

CHAPTER 99

SEWER SERVICE CHARGES

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99.01 PURPOSE. It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment works.

99.02 DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter is as follows:

1. "Normal domestic wastewater" means wastewater that has a B.O.D. concentration of not more than 200 mg/l and a suspended solids concentration of not more than 235 mg/l.
2. "Operation and maintenance" means all expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the treatment works to achieve the capacity and performance for which such works were designed and constructed.
3. "Replacement" means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.
4. "Residential customer" means any customer whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.
5. "Treatment works" means any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, pumping, power and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.
6. "Useful life" means the estimated period during which a treatment works will be operated.
7. "User charge" means that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the treatment works and retirement of debt service.

8. "Water meter" means a water volume measuring and recording device, furnished and/or installed by the City or furnished and/or installed by a user and approved by the City.

99.03 FUND ACCOUNTING.

1. Use of Funds. The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including replacement of the treatment works, shall be established by this chapter.

2. Accounts Established. That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes, as established in this chapter, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two primary accounts as follows:

A. Operation and Maintenance Account. An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works.

B. Replacement Account. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Replacement Account shall be made annually from the operation, maintenance, and replacement revenue in the amount of \$10,000.00.

3. Year-End Balances. Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Moneys which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance, and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance, and replacement. The user charge rate shall be adjusted such that the transferred moneys will be returned to their respective accounts within the fiscal year following the fiscal year in which the moneys were borrowed.

99.04 USER CHARGES.

1. Each user shall pay for the services provided by the City based on said user's use of the treatment works as determined by water meters acceptable to the City. If a residential customer is not connected to the City water system, said customer shall place an acceptable meter on the water supply.

2. For residential customers, monthly user charges will be based on the water usage during the current month. For industrial and commercial customers, user charges shall be based on water used during the current month. If a commercial or industrial customer has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that customer may be based on a wastewater meter or separate water meter installed and maintained at the customer's expense, and in a manner acceptable to the City. Any industrial or commercial user whose wastewater strength exceeds the normal domestic wastewater limits shall have said user's flow multiplied by the ratio of the B.O.D. concentration divided by 200 mg/l. This adjusted flow will be used to determine said user's charge.

3. Each customer shall pay an additional user charge rate of \$.50 per 1,000 gallons or a total of \$4.75 per 1,000 gallons.
4. Any user which discharges any toxic pollutants which should cause an increase in the cost of managing the effluent or the sludge from the City's treatment works or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works shall pay for such increased costs. The charge to each such user shall be as determined by the responsible plant operating personnel and approved by the Council.
5. The user charge rates established in this chapter apply to all users, regardless of their location in the City.

99.05 PAYMENT OF BILLS. All sewer user charges are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.04 of this Code of Ordinances. Sewer service may be discontinued in accordance with the provisions contained in Section 92.05 if the combined service account becomes delinquent, and the provisions contained in Section 92.08 relating to lien notices shall also apply in the event of a delinquent account.

99.06 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for sewer use charges to the premises. Sewer use charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified to the County Treasurer for collection in the same manner as property taxes.

(Code of Iowa, Sec. 384.84[1])

99.07 PERIODIC REVIEW AND NOTICE.

1. The City shall review the user charge system at least every two (2) years and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.
2. The City will notify each user at least annually, in conjunction with a regular water bill, of the rate being charged for operation and maintenance including replacement of the treatment works.

99.08 INCONSISTENT AGREEMENTS. The user charge system shall take precedence over any terms or conditions of agreements or contracts which are inconsistent with the requirements of this chapter.

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