amount of \$125 to have it sent in and calibrated. In case a test should show an error of over five percent (5%) of the water consumed, a correctly registering meter will be installed and the bill will be adjusted accordingly and the testing deposit refunded. This adjustment shall not extend back more than one (1) billing period from the date of the written request.
- v. All water meters and remote readers shall be and remain the property of the City.
- vi. Authorized City employees shall have free access at reasonable hours of the day to all parts of every building and premises connected with the water system for reading of meters and inspections.
- vii. It shall be the responsibility of the consumer to notify the City to request a final reading at the time of the customer's billing change.
- viii. The City or its contracted affiliates have the right to install new water meters when necessary. Homeowners will be given adequate time to make accommodation for the meter installation. Meter installation shall be completed within the requested timeline from the city. Noncompliance may result in a water shut off or a \$50.00 fine each week until the new meter is installed.

- b. Water meter setting. All water meters hereafter installed shall be in accordance with the Minnesota Plumbing Code and any standards established by the City Council.

#### C. RATES AND CHARGES.

1. Water Unit. A water unit (hereinafter called unit) shall be one residential equivalent connection based on usage of one thousand (1,000) gallons or portion thereof.
2. Rates, fees and Charges; Generally. The City Council shall establish a schedule of all water rates, fees and charges for permits or services that may be amended from time to time.

3. Water Service Billing; Change of Address. All bills and notices shall be mailed or delivered to the address where service is provided. If non-resident owners or agents desire personal notice sent to a different address, they shall so note on the water service application. Any change or error in address shall be promptly reported to the City Clerk.
  
4. Water Rates.
  - a. The rate due and payable by each user within the City for water taken from the water system shall be established pursuant to Section C.2. of this Chapter.
  
  - b. In case the meter is found to have stopped, or to be operating in a faulty manner, the amount of water used will be estimated in accordance with the amount used previously in comparable periods of the year.
  
  - c. Rates due and payable by each water user located beyond the corporate boundaries of the City shall be billed twice the amount charged to customers within the corporate limits.
  
  - d. The minimum rates established pursuant to Section C.2. of this Chapter shall begin to accrue after connection of the service pipe with the curb stop box.
  
  - e. A meter shall be installed on the water valve in the house and in the event a water customer elects to discontinue the use of the municipal water, the regular or minimum charge shall continue until the date as service is disconnected at the curb stop.
  
5. Payment of Charges; Late Payment; Collection.
  - a. Any prepayment or overpayment of charges may be retained by the City and applied on subsequent monthly charges.
  
  - b. If a monthly service charge is not paid when due, then a penalty of five percent (5%) for residential and one percent (1%) for commercial shall be added thereto.
  
  - c. In the event a user fails to pay his or her water user fee within a reasonable time, the fee shall be certified by the City Clerk and assessed against the property on which the charges have incurred and forwarded to the County Auditor for collection.
  
  - d. The utility account for all properties covered by this ordinance shall be in the property owner's name, and it shall be the property owner who contracts for water and sewer service, not the tenant. Landlords, as owners of a property, are responsible for utility charges associated with their property. Any landlord may elect to have the billing statement mailed directly to a tenant by

indicating such preference on the utility application. In the event of an account delinquency, notice shall be sent to both landlord and tenant. The notice shall warn the parties that failure to bring the account current will result in disconnection of the utility service. Failure by landlord and tenant to make any delinquent account current by the deadline stated in the utility bill or notice will subject the user to disconnection of service and the property owner to assessment of the delinquency against the property taxes as provided below. For purposes of this ordinance, the property owner of real estate hosting a manufactured home park shall be considered a landlord.

- e. In addition to the remedies above, the City shall deny any applicant with an outstanding utility account balance with the City from receiving any new or additional utility services provided by the City until such time as all accounts for that individual, or any trust or entity controlled by that individual, are brought current and any necessary deposits made in full.

#### D. ADMINISTRATION AND ENFORCEMENT

##### 1. Supervision by Public Utilities Director; Licensing.

- a. All piping connections from the curb stop box to house supply piping shall be made by a qualified plumber, subject to inspection by the Public Utilities Director. The piping connection made to the curb stop box on the house side shall be inspected by the Public Utilities Director. The water meter installation shall be inspected, tested and the meter sealed by the Public Utilities Director or designee.
- b. No person, firm or corporation shall engage in the business of altering, repairing, installing, or constructing municipal water connections within the City without first obtaining a license to carry on the occupation from the City.
  - i. The applicant shall file with the City Clerk evidence of public liability insurance, including products liability insurance with limits of at least \$600,000 aggregate.
  - ii. The applicant shall file with the City Clerk a surety bond guaranteeing the conformance and compliance of work with this Chapter. The bond shall be in the amount of \$2,000. The City shall hold the bond for one (1) year following the license period. Failure to comply with provisions and requirements of this Chapter shall result in forfeiture of the bond. The applicant may comply with the requirements of Minnesota Statutes 326.40, Subd. 2, as it may be amended from time to time in lieu of these requirements.

