



RED CLIFF BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

88385 Pike Road

Bayfield, WI 54814

Phone: 715-779-3725 Fax: 715-779-3724

RED CLIFF LEGAL DEPARTMENT

Posted on 03/04/2020

NOTICE

TO RED CLIFF TRIBAL COMMUNITY MEMBERS:

YOU ARE HEREBY NOTIFIED THAT THE FOLLOWING CHANGES TO THE RED CLIFF CODE OF LAWS ARE BEING PROPOSED BY THE RED CLIFF WATER AND SEWER DEPARTMENT:

PERTAINING TO CHAPTER 34 – WATER & SEWER UTILITIES SECTIONS 34.8.7, 34.12.4, 34.12.7, 34.13.2 & add section 34.17

CHANGES AND ADDITIONS ARE INDICATED IN **BOLD** AND *ITALICIZED* DELETIONS ARE INDICATED WITH ~~STRIKETHROUGHS~~.

ADD language to section 34.8.7

34.8.7 All privies and holding tanks shall be maintained in a clean and sanitary condition. ***Permit holders shall insure that their holding tank(s) are pumped no less than once every three (3) years by a licensed sanitary pumping company. Permit holders shall submit written documentation to the Red Cliff Utilities Department in the form of a report showing that their holding tank has been pumped in accordance with the requirements of this section. Failure to meet the requirements of this section shall constitute a violation***
and shall ***subject the permit holder to enforcement action under sec. 16 of Chapter. In addition, a permit holder violating this section may be held responsible for any environmental remediation costs, as***
assessed ***by the Tribal Court.***

DELETE indicated language from 34.12.4

34.12.4 The minimum quarterly billing shall be sufficient to pay the annual debt retirement and loan reserve account costs. The unit price per volume shall be sufficient to pay the annual cost of operation and maintenance, including any

replacement fund, of the sewage works. Users will be notified annually of the portion of user charges or ad valorem taxes attributable to wastewater treatment services. Water meter readings shall be used to determine the actual water volume used. All monthly bills will be based on actual water used. ~~If a portion of the water furnished to any customer is not discharged into the sewer system, the quantity of such water will be deducted in computing the charge for sewer service, provided a meter has been installed to measure such water.~~ The customer must at his/her own expense make necessary changes in the water piping and install couplings so that a meter can be set. A charge for the actual cost of providing a meter shall be paid by the customer. Where it is not possible to obtain a water meter reading, or in cases where no water meter exists, the customer shall be assigned an average water volume by the Tribe, based on previous meter readings and this shall be so stated on the bill. The difference shall be adjusted when the meter is again read.

DELETE indicated language and add additional language to 34.12.7 and 34.13.2:

34.12.7 All charges for water and sewerage service shall be made monthly and shall be payable on the tenth day of every month. ~~Those bills not paid on or before the 25th of the month will be subject to a ten dollar (\$10) penalty charge, see Appendix B for fees.~~ ***Charges shall be determined by the Utilities Department in accordance with the schedule set out in Appendix B.*** A failure to receive a bill shall not excuse non-payment. Sewerage service charges shall be a lien on the property served in accordance with Section 66.076(7) of the Wisconsin Statutes.

34.13.2 ***Billing.*** The property owner shall be held responsible for all utility bills on premises that s/he owns. All utility bills and notices of any nature relative to the utility services will be delivered to the premises referred to on such bill or notice between the first and ~~fifteenth~~ ***tenth*** of each month. Such bill shall be due and payable to the Utilities Department ~~before the end of the month in which the bill is rendered.~~ ***monthly.***

ADD section 34.17 which shall read as follows:

34.17 *Section 17: Sewer Only Customers*

Sewer customers that have access to water other than which is provided by the Utilities Department, and do not have a holding tank or mound system must discharge into the sewer main within 300 feet of their dwelling. If a dwelling is closer than three hundred (300) feet to the sewer main and a holding tank or mound system is in use, the user is subject to the mandatory hook up provisions of sec. 34.6 of this Chapter.

- 34.17.1** *All users must pay the monthly flat rate specified in Appendix A to this Chapter. Failure to pay monthly service charges and other fees when due shall subject the user to disconnection. Notice will be sent in writing to homeowner making aware the bill is delinquent, with date of late payment due. Failure to pay within the time specified in the notice will result in service interruption pursuant to Section 34.14 of this Chapter.*
- 34.17.2** *Sewer only discontinuance of service, Utilities Department Staff will determine if service is to be interrupted and preform the following steps.*
- (a) Notice to User in writing by Certified US Mail of delinquency, ten (10) days to make payment.*
 - (b) If payment is not made within the ten (10) days, Utilities Department will then contact User, by phone or in person. Notifying User service will be disrupted within three (3) business days.*
 - (c) Failure to correct within three (3) days, Utilities Department will insert a sewer bladder into the nearest accessible point.*
 - (d) Sewer bladder will be removed once user is paid in full or payment arrangement is signed with Utilities Department. Failure to follow payment arrangement shall result in further penalties as provided in Appendix B of this Chapter.*
- 34.17.3** *Sewer services which include an E-1 sewer pump, or other type of sewer pump in a private dwelling, will be responsible for repair or replacement by the homeowner if pump failure occurs. Homeowners must hire a licensed plumber to assist in repairs or replacement, private sewer systems are not the responsibility of the Red Cliff Utilities Department and will not be held liable for any cost occurred in personal sewer pump systems.*

PUBLIC COMMENT ON THIS PROPOSAL IS ENCOURAGED. PLEASE DROP YOUR COMMENTS AT THE TRIBAL ADMINISTRATION BUILDING, OR FORWARD THEM DIRECTLY TO THE TRIBAL COUNCIL. THIS PROPOSAL WILL BE VOTED UPON ON APRIL 6TH, 2020 AT THE REGULAR MEETING OF THE RED CLIFF TRIBAL COUNCIL. IF THE COUNCIL ENACTS THESE CHANGES, THE CHANGES SHALL BECOME EFFECTIVE ON upon enactment.

DATED: March 4th, 2020