



## Legislation Details (With Text)

**File #:** 10884      **Version:** 1      **Name:** Late Fees  
**Type:** Ordinance      **Status:** Passed  
**File created:** 6/9/2008      **In control:** WATER UTILITY BOARD  
**On agenda:** 7/15/2008      **Final action:** 7/15/2008  
**Enactment date:** 8/1/2008      **Enactment #:** ORD-08-00088  
**Title:** Amending Sections 13.12 and 35.02(8)(d) and creating Sections 35.025(5) and 37.05(4)(h) of the Madison General Ordinances to revise the late payment penalty for water and sewer services and to create a late payment penalty for landfill remediation and stormwater services to conform to the Wisconsin Administrative Code.  
**Sponsors:** Joseph R. Clausius

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/15/2008	1	COMMON COUNCIL	Adopt	Pass
7/2/2008	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	Pass
6/24/2008	1	WATER UTILITY BOARD	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
6/17/2008	1	WATER UTILITY BOARD	Refer	
6/17/2008	1	COMMON COUNCIL	Refer	
6/9/2008	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

This legislation corrects ordinances to recognize existing practices and regulations. No appropriation is required. There is no anticipated impact upon the General Fund or the tax levy.

**Title**

Amending Sections 13.12 and 35.02(8)(d) and creating Sections 35.025(5) and 37.05(4)(h) of the Madison General Ordinances to revise the late payment penalty for water and sewer services and to create a late payment penalty for landfill remediation and stormwater services to conform to the Wisconsin Administrative Code.

**Body**

DRAFTER'S ANALYSIS: The ordinances now provide for a 1.5% per month charge for late water and sewer bills. Pursuant to Public Service Commission regulations, that amount may not exceed 1%. The city has in fact been charging 1%, but the ordinances were never corrected to reflect that fact. This ordinance does so. In addition, this ordinance creates a similar 1% per month late payment penalty for landfill remediation and stormwater services bills.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

1. Section 13.12 entitled "Collection Of Water Utility Charges" of the Madison General Ordinances is amended to read as follows:

**"13.12 COLLECTION OF WATER UTILITY CHARGES.** The Water Utility shall issue bills for the water and services the Utility provides. A late payment charge of one and one-half percent (1-1/2%) of any unpaid

balance shall be assessed and added to the bill for such services if the amount of the bill is not paid within twenty-five (25) days thereafter (the "due date") and an additional late payment charge of one ~~and one-half~~ percent (1-~~1/2~~%) of the unpaid balance of the bill plus any previously assessed late payment charge remaining due at the end of every monthly anniversary of the due date shall be assessed and added to bills then remaining unpaid. The Treasurer shall proceed to collect the bills with the penalty with all the authority in collecting the tax vested in the Treasurer for the collection of general City taxes according to the provisions of Sec. 66.0809(1), Wis. Stats."

2. Subdivision (d) of Subsection (8) entitled "Collection of Demand Charges and Sewer Rental" of Section 35.02 entitled "The Public Sewerage System" of the Madison General Ordinances is amended to read as follows:

"(d) The bills for Sewerage Utility charges shall be dated and issued to users. A late payment charge of one ~~and one-half~~ percent (1-~~1/2~~%) of any unpaid balance shall be assessed and added to the bill for such services if the amount of the bill is not paid within twenty-five (25) days thereafter (the "due date") and an additional late payment charge of one ~~and one-half~~ percent (1-~~1/2~~%) of the unpaid balance of the bill plus any previously assessed late payment charge remaining due at the end of every monthly anniversary of the due date shall be assessed and added to bills then remaining unpaid."

3. Subsection (5) of Section 35.025 entitled "Landfill Remediation" of the Madison General Ordinances is created to read as follows:

"(5) The bills for Landfill Remediation charges shall be dated and issued to users. A late payment charge of one percent (1%) of any unpaid balance shall be assessed and added to the bill for such services if the amount of the bill is not paid within twenty-five (25) days thereafter (the "due date") and an additional late payment charge of one percent (1%) of the unpaid balance of the bill plus any previously assessed late payment charge remaining due at the end of every monthly anniversary of the due date shall be assessed and added to bills then remaining unpaid."

4. Subdivision (h) of Subsection (4) entitled "Rates and Charges" of Section 37.05 entitled "The Public Stormwater System" is created to read as follows:

"(h) The bills for stormwater services shall be dated and issued to users. A late payment charge of one percent (1%) of any unpaid balance shall be assessed and added to the bill for such services if the amount of the bill is not paid within twenty-five (25) days thereafter (the "due date") and an additional late payment charge of one percent (1%) of the unpaid balance of the bill plus any previously assessed late payment charge remaining due at the end of every monthly anniversary of the due date shall be assessed and added to bills then remaining unpaid."