

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. 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 AND SERVICE. Water service for industrial and business customers (including hospitals and their ancillary facilities) shall be furnished at the following monthly rates within the City:

1. Monthly Distribution Charge - \$13.65 per meter
2. First 3,000 – No charge with payment of Monthly Distribution Charge
3. 3,000 to 1,000,000 gallons used per month @ \$4.80 per 1,000 gallons.
4. Next 500,000 gallons used per month @ \$3.08 per 1,000 gallons.
5. All water over 1,500,001 gallons used per month @ \$1.59 per 1,000 gallons.

Water service for all other customers (including all residential customers) shall be furnished at the following monthly rates within the City:

1. Monthly Distribution Charge - \$13.65 per meter
2. First 3,000 gallons – No charge with payment of Monthly Distribution Charge
3. All water over 3,000 gallons used per month @ \$4.80 per 1,000 gallons.

The foregoing rates shall be increased by five percent (5%) each July 1 unless such increase is waived or modified by resolution of the Council prior to the effective date of this increase.”

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 rates set by agreement. 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. **Meter Reading; Consumption of Rates.** The City shall electronically read the water meters at each premises served for the purpose of determining monthly rates and charges herein established. The City or its authorized agents or employees shall manually read the water meters as frequently as may be determined necessary by the City to verify the electronic meter reading.
2. **Bills Payable.** Bills for combined service accounts, including the rates and charges as established in Section 92.02, shall be payable on the first day of the month following the reading of the meters and shall be paid at City Hall.
3. **Late Payment Penalty.** Bills not paid by the fifteenth (15th) day of the month shall be considered delinquent. A late payment penalty of ten percent (10%) of the amount due shall be added thereto and collected therewith.”
4. **Returned Checks.** The City shall charge a service charge of twenty dollars (\$20.00) to the maker of any check provided as payment for water and sewer service bills, for which the drawee of such instrument has refused payment. Such service charge shall be added to the amount due on the water and service bill thereto and collected therewith. The City shall consider customers who fail to pay such service charge to be delinquent and subject to Section 92.05.

(Ord. 452 - Apr-98 Supp.)

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 City shall notify each delinquent customer that water 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 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 has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord.
3. **Hearing.** If a hearing is requested by noon of the day preceding the shutoff, the City Administrator shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified.

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

5. Posting Fees. The charge for posting a 24-hour disconnection notice on a residence or business is \$10.00 per location. The 24-hour disconnection notice shall be placed on or near the front door of the residence or business. If payment is not received, within 24-hours of posting, services will be discontinued and an additional fee of twenty-five (\$25.00) shall be charged before service is restored in accordance with 92.05.4.

(Ord. 570 Adopted 11/28/05)

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. The lien for nonpayment shall not apply to residential rental properties where water service is separately metered and the charges therefor are paid directly by the tenant, providing the landlord has given written notice to the Clerk that the tenant is liable for the charges and a deposit not exceeding the usual cost of ninety (90) days of water service is paid to the City. The landlord's written notice shall contain the name of the tenant responsible for charges, the address of occupancy and the date of occupancy. A change in tenant shall require a new written notice and deposit. When the tenant moves from the rental property, the Clerk shall refund the deposit if the water service charges are paid in full and the lien exemption shall be lifted from the rental property.

(Code of Iowa, Sec. 384.84)

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 ten (10) days prior to certification of the lien to the County Treasurer.

(Code of Iowa, Sec. 384.84)

92.09 CUSTOMER DEPOSITS. The City shall require from every customer served a deposit intended to guarantee the payment of bills for service. Such deposit shall be in an amount sufficient to cover the charge for the average amount of usage for a month.

(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 seven and one-half dollar (\$7.50) fee collected for shutting the water off at the curb stop and a seven and one-half dollar (\$7.50) fee 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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