

TITLE III - PUBLIC SERVICES
WATER SERVICE SYSTEM

CHAPTER 92
WATER RATES

- 92.01 Service Charges
- 92.02 Rates For Service
- 92.03 Rates Outside the City
- 92.04 Billing for Water Service
- 92.05 Service Discontinued

- 92.06 Lien for Nonpayment
- 92.07 Lien Exemption
- 92.08 Lien Notice
- 92.09 Customer Utility Deposits
- 92.10 Temporary Vacancy

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. The service charges shall be billed as part of a combined service account which means a customer service account for the provision of two or more utility services.

(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)

1. Operating and maintenance charge of \$8.48 per meter per month.
2. First 1,000 cubic feet per month @ \$2.00 per 100 cubic feet.
3. Next 4,000 cubic feet @ \$1.40 per 100 cubic feet.
4. Next 5,000 cubic feet @ \$0.92 per 100 cubic feet.
5. All over 10,000 cubic feet @ \$0.75 per 100 cubic feet.

In no case shall the minimum charge be less than \$8.48 per month. The rates shall be reviewed on or before the beginning of each fiscal year to ensure sufficient revenue for operation, maintenance, replacement and debt service requirements.

(Ord. 979 – Jul. 10 Supp.)

92.03 RATES OUTSIDE THE CITY. Water service shall be provided any customer located outside the corporate limits of the City which the City has agreed to serve at rates one hundred fifty percent (150%) of the rates provided in Section 92.02. 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)

Exceptions to the rates for customers located outside the corporation limits of the City are as follows:

1. Contract rates for a period not to exceed forty (40) years with persons and other governmental bodies for the sale of water on a wholesale basis.
(Code of Iowa, Sec. 384.84)
2. Rates for State, County, Township or School District owned facilities within two (2) miles of the City limits shall be the same as rates provided in Sections 91.13, 91.17 and 92.02. Extraordinary items will be separately agreed to.
3. Rates for customers where Council has approved a written agreement for a regular rate in return for value received. *(Ord. 842 – Jan. 02 Supp.)*

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 monthly bills for combined service accounts.
2. Bills Payable. A bill for a combined service account shall be due and payable when rendered and shall be considered delinquent not less than twenty (20) days after the time it is rendered. A bill shall be considered rendered by the utility when deposited in the U.S. mail with postage prepaid or when delivered by the utility to the last known address of the party responsible for payment.
3. Late Payment Penalty. A late payment penalty of five dollars (\$5.00) or five percent (5%) of the amount due, whichever is greater, shall be added to each delinquent bill. Such penalty is inclusive of all other service charges which are part of the combined service account.

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 by ordinary mail that service will be discontinued if payment of the combined service account, including late payment charges, is not received within twelve (12) days after receipt of the notice. The notice shall also inform the customer of

the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance. The Clerk will be the hearing officer.

2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord.

3. Service Discontinued. The Superintendent shall shut off the supply of water to any consumer who, not having contested the amount billed in good faith, has failed to make payment by the date specified.

4. Fees. A turn-on fee of twenty-five dollars (\$25.00) shall be charged before service is restored to a delinquent customer. No turn-on fee or service fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.

5. No Customer of Record. When the customer of record terminates service, the water may be disconnected unless there is a landlord agreement or the new tenant has signed for service. *(Ord. 917 – Aug. 05 Supp.)*

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. This lien may be imposed upon a property or premises even if service to the property or premises has been or may be discontinued as provided in this chapter.

(Code of Iowa, Sec. 384.84)

92.07 LIEN EXEMPTION. The lien for nonpayment shall not apply to a residential 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 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 water service be paid to the City. The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the rental property and the date of occupancy. A change in tenant shall require a new written notice to be given to the City within thirty (30) business days of the change in tenant. When the tenant moves from the rental property, the City shall refund the deposit if the water service charges 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 within

ten (10) business days of the completion of the change of ownership. The lien exemption does not apply to delinquent charges for repairs to a water service.

(Code of Iowa, Sec. 384.84)

(Ord. 788 – Nov. 99 Supp.)

(Ord. 967 – Dec. 08 Supp.)

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. If the customer is a tenant and if the owner or landlord of the property 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.

(Ord. 813 – Oct. 00 Supp.)

(Code of Iowa, Sec. 384.84)

92.09 CUSTOMER UTILITY DEPOSITS. There may be required from every customer a deposit in an amount determined by the Clerk to guarantee the payment of bills for utility service.

(Code of Iowa, Sec. 384.84)

92.10 TEMPORARY VACANCY. A property owner may request water service be temporarily discontinued and shut off at the curb stop when the property is expected to be vacant for an extended period of time. There shall be a fifteen dollar (\$15.00) fee collected for restoring service. During a period when service is temporarily discontinued as provided herein there shall be no monthly minimum service charge. The City will not drain pipes or pull meters for temporary vacancies.

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(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)

1. Operating and maintenance charge of \$7.39 per meter per month.
2. First 1,000 cubic feet per month @ \$1.73 per 100 cubic feet.
3. Next 4,000 cubic feet @ \$1.14 per 100 cubic feet.
4. Next 5,000 cubic feet @ \$0.76 per 100 cubic feet.
5. All over 10,000 cubic feet @ \$0.61 per 100 cubic feet.

In no case shall the minimum charge be less than \$8.48 per month. The rates shall be reviewed on or before the beginning of each fiscal year to ensure sufficient revenue for operation, maintenance, replacement and debt service requirements.

(Ord. 907 - Mar. 05 Supp.)

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