

**TITLE VI PHYSICAL ENVIRONMENT**

**CHAPTER 5 UTILITIES - BILLING CHARGES**

**WATER RATES**

- 6-5-1 Purpose
- 6-5-2 Water Rates
- 6-5-3 Payment
- 6-5-4 Enforcement
- 6-5-5 Non-Payment of Water Charges
- 6-5-6 Deposit
- 6-5-7 Lawn Water Meters
- 6-5-8 Right of Entry

- 6-5-11 Sewer System Defined
- 6-5-12 Who Shall Pay Rent
- 6-5-13 Rental Rate; Served By City Water
- 6-5-14 Rental Rate; Served By Private Water
- 6-5-15 Sewer Service Charges Required
- 6-5-16 Sewer Surcharges
- 6-5-17 Rental Rate; Precedence
- 6-5-18 Payment Method
- 6-5-19 Nonpayment
- 6-5-20 Additional Service Charge

**SEWER RATES**

- 6-5-9 Purpose
- 6-5-10 Sewer District Created

**GENERAL**

- 6-5-21 Residential Rental Property

**WATER RATES**

6-5-1 Purpose. The purpose of this Chapter is to fix water rates and to provide a method for enforcing their collection.

(Ord. 175, Passed 1961)

6-5-2 Water rates. The rate for water shall be established by resolution of the City Council

(Ord. 513, Passed 1982)

(Ord. 544, Passed 1986)

(Ord. 564, Passed 1988)

(Ord. 642, Passed 2001)

(Ord. 719, Passed 2012)

6-5-3 PAYMENT. Water bills shall be calculated and billed on a quarterly basis. Bills shall be calculated in March, June, September and December of each year and shall be due and payable in the following month. Bills will be calculated and mailed out on the 10<sup>th</sup> day of the month. Bills are due and payable no later than the 6<sup>th</sup> day of the month following the month in which the bills were calculated. Effective the 7<sup>th</sup> day of the month following the month in which the bills were calculated, a utility bill shall be considered past due, and a penalty charge equal to five per cent (5%) of the total unpaid utility bill shall be added to the amount due.

Accounts which are past due shall receive a reminder notice that the account is past due and requires payment. If an account remains unpaid for ten days after the reminder notice is provided, the account holder shall be mailed a final “shut off” notice indicating that unless payment in full is received within five days of the date of the final notice, water service will be discontinued until

payment in full is received.

The City will assist the customer by establishing a “payment agreement” allowing the customer to make payments on the utility account. Customers must meet the terms established in the payment agreement or the City will discontinue water service on the account. The City will not authorize a payment agreement on any account that has been issued a final “shut off” notice

(Ord. 362, Passed 1976)

(Ord. 724, Passed 2012)

6-5-4 ENFORCEMENT. Upon receipt of the final “shut off” notice, the customer must make payment in full within five days of all balances due on the utility account. Accounts which have not been paid in full at the expiration of the five day period will be assessed a twenty five dollar (\$25.00) fee. At this time, the City will generate a “shut off” list and the City will discontinue water service by physically turning off the water service to the property. If the water service is physically turned off, the account will be assessed an additional twenty five dollar (\$25.00) reconnection fee. This fee will be added to the past due balance and all balances due must be paid before the water service will be turned back on.

Should the customer require the water service to be turned back on outside of regular working hours, there shall be a seventy five dollar (\$75.00) additional charge to reimburse the water fund for actual costs incurred.

(Ord. 693, Passed 2008)

(Ord. 655, Passed 2002)

(Ord. 565, Passed 1988)

(Ord. 533, Passed 1987)

(Ord. 460, Passed 1980)

(Ord. 724, Passed 2012)

6-5-5 NONPAYMENT OF WATER CHARGES. Water charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the City Clerk to the County Auditor for collection in the same manner as property taxes.

(Ord. 578, Passed 1990)

6-5-6 DEPOSIT. A one hundred twenty dollar deposit shall be paid by each water user for a five-eighths inch water meter, and a one hundred twenty dollar deposit shall be paid by each water user for a three-fourths inch water meter. The deposit may be increased by resolution of the City Council upon written request from the Public Works Director as the cost of water meters increase upon future water meter purchases by the City. Upon discontinuance of water service by the consumer, the deposit will be returned by the City Clerk less any unpaid water bills owed to the City, and further conditioned upon the water meter being in operating order at the time of discontinuation of the water service.

