

CITY OF MAPLE PLAIN

RESOLUTION 2026-0727-05

A RESOLUTION GRANDFATHERING CERTAIN EXISTING SENIOR SEWER RATE RECIPIENTS AND ESTABLISHING ELIGIBILITY TERMINATION CRITERIA

WHEREAS, prior to the adoption of the City's 2023 utility rate ordinance, the City of Maple Plain provided a reduced sewer service rate for qualifying senior citizen households; and

WHEREAS, the 2023 ordinance removed the senior sewer rate language and established sewer rates without a separate senior sewer classification; and

WHEREAS, certain utility accounts have continued to receive the historical senior sewer rate following adoption of the 2023 ordinance; and

WHEREAS, the City Council recognizes that affected residents may have reasonably relied upon the continued receipt of the reduced sewer rate and desires to provide an equitable transition for existing participants while discontinuing eligibility for new participants; and

WHEREAS, the City Council finds it to be in the best interest of the City to grandfather those customers currently receiving the historical senior sewer rate, subject to the conditions established herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maple Plain, Minnesota, as follows:

Section 1. Grandfathered Accounts

All utility accounts actively receiving the historical senior sewer rate as of the effective date of this Resolution shall be deemed grandfathered and shall be permitted to continue receiving the reduced sewer rate.

For purposes of this Resolution, a grandfathered account is limited to the individual and property receiving the senior sewer rate on the effective date of this Resolution and shall not run with the land or transfer to any subsequent owner, occupant, tenant, or utility account holder.

Section 2. No New Enrollment

No utility account that is not receiving the historical senior sewer rate on the effective date of this Resolution shall become eligible for the grandfathered rate.

Section 3. Termination of Grandfathered Status

A grandfathered account shall permanently lose eligibility for the reduced senior sewer rate upon the occurrence of any of the following events:

1. **Sale or Transfer of Property.** The property served by the utility account is sold, transferred, conveyed, or otherwise changes ownership.
2. **Death of the Qualifying Participant.** The individual qualifying for the grandfathered senior sewer rate dies or no longer resides at the property.
3. **Occupancy Status Change.** The property is no longer owner-occupied, including conversion to a rental property, occupancy by tenants, or any circumstance in which the qualifying participant no longer maintains the property as their primary residence.
4. **Excess Water Usage.** Water consumption for the account exceeds 8,000 gallons during any quarterly billing period.
5. **Account Closure or Transfer.** The utility account is closed, transferred to another individual, or otherwise ceases to be maintained by the individual receiving the grandfathered rate.
6. **Loss of Senior Water Rate Eligibility.** The account holder no longer qualifies for any senior water rate eligibility requirements established by City ordinance.

Section 4. Permanent Disqualification

The occurrence of any event listed in Section 3 shall permanently terminate grandfathered status. Upon termination, the account shall be billed at the applicable sewer rates established by City ordinance, and eligibility for the grandfathered rate shall not be reinstated.

Section 5. Administrative Authority

The City Administrator or designee is authorized to administer this Resolution, maintain records of grandfathered accounts, determine eligibility, and make billing adjustments necessary to implement its provisions.

Section 6. Effective Date

This Resolution shall take effect immediately upon its adoption.

ADOPTED by the City Council of the City of Maple Plain, Minnesota, this 27th day of July, 2026.

Julie M. Maas-Kusske, Mayor

ATTEST:

Jacob W. Schillander, City Administrator