

CHAPTER 92

WATER RATES

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92.01 SERVICE CHARGES. Each customer shall pay for water service provided by the City based upon use of water as determined by meters provided for in Chapter 91. Each location, building, premises or connection shall be considered a separate and distinct customer whether owned or controlled by the same person or not.

(Code of Iowa, Sec. 384.84)

92.02 RATES FOR SERVICE. Water service shall be furnished at the following monthly rates within the City:

(Code of Iowa, Sec. 384.84)

(Effective with monthly bills after January 1 of respective year.)

Gallons Used Per Month	2014 Rate
First 2,000 gallons	\$ 6.50
Next 32,000 gallons	\$ 2.50
Next 135,000 gallons	\$ 1.60
All Over 169,000 gallons	\$ 1.30
Minimum Bill	\$ 13.00
Unmetered Fire Sprinkler System	\$ 31.00

All meters shall be City-owned. Private Meters shall be discontinued.

92.03 RATES OUTSIDE THE CITY. Water service shall be provided to any customer located outside the corporate limits of the City which the City has agreed to serve at two times the rates listed in Section 92.02, with a 2,000-gallon minimum. No such customer, however, will be served unless the customer shall have signed a service contract agreeing to be bound by the ordinances, rules, and regulations applying to water service established by the Council.

(Code of Iowa, Sec. 364.4 & 384.84)

92.04 BILLING FOR WATER SERVICE. Water service shall be billed as part of a combined service account, payable in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Bills Issued. The Clerk shall prepare and issue bills for combined service accounts within ten (10) days of monthly meter reading.

2. Bills Payable. Bills for combined service accounts shall be due and payable at the office of the Clerk by the date specified on the bill.
3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A one-time late payment penalty of one and one-half percent (1½%) of the amount due shall be added to each delinquent bill.

92.05 SERVICE DISCONTINUED. Water service to delinquent customers shall be discontinued in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Notice. The Clerk shall notify each delinquent customer that service will be discontinued if payment of the combined service account, including late payment charges, is not received by the date specified in the notice of delinquency. Such notice shall be sent by ordinary mail to the customer in whose name the delinquent charges were incurred and shall inform the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance.
2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property or premises has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord. If the customer is a tenant and requests a change of name for service under the account, such request shall be sent to the owner or landlord of the property if the owner or landlord has made a written request for notice of any change of name for service under the account to the rental property.
3. Hearing. If a hearing is requested by noon of the day preceding the shut off, the Utilities Board shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. The Utilities Board shall be made up of the City Administrator, Water Department Superintendent, Wastewater Department Superintendent, City Utility Bookkeeper and a member from the City Council appointed by the Mayor each fiscal year. Board members shall attend hearings when requested by a delinquent account holder and determine a course of action in response to the delinquent account. The City Attorney will serve as advisor to this Board.
4. Fees. A reconnection fee set by resolution of the Council shall be charged at the time of or before reconnection where separate disconnection and reconnection trips are made necessary before payment is rendered and service is to be restored to the delinquent customer. No reconnection fee or service fee shall be charged for the usual or customary trips in the regular changes in occupancies of property, whether or not the meter is removed for the safety of the meter.

92.06 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for water service charges to the premises. Water service charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

(Code of Iowa, Sec. 384.84)

92.07 LIEN EXEMPTION.

(Code of Iowa, Sec. 384.84)

1. **Water Service Exemption.** The lien for nonpayment shall not apply to charges for water service to a residential or commercial rental property where water service is separately metered and the rates or charges for the water service are paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential or commercial rental property and that the tenant is liable for the rates or charges. The City may require a deposit not exceeding the usual cost of ninety (90) days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

2. **Other Service Exemption.** The lien for nonpayment shall also not apply to the charges for any of the services of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal for a residential rental property where the charge is paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential rental property and that the tenant is liable for the rates or charges for such service. The City may require a deposit not exceeding the usual cost of ninety (90) days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

3. **Written Notice.** The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the residential or commercial rental property that the tenant is to occupy, and the date that the occupancy begins. Upon receipt, the City shall acknowledge the notice and deposit. A change in tenant for a residential rental property shall require a new written notice to be given to the City within thirty (30) business days of the change in tenant. A change in tenant for a commercial rental property shall require a new written notice to be given to the City within ten (10) business days of the change in tenant. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City within thirty (30) business days of the completion of the change of ownership. A change in the ownership of the commercial rental property shall require written notice of such change to be given to the City within ten (10) business days of the completion of the change of ownership.

92.08 LIEN NOTICE. A lien for delinquent water service charges shall not be certified to the County Treasurer unless prior written notice of intent to certify a lien is given to the customer in whose name the delinquent charges were incurred. If the customer is a tenant and if the owner or landlord of the property or premises has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than thirty (30) days prior to certification of the lien to the County Treasurer.

(Code of Iowa, Sec. 384.84)

92.09 CUSTOMER DEPOSITS. There shall be required from every customer served a deposit set by resolution of the Council intended to guarantee the payment of bills for service.

This deposit will be required from all residential and commercial customers making application for water service, and the Clerk's office will hold the deposit for twelve (12) months. If within the twelve-month time period the customer has not been delinquent on paying the water utility bill more than one time, the deposit will be refunded to the customer. If, however, the customer has been delinquent more than one time in the 12 months, the Clerk's office will hold the deposit another 12 months from the date of the last delinquency and the above procedure will again be used. A deposit will again be required if a customer's service is terminated for nonpayment. In addition to the deposit, new customers will also pay a nonrefundable connection fee, set by resolution of the Council, prior to service being initiated.

(Code of Iowa, Sec. 384.84)

92.10 TEMPORARY VACANCY. A property owner may request water service be temporarily discontinued and the meter pulled when the property is expected to be vacant for an extended period of time. There shall be a reconnection fee, set by resolution of the Council, when service is restored. During a period when service is temporarily discontinued as provided herein there shall be no monthly minimum service charge.

92.11 CONSTRUCTION PURPOSES. The amount to be paid by contractors, builders or others desiring water for building purposes shall be based upon the rates fixed by the Water Department. Water use will be limited to the building site and/or the address of the site given permission of use only. All construction purpose uses must be approved in writing by the Superintendent before use will be permitted. Cross-connection and backflow regulations will apply for safety of the City water system.

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