§ 452. Sewer rents. 1. Where authorized by law to establish and impose sewer rents pursuant to this article, the local legislative body of a city or village or of a county or town on behalf of a sewer district or wastewater disposal district may establish and impose sewer rents in accordance with the provisions of this article as a means of producing revenue.

2. Such sewer rents may be established and imposed by local law, or resolution by cities, counties and villages, and may be imposed by local law, ordinance, or resolution by towns on behalf of sewer districts or wastewater disposal districts. A resolution establishing and imposing sewer rents shall be adopted only after a public hearing upon five days' public notice. In the case of a sewer district or wastewater disposal district in a town which district has a board of sewer commissioners, any such local law, ordinance, or resolution may be enacted only in conformance with the recommendation of the board of sewer commissioners. The provisions of sections one hundred thirty and one hundred thirty-three of the town law, as amended from time to time, shall apply to the adoption of such ordinances in towns. Any amendments to or other action taken affecting such sewer rents shall be accomplished in the same manner as herein provided for the original establishment of sewer rents.

3. Sewer rents shall constitute a lien upon the real property served by the sewer system or such part or parts thereof for which sewer rents shall have been established and imposed. The lien shall be prior and superior to every other lien or claim except the lien of an existing tax, assessment or other lawful charge imposed by or for the state or a political subdivision or district thereof.

4. The local legislative body of a city or village, or of a county or town on behalf of a sewer district or wastewater disposal district may bring and maintain an action (a) as upon contract for sewer rents in arrears, including penalties and interest, or (b) to foreclose liens for such sewer rents; provided, however, that in the case of a sewer district or wastewater disposal district in a town which district has a board of sewer commissioners any such action shall be brought and

maintained by such board. As an alternative to the maintenance of any such action, any such local legislative body or board of sewer commissioners of a sewer district or wastewater disposal district, as the case may be, may annually cause a statement to be prepared setting forth the amount of each lien for sewer rents in arrears, the real property affected thereby and the name of the person in whose name such real property is assessed. Such statement shall be presented to the board or body empowered to levy city, village, county or town taxes, as the case may be, on or before a date to be specified by such board or body. Such board or body shall levy the amounts contained in such statement against the real property liable at the same time and in the same manner as city, village, county or town taxes, as the case may be, and such amounts shall be set forth in a separate column in the annual tax rolls. The amounts so levied shall be collected and enforced in the same manner and at the same time as may be provided by law for the collection and enforcement of city, village, county or town taxes, as the case may be.

5. The local law or ordinance establishing and imposing sewer rents:

(a) Shall describe the sewer system or the part or parts of the sewer system for which such rents shall be established and imposed.

(b) Shall prescribe the basis of the charge for such rents.

(c) Shall provide for the date or dates on which sewer rents shall become due and payable.

(d) May provide for penalties for sewer rents in arrears or for discounts for the prompt payment of such rents, or for both penalties and discounts.