

## ORDINANCE # 2023-02:

### AN ORDINANCE TO AMEND ORDINANCE §169-28 RATE STRUCTURE AND §169-29 BILLING OF CHAPTER 169 WATER AND SEWERS IN THE CODE OF THE VILLAGE OF WALDO, SHEBOYGAN COUNTY, WISCONSIN

The Village Board of the Village of Waldo do ordain as follows:

SECTION 1: §169-28 Rate Structure shall be amended as follows:

- A. Each user shall pay for the services provided by the Village based on their use of the treatment works as determined by water meter(s) acceptable to the Village. Meters shall be read ~~quarterly~~, **monthly**, or as requested by users to compute bills and reasonably apportion costs between the respective owners or tenants when there is a change in ownership or tenancy.
- B. Except as otherwise requested by the landlord or owner when there is a change in ownership or tenancy, monthly charges for residential contributors shall be ~~one and one half (1.5) times the minimum charge per month~~ **the sum of a minimum monthly charge plus a user charge based on the number of gallons discharged into the sewer** as set forth in §169-28(C), ~~in each of the first two months of each regular quarterly meter reading period. Charges for the third month of each quarterly meter reading period shall be for usage only and shall be computed at the user charge rate specified in §169-28(C) or §169-28(D), as appropriate, for the number of gallons used during that quarterly meter reading period.~~ **unless §169-28(D) or §169-28(E) shall impose a higher user rate or surcharge due to the strength or toxicity of the wastewater.** If a residential contributor has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that contributor may be based on wastewater meter(s) or a separate water meter(s) installed and maintained at the contributor's expense, and in a manner acceptable to the Village.

For industrial or commercial contributors, billing shall be done in the same manner as described in the preceding paragraph for residential contributors except that the minimum charge per month and the user charge rate to be used in the computation shall be as specified in §169-28(F) ~~or §169-28(D), as appropriate.~~ **unless §169-28(D) or §169-28(E) shall impose a higher user-rate or surcharge due to the strength or toxicity of the wastewater.** User charges shall be based on water used during the regular quarterly meter reading period, with a minimum charge that shall be set by the quantity and strength of the wastewater discharged into the Village's wastewater system. If a commercial or industrial contributor has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that contributor may be based on wastewater meter(s) or separate water meter(s) installed and maintained at the contributor's expense, and in a manner acceptable to the Village.

§169-29 Billing shall be amended as follows:

- A. All users shall be billed monthly. Billings for each **monthly meter reading period** shall be made within fifteen **(15 calendar)** days after the end of that **monthly meter reading period**. **Bills shall have a due date no earlier than 20 calendars days from the date of issuance.** Any bill not paid ~~within 20 calendar days of issuance~~ **by the due date** shall be considered delinquent.
- B. A late payment charge of one (1.0) percent of the total unpaid balance for utility service, including any unpaid late payment charges, shall be added to each delinquent bill on the ~~later of, 1) the last day~~

of the month in which that bill was issued, or 2) on the day when that bill first becomes delinquent as specified in paragraph (A) above. ~~day following the due date printed on the bill.~~

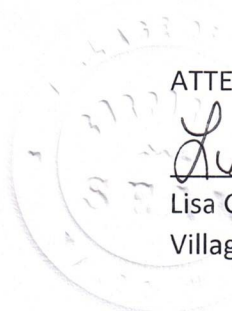
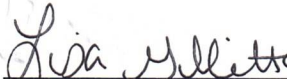
SECTION 2: SEVERABILITY: In the event any section, clause, paragraph, or phrase of this ordinance is deemed to be wholly or partially unenforceable by a court of law in a competent jurisdiction, the remaining sections of the ordinance shall remain in full force and effect.

SECTION 3: EFFECTIVE DATE: this ordinance shall be in full force and effect upon and from its passage and publication or posting as required by law.

Dated this 10<sup>th</sup> day of April, 2023.

  
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Gary Dekker-Village President

ATTEST:

  
  
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Lisa Gillette  
Village Clerk/Treasurer

Date Adopted: 4/10/2023

Date Published: 4/12/2023

Effective Date: 4/12/2023