

Resolution #3
Street Light Surcharge Per User

WHEREAS, Ordinance 3.0601 of the municipal ordinances for the City of Wishek, McIntosh County, North Dakota (“Wishek”) provides as to the street light system in Wishek that “[e]ach user will be notified on their regular monthly city utility billing of the rate and that portion of the user charges which are attributable to the operation and maintenances of the street light system.”

WHEREAS, the term “user is not defined in Chapter 3 of the municipal ordinances for Wishek and a resident of Wishek has inquired as to whether the owner of a continuous parcel of land on which more than one water meter exists is responsible for paying the street light charge for each parcel.

WHEREAS, the city council for Wishek has considered the aforementioned ordinance and perceives potential ambiguity in the ordinance.

WHEREAS, the city council for Wishek has considered the express intent of the aforementioned ordinance as well as the general purpose of the ordinance.

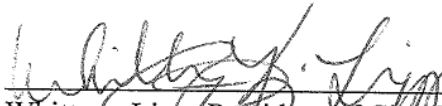
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WISHEK, NORTH DAKOTA:

BE IT RESOLVED, that the City of Wishek understands the term “user” as it appears in Ordinance 3.0601 of the municipal ordinances for the City of Wishek, McIntosh County, North Dakota to mean the owner(s) contiguous parcel of land owned by the same person(s) regardless of the number of water hookups located on the parcel, except that in the case that there is more than one dwelling as defined by Ordinance 6.13.23 on any contiguous parcel then each dwelling shall constitute a distinct user.

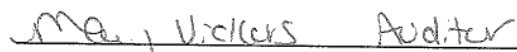
BE IT FURTHER RESOLVED that the City Auditor for Wishek shall adjust all regular monthly city utility billings for which a singular user is being charged more than one street light system charge to the extent that the City Auditor is aware of such duplicative charge.

BE IT FURTHER RESOLVED that the City Auditor for Wishek has no duty to make specific inquiry or take any affirmative steps to determine whether any user is being charged more than one street light system charge and is required to amend regular monthly city utility billings only upon being provided by the user notice and satisfactory proof of the duplicative street light system charge.

Adopted by the Council this 1st day of November, 2021



Whitney Lipp, President of City Council



Mary Vickers, City Auditor

With concurrency by the Mayor of the City of Wishek:



Brenda Dohn, Mayor