

CITY OF EVELETH
ORDINANCE NO. 83

**AN ORDINANCE IMPOSING PENALTIES FOR NON-COMPLIANCE
WITH WATER METER UPGRADE REQUIREMENTS**

BE IT ORDAINED by the City Council of the City of Eveleth:

WHEREAS, Eveleth City Code Section 3.04, Subdivision 5, “Right of Entry,” provides that by applying for or receiving municipal utility service, a customer irrevocably consents to allow City employees access to private property for purposes such as inspecting, repairing, reading meters, and other utility-related activities; and

WHEREAS, upgrading existing water meters to AMI remote-read water meters will improve efficiency and accuracy in water billing and service monitoring for the City; and

WHEREAS, it is essential to ensure that all property owners provide access for the completion of these upgrades to comply with City requirements.

NOW, THEREFORE, BE IT ORDAINED, that:

1. Right of Entry for Meter Upgrades

In accordance with Section 3.04, Subdivision 5 of the City Code, property owners who apply for or receive municipal utility service agree to allow entry to City employees or authorized contractors for upgrading existing water meters to AMI remote-read water meters. It is unlawful for any person to refuse or willfully neglect to consent to allow such entry after receiving notification from the City’s Public Works department or authorized contractor.

2. Compliance Period

Property owners shall have a period of thirty (30) days from the date of official notification to provide access to City representatives for the required meter upgrade.

3. Civil Penalty for Non-Compliance

Property owners who fail to provide access within the compliance period shall incur a penalty of One Hundred Dollars (\$100.00) the first month, Two Hundred Fifty Dollars (\$250.00) the second month, Five Hundred Dollars (\$500.00) the third month added to the property owner’s utility bill, and the water will be shut off the fourth month.

4. Misdemeanor Violation

In accordance with Section 3.99 of the Eveleth City Code, failure to comply with this ordinance shall be subject to prosecution for a misdemeanor offense and subject to

applicable fines and penalties. Any such penalties shall be in addition to the civil penalties imposed for non-compliance.

5. Additional Remedies

The City reserves the right to pursue additional legal remedies as necessary to enforce compliance with this ordinance.

Adopted this 3rd day of December, 2024 on motion of Councilor Perpich, supported by Councilor Rauzi by the following vote:

Ayes: Rauzi, Koivunen, Perpich, Lillis, Vlasisavljevich
Nays: None
Absent: None

This ordinance shall be in effect seven (7) working days after publication of the ordinance.

Mayor, Robert Vlasisavljevich

Attest:

City Clerk/Administrator,
Jackie Monahan-Junek