

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)

1. Regular Water Usage.
 - A. The first 1,000 gallons or less per month at \$4.25.
 - B. All over 1,000 gallons per month at \$3.25 per 1,000 gallons.
2. Irrigation Water Usage. Water used for irrigation purposes shall be furnished at the rate of \$4.06 per 1,000 gallons.

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 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)

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 on or before the first day of each month.
2. Bills Payable. Bills for combined service accounts shall be due and payable at the office of the Clerk by the fifteenth day of the month.
3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A one-time late payment penalty of \$1.50 shall be added to each delinquent residential bill and a one-time late payment penalty of ten percent (10%) of the amount due shall be added to each delinquent commercial or industrial bill.

4. If the bill is not paid by the 17th day of the month, the City shall send a reminder notice.
5. If the bill is not paid within seven days of the due date (approximately the 23rd day of the month) the City shall send the customer a twelve day shut off notice by ordinary mail.
6. If the bill remains unpaid eleven days later (approximately the 1st of the month) a disconnect notice is delivered to the premises stating that if the bill is not paid immediately, the water will be shut off in 48 hours and a \$15.00 administrative fee shall be charged to the customer.
7. If the bill remains unpaid two days later (approximately the 3rd of the month) the City shall deliver another notice and shut the water service off. A \$15.00 disconnection charge is charged to the customer.

In accordance with Section 384.84 of the Code of Iowa, following written notice of delinquency and an opportunity for a hearing, any or all of the utility services may be discontinued if the combined service account becomes delinquent.

92.05 DISCONTINUANCE HEARING.

(Code of Iowa, Sec. 384.84)

1. Notice. Prior to the discontinuance of water service, the Clerk shall notify each delinquent customer, by ordinary mail, of the nature of the delinquency and afford the customer the opportunity for a hearing.
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 shut off, the City Administrator shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. If the City Administrator finds that disconnection is justified, then such disconnection shall be made, unless payment has been received.
4. Fees. A charge of \$15.00 will be added to restore the service at the time the bill and fees are all paid. Restoration of service will occur during normal working hours. Under special circumstances, the Public Works Director may authorize the restoration of service after hours (4:00 p.m. to 7:30 a.m.) and a fee of \$50.00 will be charged. The water utility employee that restores the service is not authorized to accept payment after hours. Payment must be made at City Hall in full and including the \$50.00 after hour fee by 9:00 a.m. the following day or service will be disconnected immediately and not restored until all monies have been received, including an additional \$15.00 for the second shut off.

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 may 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 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 ten (10) 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 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)

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.

(Code of Iowa, Sec. 384.84)

92.09 CUSTOMER DEPOSITS.

1. There shall be required from every customer a deposit intended to guarantee the payment of bills for service in accordance with the following:

A. Residential Customers - \$20.00

B. Commercial/Industrial Customers:

1-inch service	\$ 20.00
1½-inch service	\$ 20.00
2-inch service	\$ 40.00
4-inch service	\$ 75.00
6-inch service	\$ 90.00
8-inch service	\$ 150.00

2. For any commercial, industrial or multifamily property where the previous experience of the building use or billing experience shows a water bill to be substantially higher than the deposit shown for that size of meter, the deposit shall be adjusted to approximate one billing period.

3. The deposit requirement shall be waived if any one of the following credit criteria is met by the applicant for service:

A. The applicant has previously established a satisfactory credit history with the utility.

B. The applicant's twelve most recent bills from the utility were timely paid (including one automatic forgiveness of late payment).

C. Reasonable proof of an equivalent recent payment history for similar service from another utility has been submitted with the application for service.

4. A deposit shall be refunded after twelve consecutive months of prompt payment (which may be eleven timely payments and one automatic forgiveness of late payment).

5. Upon termination of service, the deposit, less any unpaid utility bill, shall be reimbursed to the customer or other person who made the deposit.

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

92.11 CONSTRUCTION USE CHARGES.

1. Construction Water Permits. The fee for a construction water permit is \$25.00 for under 10,000 square feet of gross floor area and \$35.00 for over 10,000 square feet of gross floor area.

2. Deposits for fire hydrant meters are as follows:

5/8" x 3/4" Meter.....	\$ 100.00
1" Meter.....	\$ 150.00
2" Meter.....	\$ 200.00
3" Meter.....	\$ 300.00

3. Inspection fee during construction is \$10.00.