- iii. Applications for licenses shall be filed with the City Clerk and shall be reviewed and subject to approval of the City.
  - iv. Any installation, construction, alteration of a water connection by a license in violation of any provision of this Chapter or refusal on the part of a licensee to correct the defective work shall be cause for revocation of or refusal to renew a license. This license may be revoked or refused for renewal by the City at any time for cause which shall be documented in writing.
- c. All licenses required in this section shall be renewable annually. Applications for licenses shall be made annually on a form furnished by the City Clerk. Licenses shall be in effect from January 1 to December 31 of the same year. The license fee shall be established pursuant to Section C.2. of this Chapter.
- d. Before any license issued under the provisions of this section may be revoked or its renewal refused, the licensee shall be given a hearing by the City Council to show cause why the license should not be revoked or refused. Notice of the time, place and purpose of the hearing shall be in writing.
2. Powers and Authority of Inspectors. The City Engineer, Public Utilities Director, and other duly authorized employees of the City, upon proper identification, shall be permitted to enter upon all properties for the purpose of inspections, observation and testing in accordance with the provisions of this Chapter.
3. Authorized Employees to Turn Water On and Off. No person, except an authorized city employee, shall turn on or off any water supply at the curb stop box.
4. Requirement to report. Upon request of the City, residents are required to inform the city of water usage should the City be unable to obtain readings from the remote reading equipment.
5. Discontinuation of Service.
- a. Generally. Water service may be shut off at any connection whenever:
    - i. The owner or occupant of the premises served or any person working on any pipes or equipment thereon which are connected with the water system has violated or threatens to violate any of the provisions of this Chapter;
    - ii. Any charge for water, service, meter, or any other financial obligations imposed on the present or former owner or occupant served is unpaid;

- iii. Fraud or misrepresentation by the owner or occupant of the premises serviced in connection with an application for service.
- b. Disconnection for late payment.
- i. It is the policy of the City to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for application for utility service and all bills shall contain, in addition to the title, address, and telephone number of the employee in charge of billing, clearly visible and readable provisions to the effect:
    - a) That all bills are due and payable on or before the date set forth on the bill;
    - b) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten (10) days of the mailing of the second bill, service will be discontinued for nonpayment; and
    - c) That any customer disputing the correctness of his or her bill shall have a right to a hearing at which time he or she may be represented in person and by counsel or any other person of his or her choosing and may present orally or in writing his or her complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.
  - ii. Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least thirty (30) days.
  - iii. When it becomes necessary for the City to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge as established by the City Council.
  - iv. Cold weather rule. Pursuant to Minnesota Statutes 216B.097, as may be amended from time to time, no service of a residential customer shall be disconnected if the disconnection affects the primary heat source for the residential unit when the disconnection would occur during the period between October 1 and April 30<sup>th</sup>, the customer has declared inability to

pay on forms provided by the City, the household income of the customer is less than 185% of the federal poverty level as documented by the customer to the City and the customer's account is current for the billing period immediately prior to October 15<sup>th</sup> or the customer has entered into a payment schedule and is reasonable current with payments under the schedule. The City Clerk shall, between August 15<sup>th</sup> and October 15<sup>th</sup>, of each year, notify all residential customers of these provisions.

6. Assessment Against Property.

- a. Lien. Each and every water service charge levied by and pursuant to this Chapter is made a lien upon the lot or premises served and all charges which are on October 31 of each year past due and delinquent may be certified to the County Auditor by November 30 as taxes or assessments on the real estate.
- b. Notice.
  - i. Unpaid charges on sewer and water 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.
  - ii. 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 may, before such certification date, attend or schedule a hearing on the matter to object to certification of unpaid utility charges.
- c. Hearing. 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 may certify the unpaid charges to the county auditor for collection as other taxes are collected.
- d. Payment after Hearing. For each certification sustained, the property owner shall have the following options after the hearing:
  - i. To pay the delinquent amount listed on the preliminary roll, but without additional interest after the hearing, within five days of the hearing date.

- ii. 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 sixth day following the hearing date through the date of payment.
  - iii. To pay the certified charges as billed to them by Houston County on their property tax statement with a collection term of one year.
- e. Fifteen days after the hearing, the certified roll, minus any payments, shall be delivered to Houston County
- 7. Civil Action. As an alternative to levying a lien, the city may, at its discretion, file suit in a civil action to collect amounts as are delinquent and due against the occupant, owner or user of the real estate and shall collect all attorney's fees incurred by the city in filing the civil action. Attorney's fees shall be fixed by order of the court.
- 8. Penalties. In addition to all penalties and costs attributable and chargeable to recording notices of the lien or filing a civil action, the owner or user of the real estate being serviced by the water system shall be liable for interest upon all unpaid balances at the rate of 8 % per annum.
- 9. Penalty and Liability for Expense, Loss or Damage. Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss or damage occasioned by the City by reason of the violation. Additionally, any person violating any provisions of this Chapter shall be deemed to have committed a misdemeanor and shall be punished pursuant to Title 1900 of this Code.

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