(Ord. 364, Passed 1976)

(Ord. 619, Passed 1996)

(Ord. 655, Passed 2002)

(Ord. 686, Passed 2007)

(Ord. 719, Passed 2012)

6-5-7 **LAWN WATER METERS.** The residential owner or occupant may purchase and install a water meter from the City for outside lawn and outside water usage and a remote outside register shall be installed for reading said meter. The user shall pay the City the cost of the meter and the meter shall remain city property. The meter for the outside lawn water usage is exempt from sewer tax. Any person who misuses the outside lawn water connection is subject to penalties as described in Chapter 1-3 of this Code, and in addition, upon a finding of misuse, the outside lawn water meter shall be immediately disconnected at the user's expense and the meter forfeited to the City. Misuse of the lawn water meter includes, but is not limited to, any use of said water for domestic purposes inside the residence. The offense of misuse of the water meter may be filed by civil citation or municipal infraction as described in Chapter 1-3 of this Code

(Ord. 677, Passed 2006)

(Ord. 719, Passed 2012)

6-5-8 **RIGHT OF ENTRY.** The public works department employees shall be permitted to enter the premises of any outside lawn meter customer at any reasonable time to read, remove, or change a meter, or to inspect the plumbing connections to the outside lawn water meter.

(Ord. 677, Passed 2006)

## SEWER RATES

6-5-9 **PURPOSE.** The purpose of this chapter is to collect from all users of the City sewer system the costs in whole or in part of constructing, replacing, operating and maintaining the sanitary sewers and sewage treatment plant in proportion to the service provided to each user.

(Ord. 579, Passed 1990)

6-5-10 **SEWER DISTRICT CREATED.** One sewer district is created which includes all of the City.

(Ord. 579, Passed 1990)

6-5-11 **SEWER SYSTEM DEFINED.** For use within this chapter, "sewer system" includes main sewers, sewage pumping stations, treatment and disposal plants, lateral sewers and sewer connections in public streets for private property.

(Ord. 579, Passed 1990)

6-5-12 **WHO SHALL PAY RENT.** Every person, firm or corporation whose premises now or hereafter are directly or indirectly served by a connection to the City sewer system shall pay rent to the City at the rate and in the manner as provided for in Sections 6-5-13, 6-5-14 and 6-5-15.

(Ord. 579, Passed 1990)

6-5-13 **RENTAL RATE; SERVED BY CITY WATER.** The rate for sewer shall be established by resolution of the City Council.

(Ord. 616, Passed 1996)

(Ord. 612, Passed 2001)

(Ord. 675, Passed 2006)

(Ord. 688, Passed 2008)

(Ord. 719, Passed 2012)

6-5-14 RENTAL RATE; SERVED BY PRIVATE WATER. The rate of rent for those customers who did not use City water shall be set by resolution of the City Council.

(Ord. 616, Passed 1996)

(Ord. 688, Passed 2008)

(Ord. 719, Passed 2012)

6-5-15 SEWER SERVICE CHARGES REQUIRED. Every nonresidential customer shall pay to the City sewer service fees, rates, charges and surcharges, as hereinafter provided: All sewer rental rates for nonresidential users are currently charged at the same base rate as residential users.

(Ord. 664, Passed 2004)

6-5-16 SEWER SURCHARGES. There are hereby imposed upon discharges into the municipal sewer system the following surcharges for the discharges listed, and said surcharges shall be due

and payable twenty days from the date of billing thereof:

1. B.O.D. or T.S.S. (whichever is greater in concentration):

a. See Schedule 1 of Exhibit "A"

b. The surcharges specified herein apply to the daily usage for each day of violation from and after the day of occurrence, and shall be imposed daily at the applicable surcharge rate until the discharging party provides satisfactory evidence of compliance with applicable standards. It shall be a specific duty of the discharging party to monitor/test sewer discharges adequately and said discharging party shall be solely responsible for all testing and costs related thereto, and the discharging party shall reimburse the City for their expenses incurred in monitoring/testing discharges. Said surcharges and cost shall all be due and payable twenty days from the date of billing thereof. These rates may be adjusted by resolution of the City Council.

2. Oil and Grease (parts per million):

a. See Schedule 2 of Exhibit "A"

b. The surcharge specified herein applies to the daily usage for each day of violation from and after the day of occurrence and shall be imposed daily at the applicable surcharge rate until the discharging party provides satisfactory evidence of compliance with applicable standards. It shall be the specific duty of a discharging party to monitor/test sewer discharges adequately and said discharging party shall be solely responsible for all testing and costs related thereto, and they shall reimburse the City for all costs incurred in the monitor/testing of sewer discharges by the city. Said surcharges and cost shall be due and payable twenty days from the date of billing thereof. A violation is a municipal infraction. These rates may be adjusted by resolution of the City Council.

