

**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)*

Gallons Used Per Month	Rate
First 2,000	\$16.00 (minimum bill)
All over 2,000	\$6.26 per 1,000 gallons

The foregoing rates shall be reviewed by the Council prior to July 1<sup>st</sup> of each year.

*(Ord. 55 – Apr. 15 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 and one-half 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. In addition, said applicant must sign a contract that in the event the City requests an annexation of that applicant’s real estate served by the water, said applicant shall execute a document wherein the applicant agrees to petition voluntarily for an annexation and that agreement shall run with the applicant’s land. In the event said applicant fails to file the voluntary petition when requested, the water

service to that location shall be immediately shut off. When an applicant has constructed a water line to his or her property line, this line, at the request of the City, shall become the property of the City. However, this transfer to the City shall not occur until resolution by a quorum of the Council in regard to that particular line. When a water line has been acquired by the City under this section, the compensation or reimbursement provisions of Section 90.21 of this Code of Ordinances shall not longer apply. *(Ord. 11 – Dec. 98 Supp.)*

*(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. Meters Read. By City Employee once a month.
2. Bills Issued. The Clerk shall prepare and issue bills for combined service accounts on or before the first day of each month.
3. Bills Payable. Bills for combined service accounts shall be due and payable at the office of the Clerk by the fifteenth (15th) day of the same month.
4. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A late payment penalty of ten percent (10%) of the amount due shall be added to each delinquent bill.

*(Ord. 12 – May 99 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 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. A 24-hour notice will be posted at customer's residence informing the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance. Each customer receiving a 24-hour notice will be assessed a fee of twenty-five dollars (\$25.00).
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 Clerk shall conduct an informal hearing and shall make a

determination as to whether the disconnection is justified. The customer has the right to appeal the Clerk's decision to the Council, and if the Council finds that the disconnection is justified, then such disconnection shall be made, unless payment has been received.

4. Fees. A fee of fifty dollars (\$50.00) 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.

*(Ord. 41 – May 10 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.

*(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.** There shall be required from every customer a one hundred dollar (\$100.00) deposit intended to guarantee the

payment of bills for service. Said deposit shall be applied to any bill which is delinquent more than fifteen (15) days. Upon discontinuation of service, any balance remaining shall be returned to the customer without interest.

*(Ord. 24 – July 03 Supp.)*

*(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 fifty dollar (\$50.00) 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.

**92.11 TEMPORARY SUSPENSION OF SERVICES.** A property owner may request water service be temporarily suspended by notifying the City when the property is expected to be vacant for more than two (2) months but less than six (6) months; otherwise the customer shall remain liable for all water used and service rendered by the City until said notice is received by the City. During a period when service is temporarily suspended as provided herein, there shall be no minimum service charge, but all surcharges and assessments shall remain in effect. If there is any usage during the temporary suspension, the property owner will be billed for the usage when account service is restored.

*(Ord. 56 – June 15 Supp.)*

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