

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. Minimum. A minimum charge per month of \$15.00.
2. Use Charges. A charge based on customer use for any one-month period of \$3.00 per 1,000 gallons used.

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 the same 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 each month.
3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A one-time late payment penalty of fifteen percent (15%) of the amount due shall be added to each delinquent bill.
4. Office Buildings and Apartments. Each building will be billed for each space in the building that is not directly accessible from any other space in said building, or each space that is normally rented separately, and homes with apartments will be billed for each apartment. Any building in existence on January 1, 2010, that does not comply with the requirements of this section shall be exempt from this section.

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 within 15 days after the due date. Such notice shall be sent by first class mail, within five days after a bill becomes delinquent, to the customer in whose name the delinquent charges were incurred 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 or premises 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 in writing and filed with the Clerk by noon of the day preceding the shut off date specified in the notice, the Clerk shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. The hearing will be held within two business days of the request. The decision of the hearing officer is final.
4. Service Discontinued. The Superintendent shall shut off the supply of water to any customer who, not having contested the amount billed in good faith, has failed to make payment by the date specified in the notice of delinquency. If the Clerk finds that the disconnection is justified and the customer has failed to make payment within 48 hours after the Clerk's decision, the Superintendent shall shut off the supply of water to the customer.
5. Charge. A charge determined by Council resolution, but not less than twenty-five dollars (\$25.00), shall be added to any delinquent bill for discontinuance of water service. A charge determined by Council resolution, but not less than \$25.00, shall be added to any delinquent bill for reconnection of water service. An additional charge determined by Council resolution, but not less than fifty dollars (\$50.00), shall be added to any delinquent bill if such reconnection occurs after normal business hours. Full payment of all amounts due will be required before service is restored.

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 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.

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 CUSTOMER DEPOSITS. There shall be required from every customer not the owner of the premises served a deposit in an amount determined by Council resolution intended to guarantee the payment of bills for service. Such deposit shall be applied to the final bill of the customer. If the amount of the deposit exceeds the amount of the final bill, or the customer pays the final bill in full, the excess shall be refunded to the customer when the account is closed.

(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 valve when the property is expected to be vacant for an extended period of time. 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. There shall be a fee in an amount set by resolution of the Council for temporary shutoff and turn-on of water service as described in this section.