3. Municipal Infraction. The repeated violations resulting in sewer surcharges by any nonresidential user more than five days of any given six-month period may in addition be fined and punished pursuant to Chapter 1.13, Penalty, and under Chapter 687 through 747 of the Code of Iowa.

EXHIBIT A

We propose the following surcharges:

1. BOD or TSS (whichever is greater in concentration)

Strength (PPM)	Surcharge per 1,000 Gallons or Part Thereof
Less Than 300	No Surcharge
300-399	\$ 0.70
400-499	1.40
500-599	2.10
600-699	2.80
700-799	3.50
800-899	4.20
900-999	4.90
1000-1099	5.60
1100-1199	6.30
1200-1299	7.00
1300-1399	7.70
1400-1499	8.40
1500-1599	9.10
1600-1699	9.80
1700-1799	10.50
1800-1899	11.20

Strength (PPM)	Surcharge per 1,000 Gallons or Part Thereof
1900-1999	\$11.90
2000-2099	12.60
2100-2199	13.30
2200-2299	14.00
2400-2499	14.70
2500-2599	15.40
2600-2699	16.10
2700-2799	16.80
2800-2899	17.50
2900-2999	18.20

Greater than 3,000	\$ 18.90 per multiple of 1,000 gallons or portion thereof
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2. Oil and Grease

Strength (PPM)	Surcharge per 1,000 Gallons
Less than 50	No Surcharge
50-99	\$2.10
100-149	\$4.20
150-199	\$6.30
200-249	\$8.40
250-299	\$10.60
Greater than 300	\$12.70 per multiple of 1,000 gallons or portion thereof

(Ord. 664, passed, 2004)

6-5-17 RENTAL RATE; PRECEDENCE. The rental rates established in this chapter shall take precedence over any terms or conditions of agreements or contracts between the city and sewer system users.

(Ord. 579, Passed 1990)

6-5-18 PAYMENT METHOD.

1. For premises served by the City water system, the rent shall be paid with the water bill at the time payment of the water bill is due and under the same conditions, beginning with the next payment after the enactment of this section, or if connection has not then been made, after the connection to the sewer system is made. Premises served by private water systems will be billed on the same schedule as those served by the City

water system and rent shall be paid at the same time and place as provided for premises served by the City water system.

2. Commercial and industrial users may, at their election, pay sewer and water bills monthly rather than quarterly. The user must make this election, in writing, by giving notice to the water department, City Hall, of their express desire to be billed monthly for said sewer and water rates.

(Ord. 579, Passed 1990)

6-5-19 NONPAYMENT. The amount of rent charged shall constitute a lien upon that property served by the sewer system and that amount shall be collected in the same manner as other taxes, if payment is not made when due.

(Ord. 579, Passed 1990)

6-5-20 ADDITIONAL SERVICE CHARGE. Failure to pay sewer rental charge when due shall result in an additional service charge computed at a rate of five percent of the sewer rental bill submitted.

(Ord. 579, Passed 1990)

#### GENERAL

6-5-21 RESIDENTIAL RENTAL PROPERTY. Residential rental property where a charge for any of the services of water, sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal is paid directly to the City by the tenant is exempt from a lien for delinquent rates or charges associated with such services if the landlord gives written notice to the City utility that the property is residential rental property and that the tenant is liable for the rates or charges. A City utility may require a deposit not exceeding the usual cost of ninety (90) days of the services of water, sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal to be paid to the utility. Upon receipt, the utility or enterprise shall acknowledge the notice and deposit. A written notice shall contain the name of the tenant responsible for the charges, the address of the residential rental property that the tenant is to occupy, and the date that the occupancy begins. A change in tenant shall require a new written notice to be given to the City utility within thirty (30) business days of the change in tenant. When the tenant moves from the rental property, the City utility shall return the deposit, within ten days, if the charges for the services of water, sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal are paid in full.

A change in the ownership of the residential rental property shall require written notice of such change to be given to the City utility within thirty (30) business days of the completion of the change of ownership. The lien exemption for rental property does not apply to charges for repairs related to a service of water, sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal if the repair charges become delinquent.

(Code of Iowa, Sec. 384.84(3)(d))

(Code of Iowa, Sec. 384.84(3)(e))

(ECIA Model Code Amended in 2012)

