

2015 -- S 0880

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LC002572
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

IN AMENDMENT OF CHAPTER 330 OF THE PUBLIC LAWS OF 1997 AS AMENDED BY
CHAPTER 140 OF THE PUBLIC LAWS OF 2006, PERTAINING TO SEWERS IN THE
TOWN OF COVENTRY

Introduced By: Senators Raptakis, Gee, and Kettle

Date Introduced: May 06, 2015

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sec. 9 of Chapter 330 of the Public Laws of 1997 as amended by Chapter
2 140 of the Public Laws of 2006 (collectively the "Act") is hereby further amended to read as
3 follows:

4 Sec. 9. The council shall prescribe just and equitable sewer assessment rates on account
5 of the construction costs, to be levied against owners of property abutting on that portion of any
6 highway in which a common sewer is laid under this act and also rates of annual charge, on
7 account of operating and maintenance costs, to be levied against owners of property which is
8 connected to a common sewer.

9 Sewer assessments shall be levied ~~at a uniform rate~~ against real property (improved and
10 unimproved), residential and non-residential, based upon rates that shall be established by the
11 council from time to time, by ordinance amendment, which assessments shall be based upon the
12 estimated cost of constructing all sewers, sewer service connections and other sewage works
13 belonging to the town. Annual charges shall be computed according to water consumption or
14 other factors deemed equitable by the council. Such annual charges herein referred to shall be
15 paid annually by every property owner or institution whose property is connected to the town
16 sewage works.

17 ~~The sewer assessments may be determined according to the number of units for~~
18 ~~residential dwellings and property valuation for non-residential buildings.~~ The council shall, from

1 time to time and by ordinance amendment, adopt an assessment charge for real property
2 (improved and unimproved). Said assessments shall apply to residential and non-residential
3 properties. The council may, from time to time, redetermine the rates fixed for sewer assessments,
4 if construction costs warrant, and may redetermine rates for annual charges if costs so warrant.

5 The council shall, from time to time and by ordinance amendment, adopt a betterment
6 assessment which betterment assessment shall apply to residential and non-residential properties
7 serviced by public sewers which are privately built, on public property and to all properties that
8 propose a change in use, or an increase in daily flow after the initial assessment date. Properties
9 that propose a change in use or an increase in daily flow after the initial assessment date are
10 subject to both initial assessment and betterment assessments.

11 The sewer assessments herein referred to shall be paid by every property owner or
12 institution whose property is abutting on that portion of any highway in which a common sewer is
13 laid under this act or is connected to the town's sewage works. Sewer assessments levied
14 hereunder may be paid in as many as twenty (20) annual installments, upon application by the
15 property owner and approval of the council. In the case of installment payments, interest at a rate
16 not to exceed eight percent (8%) per annum, shall be charged annually on the unpaid balance of
17 the total sewer assessment.

18 The council shall annually certify to the town treasurer all the annual charges and sewer
19 assessments made by it under the authority of this act. Each charge or assessment made by said
20 council pursuant to this act shall be a lien upon the lands, buildings and improvements upon
21 which it is made in the same way and manner as taxes assessed on real estate, but such liens shall
22 not expire until the charge or assessment with all interest, costs and penalties thereon is paid in
23 full, and, if the charge or assessment is not paid as required, it shall be collected in the same
24 manner that taxes assessed on real estate are by law collected. Such annual charges and sewer
25 assessments shall be due and payable at the time the regular town taxes are first due and payable
26 next after the date of receipt by the town treasurer of the aforesaid certificate of said annual
27 charges and sewer assessments from the council. The town treasurer, after receiving a list of
28 charges or assessments under this section, shall forthwith, at the expense of the town, send to
29 each person assessed or charged notice of the amount of his or her assessment or charge. The
30 notice shall substantially identify the person assessed, state the amount of the assessment or
31 charge and refer to the remedy available under section 19 of this act. The notice shall be mailed
32 postpaid and directed to the last known address of the person assessed. If there are persons whose
33 addresses are unknown, a similar notice covering the assessments against such persons shall be
34 published in a newspaper of general circulation in the town and such published notice may be a

1 single collective notice for all such persons. No irregularity in the notice required by this section
2 shall excuse the nonpayment of the assessment or charge or affect its validity or any proceedings
3 for the collection thereof as long as there is substantial compliance with the provisions hereof. No
4 deficiency in the notice to the person assessed shall excuse the nonpayment by others of the
5 assessment or charges assessed against them or affect the validity thereof or any proceedings for
6 the collection thereof. The tax collector shall without further warrant collect such annual charges
7 and assessments in the same manner and at the same time as the regular taxes of the town are first
8 payable. Interest at the rate per annum fixed for nonpayment of town taxes shall be charged and
9 collected upon all overdue charges and assessment from the date they become payable until paid.

10 The council may at any time cancel in whole or in part any charge or assessment to the
11 extent the council determines such charge or assessment to have been improperly imposed.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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IN AMENDMENT OF CHAPTER 330 OF THE PUBLIC LAWS OF 1997 AS AMENDED BY
CHAPTER 140 OF THE PUBLIC LAWS OF 2006, PERTAINING TO SEWERS IN THE
TOWN OF COVENTRY

- 1 This act would make a number of changes to the law governing sewer charges and
- 2 assessments in the town of Coventry.
- 3 This act would take effect upon passage.

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