

SENATE AMENDMENT NO. 2

Offered by Dempsey of 23rd

Amend SCS/House Bill No. 142, Page 2, Section 55.030, Line 31,

by inserting after all of said line the following:

"67.319. 1. If approved by a majority of the voters voting on the proposal, any city, town, or village located within this state may, by ordinance, levy and impose annually, upon water service lines providing water service to residential property having four or fewer dwelling units within the jurisdiction of such city, town, or village, a fee not to exceed one dollar per month or twelve dollars annually.

2. The ballot of submission shall be in substantially the following form:

For the purpose of repair or replacement of water lines extending from the water main to a residential dwelling due to failure of the line, shall (city, town, or village) be authorized to impose a fee not to exceed one dollar per month or twelve dollars annually on residential property for each water service line providing water service within the (city, town, or village) to residential property having four or fewer dwelling units for the purpose of paying for the costs of necessary water service line repairs or replacements?

offered 4-26-11
adapted 4-26-11

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☐ YES

☐ NO

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2 3. For the purpose of this section, a water service line
3 may be defined by local ordinance, but may not include the water
4 meter or exceed that portion of water piping and related valves
5 and connectors which extends from the water mains owned by the
6 utility or municipality distributing public water supply to the
7 first opportunity for a connection or joint beyond the point of
8 entry into the premises receiving water service, and may not
9 include facilities owned by the utility or municipality
10 distributing public water supply. For purposes of this section,
11 repair may be defined and limited by local ordinance, and may
12 include replacement or repairs.

13 4. If a majority of the voters voting thereon approve the
14 proposal authorized in subsection 1 of this section, the
15 governing body of the city, town, or village may enact an
16 ordinance for the collection of such fee. The funds collected
17 under such ordinance shall be deposited in a special account to
18 be used solely for the purpose of paying for the reasonable costs
19 associated with and necessary to administer and carry out the
20 water service line repairs as defined in the ordinance and, if
21 sufficient revenues are available, to reimburse the necessary
22 costs of water service line repair or replacement. All interest
23 generated on deposited funds shall be accrued to the special
24 account established for the repair of water service lines.

25 5. The city, town, or village may establish, as provided in
26 the ordinance, regulations necessary for the administration of
27 collections, claims, repairs, replacements and all other
28 activities necessary and convenient for the implementation of any
29 ordinance adopted and approved under this section. The city,

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1 town, or village may administer the program or may contract with
2 one or more persons, through a competitive process, to provide
3 for administration of any portion of implementation activities of
4 any ordinance adopted and approved under this section, and
5 reasonable costs of administering the program may be paid from
6 the special account established under this section.

7 6. Notwithstanding any other provision of law to the
8 contrary, the collector in any city, town, village or county that
9 adopts an ordinance pursuant to this section, who now or
10 hereafter collects any fee to provide for, ensure or guarantee
11 the repair of water service lines, may add such fee to the
12 general tax levy bills of property owners within the city, town,
13 village or unincorporated area of the county. All revenues
14 received on such combined bill which are for the purpose of
15 providing for, ensuring or guaranteeing the repair of water
16 service lines, shall be separated from all other revenues so
17 collected and credited to the appropriate fund or account of the
18 city, town, village or county. The collector of the city, town,
19 village or county may collect such fee in the same manner and to
20 the same extent as the collector now or hereafter may collect
21 delinquent real estate taxes and tax bills."; and

22 Further amend the title and enacting clause accordingly.

