444.25 WATER AVAILABILITY; STANDBY CHARGES.

Subdivision 1. **Definitions.** For the purpose of this section the following terms have the meanings given them.

(a) "Water availability or standby charge" means an additional charge or fee imposed by a water utility on the owners of structures because the structures are equipped with fire protection systems such as stand pipes, hydrants, or automatic fire protection sprinkler systems.

(b) "Water utility" means the owner or operator of a public or private waterworks, whether authorized under chapter 110A for a rural water user district, section 368.01 for a town, section 412.321 for a statutory city, this chapter for a city generally, chapter 456 for a city of the first class, chapter 471A when the waterworks has been transferred to private ownership or operation, or other law relating to authorization of waterworks.

Subd. 2. **Charges limited.** No water utility may impose a water availability or standby fee or charge on an owner of a structure containing a fire protection system that is in addition to the fee or charge for water actually used and beyond the actual cost to the utility of providing installation, inspection, and maintenance for the system. Nothing in this section prohibits a water utility from recovering the cost of supplying water to an area when the cost is spread proportionately among all the structures in the benefited area.

Subd. 3. **Appeal.** An owner of a structure containing a fire protection system may appeal to the water utility any amount charged that is in violation of this section.

History: *1988 c 499 s 1*