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**CITY OF ALGOMA
COUNTY OF KEWAUNEE
STATE OF WISCONSIN**

**COMMON COUNCIL
ORDINANCE NO. 788 – 2015**

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**AN ORDINANCE RELATING TO DIRECTING THE ALGOMA UTILITY DEPARTMENT TO
COLLECT DEPOSITS IF A CUSTOMER HAS AN OUTSTANDING ACCOUNT BALANCE
WITH ANY WISCONSIN GAS, ELECTRIC, WATER OR SEWER UTILITY
WHICH ACCRUED IN THE LAST 6 YEARS**

14 WHEREAS: The Common Council of the City of Algoma has the authority to promote the
15 public health, safety and welfare pursuant to the general grant of authority to the City according
16 to Wisconsin Statutes, Section 62.11 (5); and

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18 WHEREAS: The Common Council of the City of Algoma has the authority to provide funds for
19 purchasing, acquiring, constructing, extending, adding to, improving, controlling, conducting,
20 operating or managing a sewerage system within its corporate limits for the collection,
21 transportation, pumping, storage, treatment and final disposal of sewage under the provisions of
22 Section 66.0621, Section 66.0801, and Section 66.0821, Wisconsin Statutes; and

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24 WHEREAS: The City of Algoma, Wisconsin owns and operates a municipal sewerage
25 system; and

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27 WHEREAS: In certain circumstances it is necessary for the City to require a customer of this
28 municipal sewerage system to provide the City with a monetary deposit in order to extend and
29 maintain service to the customer.

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31 NOW, THEREFORE the Common Council of the City of Algoma does ordain that:

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33 I. Section 13.04 of the City of Algoma Code of Ordinances is repealed.
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35 II. Section 13.04 of the City of Algoma Code of Ordinances is recreated to read as follows:

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37 **“13.04 SUPERVISION OF SEWER PLANT AND SYSTEM**

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39 **(1) POWERS AND AUTHORITY**

40 The Common Council of the City of Algoma shall have general control and
41 supervision of the sewer plant and sewer system owned by the City, subject only to
42 the applicable statutes of the State of Wisconsin.

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44 **(2) COLLECTION PROCEDURE FOR DELINQUENT SEWER SERVICE**

45 In accordance with Sec. 66.0809, Wis. Stats., the following collection procedure is
46 adopted.

- 47 a. Any delinquent account for sewer service shall become a lien against the
48 property served. Accounts whose sewer bills are in arrears, on October 15 of any
49 year shall receive notice to the customer and owner of property, as shown by the
50 current year's tax roll, of such delinquency in accordance with the provisions of
51 Sec. 66.0809, Wis. Stats., and delinquencies remaining on November 15
52 together with any penalty imposed shall be levied as a tax against the parcel
53 served.

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- b. The Algoma Utility Department shall mail a copy of all amounts past due notice of a delinquent account to the owner of such real estate, as shown by the current year's tax roll, as well as a copy of the final billing when made.
- c. All property owners shall notify the Algoma Utility Department of the name and address of the owner where occupancy is other than the owner and the owner wishes copies and notice of any delinquent account of final billing.
- d. In certain circumstances where it is necessary for the City to require a customer of the sewerage system to provide the City with a monetary deposit in order to extend and maintain service to the customer, the deposit shall be received and held by the Sewer Fund as specified in the State of Wisconsin Administrative Code, Section: PSC 185.36 Deposits for Residential Service; and PSC 185.361 Deposits for Non-Residential Service."

III. This ordinance shall take effect upon passage, posting and publication as provided by law.

Adopted by the 4th Common Council of the City of Algoma, Wisconsin at a regular meeting thereof on the 9th day of January, 2015, by a vote of 8 for and 0 opposed.

Approved: Wayne R. Schmidt
Wayne R. Schmidt,
Mayor of the City of Algoma

Attest: Jeffrey L. Wiswell, Sr.
Jeffrey L. Wiswell, Sr.,
Administrator - Clerk - Treasurer of the City of Algoma