



**REQUEST FOR ACTION**  
**Long Lake City Council**

**MEETING DATE / September 19, 2023**

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**Subject:** Public Hearing: Consider Adoption of an Ordinance Amending Chapter 36 – Utilities (Repeal and Replace)

**Prepared By:** Jeanette Moeller, City Clerk

**Staff Initials:** JM

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**Recommended City Council Action**

Upon conclusion of the public hearing, staff recommends the following:

Motion to adopt Ordinance No. 2023-04 repealing and replacing Chapter 36 – Utilities of the City Code of Ordinances, and direct staff to publish an Ordinance Publication Summary notice.

**Overview / Background**

Council and staff have held significant discussion over the past year (or more) regarding changing the City's utility billing schedule from a quarterly to a monthly basis. Staff reviewed the current City Code of Ordinances, Chapter 36 – Utilities, and found that there were multiple references to specifically quarterly billing within the water, sewer and stormwater sections of code; thereby necessitating an update to the chapter before a billing cycle change could be implemented.

After further review of the existing language, staff determined that a full repeal and replace was warranted to address outdated information, add overall clarity, and to generally improve the chapter in its entirety. Staff has prepared the attached Ordinance No. 2023-04 that would repeal and replace Chapter 36 – Utilities with new text. The proposed Ordinance has been reviewed in detail by our Public Works Director, City Engineer and City Attorney and incorporates their changes and recommendations. Below are a few key highlights the proposed Ordinance addresses.

- Establishes right of entry to allow the city the right to enter private property for the purpose of reading meters (for manual meters), to inspect and repair a utility system or a connection with the system, and for connecting/disconnecting services.
- Clearly addresses ownership of public versus private utility services, and identifies penalties for tampering with or damaging city utility equipment and appurtenances.
- Establishes that utility and utility-related rates shall be fixed on a billing schedule to be determined by Resolution of the City Council for inclusion in the City Fee Schedule, ultimately simplifying the process for any future changes to the schedule and rates.
- Adds language for regulating the use of water during periods of water shortage, identifies water use restrictions that may be implemented, and adds language for the declaration of a water emergency.
- Essentially declares the intentional and continued discharge of stormwater, groundwater, runoff, etc. into the sanitary sewer system to be unlawful and addresses violation penalties.
- Better addresses sump pump requirements, and indicates that no certificate of occupancy for a new structure will be issued without confirming sump pump and foundation drain discharge is properly routed.

Financial Impact: \$	Budgeted (Y / N)?	Source:
Notes:		

- Incorporates illicit discharge detection and elimination language from the zoning code into the stormwater section – a more logical location given that this pertains to the regulation of non-stormwater discharges to the storm drainage system.

Staff recommends the City Council hold the required public hearing to invite public comment, and upon conclusion of the public hearing, consider adoption of Ordinance No. 2023-04 to repeal and replace Chapter 36 – Utilities.

**Supporting Information**

- Ordinance Publication Summary
- Ordinance Amending Chapter 36 - Utilities