

said fund and the full faith and credit of the county shall be irrevocably pledged for the redemption and payment of the certificates so issued. Such certificates shall be payable primarily from the moneys derived from the levy for the years against which such certificates were issued, but shall constitute unlimited general obligations of the county. Moneys derived from the sale of such certificates shall be credited to the fund or funds the taxes for which are so anticipated."

Approved April 20, 1935.

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#### CHAPTER 221—H. F. No. 1002

*An act authorizing cities, other than cities of the first class, and cities of the second class organized under a home rule charter, however organized and villages to establish and collect rates, charges or rentals for the use and/or operation of sewerage systems and for sewage pumping stations and sewage treatment and disposal plants, and providing for the application of such funds to the cost, construction and operation or maintenance thereof.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Certain cities may install sewage systems and pumping stations.**—Any city, other than cities of the first class, and cities of the second class organized under a home rule charter, however organized, and any village which has installed or may hereafter install, a system of sewers, sewage pumping station, or a sewage treatment or disposal plant or plants for public use, in addition to all other powers granted to it shall have authority, by an ordinance duly adopted by the governing body thereof, to charge just and equitable rates, charges or rentals for the use of such facilities and for connection therewith by every person, firm or corporation whose premises are served by such facilities either directly or indirectly. Such charges shall be as nearly as possible equitable and in proportion to the service rendered, and shall take into consideration the quantity of sewage produced and its concentration, strength of river, lake, bay or other body of water pollution qualities in general and the cost of its disposal. The charges shall be fixed on the basis of water consumed, or on any other equitable basis said governing body may deem appropriate, and if the council so directs may be established as a surcharge on the waterbills of all water consumers in the municipality on the grounds that said sewage treatment is for the purpose of preventing pollution

of sources of water supply, or on some other basis of measuring the use made of the aforesaid facilities. In case of arrangements with other municipalities, districts or private parties for the supplying of sewers aforesaid, such rates, charges or rentals may also be levied the same as in independent operations.

**Sec. 2. Moneys received shall be placed in special fund.**—The moneys received from the rates, charges or rentals as herein authorized shall be kept separate from the general or other revenues of the political subdivision, and when so collected shall be placed in a separate general sewer fund, or in the water fund of any such city, village or borough. Also, any moneys received from the sale of any by-products arising out of sewage treatment or disposal shall be credited to this fund. The moneys so received shall be recorded, deposited, secured and paid out as other funds of the political subdivision are; provided, that upon establishing and fixing the charges aforesaid the receipts therefrom shall be used first to meet the costs of operating and maintaining the said facilities, and any additional sums collected shall be applied to capital charges represented by bonds, certificates of indebtedness, or otherwise, and to the reasonable requirements for replacements and obsolescence. In determining the amount of capital costs to be met, the amount charged to special assessments, and also any amount of such cost properly chargeable to other than sanitary sewers, shall be deducted therefrom; and no such rate, charge or rental shall include any amount therefor or be applied thereto upon their collection.

**Sec. 3. Charges to be against the owner, lessee or occupant.**—The rates, charges or rentals for the aforesaid sewer service may be made a charge against the owner, lessee or occupant of the premises, duly charged and billed for the services hereunder, or against any or all of them; and any such claim for unpaid rates, charges or rentals which have been properly billed to the occupant of the premises may be collected in a civil action in any court of competent jurisdiction, or, in the discretion of the governing body of the municipality, may be certified to the county auditor (or auditors of the counties) with the taxes against such property served and shall be collected as other taxes are collected. Payments of delinquent rentals shall be credited to the same fund as current funds for that purpose are, deducting therefrom any cost of collection accruing to the political subdivision.

Approved April 20, 1935.