

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. Where a meter has ceased to register or meter reading could not be obtained, the quantity of water consumed for billing purposes will be based upon an average of the prior six (6) months' consumption, and the conditions of water service prevailing during the period in which the meter failed to register.

(Code of Iowa, Sec. 384.84)

92.02 RATES FOR SERVICE. Unit rates for water service shall be assessed to all customers and users of the water facility in an equitable manner according to the following schedules. Water rates are made up of three components, equivalent meter size charge, fire component charge and commodity charge. **The minimum rate for the first 1,000 gallons or less shall be based on an equivalent/meter size charge and a fire component.**

1. Rates beginning retroactively as of September 1, 2019.

Meter Size Chart		
Monthly Minimum based on meter size for the first 1,000 gallons or less.		
Meter Size	Equivalency Factor	9/1/2019
5/8"	1.0	\$10.63
3/4"	1.1	\$14.17
1"	1.4	\$21.24
1.5"	1.8	\$35.41
2"	2.9	\$47.21
3"	11.0	\$148.70
4"+	14.0	\$177.02

Fire Component Charge		
Structure Type	Equivalency Factor	9/1/2019
Residential	1.0	\$5.31
Small Commercial	5.0	\$31.87
Industrial/Large Commercial	10.5	\$64.91

Residential and Commercial Commodity Rates	
Effective beginning	9/1/2019
Commodity Charge over 1,000 gallons	\$2.48

Bulk and Industrial Commodity Rates	
	9/1/2019
By Contract with the City	\$1.55
Usage over the contract amount @ 1.5 x rate/1000 gallons	\$2.30
Without Contract with the City @ 2 x rate/1000 gallons	\$3.06

2. Future Rates. On the first day of July each year, beginning with July 1, 2019, the equivalent meter size charge and the commodity charge and/or the fire component charge shall be increased up to 3.5% per annum over the rates in effect during the previous year. The Council may suspend any annual increase if it deems such increase to be unnecessary. A copy of the rate schedule will be available at the office of the City Clerk.

3. Each property may have one additional meter installed to measure water which is not disposed of through the public sanitary sewer. For this meter only the minimum monthly bill assessed to all water meters shall not be charged in the months of October, November, December, January, February and March.

(Section 92.2-Ord. 687-19-Feb.20 Supp.)

92.03 RATES OUTSIDE THE CITY. Water service provided to customers located outside the corporate limits of the City prior to December 29, 1993 shall be in accordance with the ordinances, rates, and regulations applying to such service as established by the Council.

(Code of Iowa, Sec. 364.4 & 384.84)

92.04 BILLING FOR WATER SERVICE. Billing and payment for water service shall be in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Meters Read. Water meters shall be read approximately the fifteenth day of each month.
2. Bills Issued. The Clerk's office shall prepare, date and issue bills for water service. Bills shall be deemed issued as of the date indicated on the bills.
3. Bills Payable. Bills for water service shall be due and payable within thirty (30) days of the date of issue.
4. Late Payment Penalty. Bills not paid when due shall be considered delinquent. Each delinquent bill shall be subject to a late payment penalty of 1.5%/month.

92.05 SERVICE DISCONTINUED. The following procedure shall be followed before water service may be discontinued by the City.

(Code of Iowa, Sec. 384.84)

1. Notice. Notice of the proposed disconnection shall be sent by ordinary mail to the customer at least ten (10) days prior to the disconnection of service. Such notice shall be sent by ordinary mail 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 has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord. A fee of \$15.00 shall be assessed to each customer receiving a notice pursuant to this subsection.
2. Contents of Notice; Right to Appeal. The notice shall contain a statement of the reason for the proposed disconnection, the address of the premises served, the date service will be discontinued, and a statement that the customer has the right to appeal within ten (10) days of the date of the notice of proposed disconnection. If the customer appeals the proposed disconnection, then disconnection shall be delayed pending completion of the review procedures.
3. Hearing. The customer shall be given an informal hearing before the Water Committee of the Council within seven (7) days after receipt by the Clerk of the written notice of appeal. The Water Committee shall send the customer a written statement of its

determination, including the reasons upon which it is based, within seven (7) days after the informal hearing.

4. **Disconnection.** If the Water Committee finds that disconnection is justified, then such disconnection shall be made fifteen (15) days after the said committee issues its determination, unless the violation has been cured. A fee of \$50.00 shall be assessed to each customer for which disconnection is made pursuant to this subsection.
5. **Reconnection.** If any person has had water service disconnected for failure to pay amounts due to the City in a timely manner, the City shall not reconnect such water service until all past due and current amounts due are paid by said person.
6. **Reconnection Fee.** In any case where a person requests reconnection of water service after disconnection by the City, such person shall pay a reconnection fee of fifty dollars (\$50.00).
7. **Additional Deposit Required.** Any person requesting connection or reconnection of water service by the City who has been disconnected by the City for failure to pay amounts due for service within three years of the date of the request must make an additional deposit with the City, and such additional deposit shall be in an amount equal to the charge for three months' water usage for the site requesting connection. The water usage for three months shall be based on the average monthly usage for that site for the prior two years. After connection or reconnection, if the person or entity timely pays all amounts due to the City for a period of two years, then the amount deposited shall either be refunded or applied to the next water bill issued.

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 a residential rental property where water service is separately metered and the rate 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)

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 UTILITY DEPOSIT. There shall be required from every customer not the owner of the premises served a \$250.00 deposit intended to guarantee the payment of bills for utility service. This deposit amount shall be reviewed annually.

(Code of Iowa, Sec. 384.84)

92.10 INSUFFICIENT FUNDS CHECK CHARGE. A charge of \$30.00 shall be assessed to a City water customer who delivers a check for payment of fees under this chapter and the check is returned to the City due to insufficient funds in the account upon which it is drawn.