

ORDINANCE NO. 745

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 42
OF THE CITY OF BOX ELDER MUNICIPAL CODE

WHEREAS, the City of Box Elder seeks to enhance the clarity and consistency of its ordinances through periodic review; and

WHEREAS, the City of Box Elder has reviewed the entirety of its municipal code so that amendments might be made to improve the clarity and consistency of various sections.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Box Elder, that the following Sections of Chapter 42 of the City of Box Elder Municipal Code be amended to read as follows:

Chapter 42. UTILITIES**ARTICLE II. SEWER****Sec. 42-29. Fees And Rates.**

42-29(c). *Service rates and surcharges.* For residential and Antelope Ridge classes of service with a city water account, sewer service charges are based on the average water use for November, December, and January. The derived fixed charge will be in effect for the following February through January. For all other classes of service, sewer service charges are based on actual monthly use. For all classes of service without a city water account, the sewer service charges will be charged in accordance to the master fee schedule. All classes of service are subject to surcharges as established by the city council.

Sec. 42-30. Billing And Collecting.

42-30(d). Bills are due on and delinquent after the 15th day of each month. All bills not paid by close of business on the 15th of the current month are subject to a late charge as set in the master fee schedule. If the 15th falls on a Saturday, Sunday, or on a holiday recognized by the city, the late charge will not be added to the bill until after close of business on the next scheduled working day of the utility billing office. If payment is not received within 30 days of the billing date, the sanitary sewer service will be terminated.

Sec. 42-31. Complaints And Adjustments.

42-31(a). If the customer believes their sanitary sewer service bill to be in error, the customer shall present their claim, in person, at the utility billing office before the bill becomes delinquent. Such a claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service for nonpayment. The customer may pay the bill under protest and the payment shall not prejudice their claim.

ARTICLE III. WATER

DIVISION 42-III-4. SERVICE ACCOUNTS

Sec. 42-161. Application For Water Services By A Contractor Or Temporary User.

42-161(b)(2). On parcels of land where no meter pit is present at the time of issuance of a building permit the contractor shall, within 60 days of issuance of the permit, install a city-approved meter pit, require a meter pit inspection and installation of the water meter. The temporary water service account will be activated upon installation of the meter or after 60 days from the building permit issuance, whichever occurs first, or at the discretion for the Public Works Director.

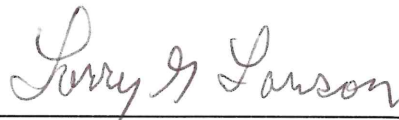
42-161(c). The applicant, unless otherwise provided, shall pay the normal minimum water fee or actual usage, whichever is greater, excluding sewer or garbage charges, each month the temporary water service account is in effect unless otherwise authorized in writing from the Public Works Director.

42-161(e). In multifamily dwelling units (three or more dwelling units per structure) temporary water service accounts will automatically convert to a regular water account adding sewer fees upon the issuance of a certificate of occupancy or 12 months from the building permit issuance, whichever occurs first, or at the discretion of the Public Works Director.

42-161(f). In commercial units, temporary water service accounts will automatically convert to a regular water account adding sewer fees upon the issuance of a certificate of occupancy or 12 months from the building permit issuance, whichever occurs first, or at the discretion of the Public Works Director.

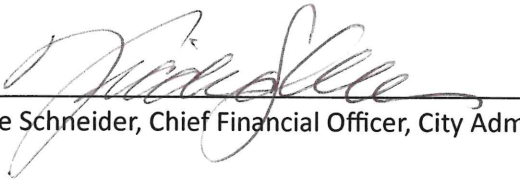
PASSED AND APPROVED ON FIRST READING this 2nd day of January, 2024.

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 16th day of January, 2024.



Larry Larson, Mayor

ATTEST:



Nicole Schneider, Chief Financial Officer, City Administrator

(SEAL)



ATTESTATION

I, Chaz Kokesh, the City Clerk of the City of Box Elder, South Dakota, do hereby attest and state the above ordinance was published on: January 25 2024 in the manner required by law and that all procedures required by the State of South Dakota law were complied with. This ordinance shall become effective on the twentieth day after its publication, that date being: February 14 2024.

Chaz Kokesh

Chaz Kokesh, City Clerk