

ORDINANCE NO. 129

AN ORDINANCE OF THE CITY OF HOKAH CLARIFYING LIABILITY AND  
ESTABLISHING PROCEDURE FOR COLLECTION OF FEES AND  
CHARGES FOR VARIOUS MUNICIPAL SERVICES.

The City Council of the City of Hokah, Houston County, Minnesota, hereby ordains:

SECTION I. Benefited recipient of City services. Whenever the City makes available municipal services whether water and sanitary sewer or other including but not limited to cutting and trimming of rank vegetative growth, weeds, trees and tree limbs, removal of neglected sidewalk ice or snow, correction of any nuisance or hazard including but not limited to the removal of rubbish, garbage and other unsanitary accumulations both the occupant of the property whereat such services are made available and /or rendered and the record owner or owners of said property are deemed to be benefited thereby and are jointly and severally liable for the reasonable charges associated therewith.

SECTION II. Remedy for non-payment.

A. With respect to unpaid fees for sewer and water services 30 days or more past due, consistent with the laws of the State of Minnesota and other applicable regulation following 30 days notice to the occupant of the property whereat the services are rendered with a copy of the property owner the services may be shut off and terminated.

B. The reasonable fees and charges for all other services rendered by the City which are 30 days or more past due, including those for unpaid sewer and water fees and charges whether or not such services are shut off, upon resolution duly made and enacted by the city Council such charges shall be certified to the Houston County Auditor for collection with real property taxes. At least 10 days prior to enactment of such resolution notice of intention to enact such resolutions setting forth the detail of the unpaid fees and charges, shall be transmitted to the occupant of the property whereat the services were rendered, and to the owner of the premises. For purposes of notifying the owner of the premises, the address of the owner as maintained in the Office of the county Treasurer shall be deemed sufficient address for purposes of notice.

SECTION III. Implementation of remedy not an exclusive election. The City Council by resolution duly passed and enacted may, where such procedure is indicated, collect unpaid fees and charges in the Conciliation Court or other Court of competent jurisdiction. The obtaining of a judgment which remains unsatisfied shall not be construed an election of remedies, but the City may, while the judgment remains unsatisfied, where appropriate, Certify the unsatisfied judgment amount for payment with real property taxes as afore specified. Nor does the Certification of charges to be paid with real property taxes prevent institution of Court proceedings for collection where such course is otherwise appropriate.

SECTION IV. This Ordinance shall become effective upon due passage and enactment and publication according to law.

Passed and enacted this 5<sup>th</sup> day of October, 1993.

Approved:

Edward F Lonkoski  
Mayor

Attest:  
Barbara Larson  
City Clerk-Administrator