

## **CHAPTER 14-4 RATES AND CHARGES**

### **14-4-1**

#### **EFFECT OF TRANSFER AND MOVING**

When premises are vacated, any amounts due for utility service shall be paid in full and utility service shall not be commenced at another place until this is done.

**Legislative History:**  
Ordinance #76, §31, 11/20/78.

**Authority:**  
SDCL Ch. 9-47 and 9-48.

### **14-4-2**

#### **DETERMINATION OF CHARGES**

The rates and charges for the consumption of utility services furnished by the City, as well as the charges and fees for connections thereto, shall be as determined by the City Council from time to time and on file in the office of the municipal Finance Officer.

**Legislative History:**  
Ordinance #76, §32, 11/20/78.

**Authority:**  
SDCL Ch. 9-47 and 9-48.

### **14-4-3**

#### **CONTRACT AGREEMENTS WITH OTHER GOVERNMENTAL BODIES**

The City Council may enter into any agreement with other governmental bodies with respect to utility usage, service and rates.

**Legislative History:**  
Ordinance #76, §33, 11/20/78.

**Authority:**  
SDCL Ch. 9-47 and 9-48.

### **14-4-4**

#### **WHEN PAYMENT IS DUE: WATER SERVICE**

All meters shall be read monthly and in sufficient time to allow bills to be prepared for mailing on the last working day of the each month. Payment shall be due and payable on or before the fifteenth (15th) day of the month following the last day of the month receiving service, provided however, if such due date shall fall on a Saturday, Sunday or holiday observed by the City, then such bill shall be due and payable on the following business day. Any payment not received by the due date shall be considered to be late, and the City Council may by resolution establish a late payment charge as a penalty.

**Legislative History:**  
Ordinance #76, §34, 11/20/78.  
Ordinance #91, §3, 12/17/79.  
Ordinance #332, 08/19/03.  
Ordinance #400, 03/20/07.

**Authority:**  
SDCL Ch. 9-47.

### **14-4-5**

#### **WHEN PAYMENT DUE: SEWER SERVICE**

All bills for sewer service shall be paid monthly and shall be due and payable on or before the fifteenth (15th) day of the month following the last day of the month receiving service: provided, however, if such due date shall fall on a Saturday, Sunday or holiday observed by the City, then such bill shall be due and payable on the following business day. Any payment not received by the due date shall be considered to be late, and the City Council may by resolution establish a late payment charge as a penalty.

**Legislative History:**  
Ordinance #76, §35 11/20/78.  
Ordinance #400, 03/20/07.

**Authority:**  
SDCL Ch. 9-48

## 14-4-6

### **DISCONNECTION FOR NONPAYMENT OF WATER AND SEWER BILL**

In the event payment has not been received by the City within three business days of becoming due, a finance charge shall be added for each metered unit and a written notice shall be mailed, via first class mail, postage prepaid by the City, addressed to the owner of record and/or and the recipient of the utility service. Said notice shall set forth that the utility service account is delinquent and that a finance charge has been added.

In the event the delinquent account has not been paid on or before seven days before the first Monday of the month following the due date, a processing fee of \$10.00 will be added and a shut off notice will be sent to the owner of record and/or the recipient of the utility service indicating that if not paid by the first Monday of the following month, the owner and/or recipient will be notified in person, by phone, or by a “red tag notice” placed on the door indicating that service will be terminated on the following Wednesday. If this Monday is a holiday, notice will occur on Tuesday and, if not paid, shut off will occur on the following Thursday.

Where a multi-unit property does not allow for the shutting off of one unit’s water and/or sewer without affecting such services to other units on the property, the owner shall be responsible to make payment for each unit’s services. If payment becomes delinquent for any unit, the notice of delinquency will be sent to each recipient and to the owner. If payment is not thereafter made within the specified time period, the service shall be disconnected for the entire property.

In the event the utility service is terminated the delinquent account must first be paid in full together with any termination and reconnecting fees before the utility service is restored.

**Legislative History:**  
Ordinance #76, §36, 11/20/78.  
Ordinance #98, §2, 05/19/80.  
Ordinance #332, 08/19/03  
Ordinance #377, 12/20/05  
Ordinance #400, 03/20/07.  
Ordinance #419, 04/01/08.  
Ordinance #427, 10/09/08  
Ordinance #444, 06/03/09

**Authority:**  
SDCL Ch. 9-48 and 9-47.

## 14-4-7

### **RE-CONNECTION AFTER DISCONNECTION**

In the event that the utility service is disconnected for any violation of the provisions of section §14-3-4 of Chapter 14-3, the owner and /or recipient thereof shall have the right to have the same reconnected only upon compliance with the provisions of Section Four (4) of this ordinance, and in addition thereto, upon payment of a re-connection fee of an amount to be determined by resolution of the City Council.

**Legislative History:**

**Authority:**

Ordinance #76, §37, 11/20/78.  
Ordinance #91, §4, 12/17/79.  
Ordinance #400, 03/20/07.  
Ordinance #444, 06/03/09

SDCL Ch. 9-48 and 9-47.

## 14-4-8

### **VOLUNTARY DISCONTINUANCE OF SERVICE**

Owner and /or recipients wishing to discontinue the use of any utility service shall give written notice thereof at the City Hall. Failure to do shall render them liable for the payment of all bills until such notice has been given.

**Legislative History:**

Ordinance #76, §38, 11/20/78.  
Ordinance #444, 06/03/09

**Authority:**

SDCL Ch. 9-48 and 9-47.

## 14-4-9

### **OWNERS OF RENTAL PROPERTY RESPONSIBLE**

The owner in fee of the real property at which the utility service is provided is as liable for utility service and is responsible for full payment of same as is the renter, lessee or persons in possession of the said real property.

**Legislative History:**

Ordinance #98, §3, 5/19/80.

**Authority:**

SDCL Ch. 9-47 and 9-48.

## 14-4-10

### **PENALTY FEE**

The City is hereby authorized to establish by resolution a penalty fee to be added to any utility service account which become delinquent.

**Legislative History:**

Ordinance #98, §4, 5/19/80.  
Ordinance #400, 3/20/07

**Authority:**

SDCL Ch. 9-47 and 9-48.

## 14-4-11

### **DIRECT WATER SALES FROM WATER MAINS AND HYDRANTS**

The City Council may sell water directly from its main and hydrants at a rate established by the Council by resolution.

**Legislative History:**

Ordinance #76, §53, 11/20/78.

**Authority:**

SDCL Ch. 9-47.

## 14-4-12

### **WATER SERVICE HOOK UP FEES: NON-REFUNDABLE**

A non-refundable service hook up fee in an amount established by resolution of the City Council shall accompany any application for water service where the City provides the necessary main connections and curb stops.

**Legislative History:**

Ordinance #76, §55, 11/20/78.

**Authority:**

SDCL Ch. 9-47.

## **14-4-13**

### **NON-REFUNDABLE WATER CONNECTION FEE**

A non-refundable water connection fee shall be paid to the City of Brandon for all new connections or services requiring metering. No building permit shall be granted for any structure requiring metering of a new water service until this connection fee has been paid. The fees shall be established and from time to time amended by resolution of the City Council.

**Legislative History:**

Ordinance #76, §56, 11/20/78.

Ordinance #91, §6, 12/17/79.

**Authority:**

SDCL Ch. 9-47.