

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)

Cubic Feet Used Per Month	Rate
First 300	\$12.18 (minimum bill)
All over 300	\$.028 per cubic foot

Before the first of July of each year, the City Administrator shall compute an adjustment to the water rates based upon the multiplication of the current rate by a factor equal to the increase in the Consumer Price Index (C.P.I.). This adjustment shall be submitted to the Council. The City Administrator shall annually, as part of the budget preparation, review the adequacy of the rates and make recommendation to the Council concerning the need for any changes. The rate increase shall go into effect on the July billing.

92.03 CUSTOMER DEPOSITS.

(Code of Iowa, Sec. 384.84)

1. There shall be required from every new customer a seventy-five dollar (\$75.00) deposit intended to guarantee the payment of bills for utility service. The deposit shall be refunded to, or applied to the account of, a homeowner upon completion of fourteen (14) months of prompt payment and the establishment of good credit. Tenant deposits will not be refunded until they have vacated the property and their account is paid in full.

2. If a tenant moves in before the deposit is paid, the City will send a 10-day notice to the tenant requesting payment of the deposit and a copy of the letter to the property owner. If the tenant doesn't pay the deposit, the water will be shut off and will not be turned on until the deposit plus a \$25.00 service fee is paid.

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 twentieth (20th) day of the each month.
3. **Late Payment Penalty.** Bills not paid when due shall be considered delinquent. A monthly late payment penalty of ten percent (10%) of the amount due shall be added to each delinquent bill. Each account will be forgiven one late payment penalty during each calendar year.
4. **Shared Water Meter.** For premises sharing a common water meter, water service charges shall be assessed to each portion of the premises occupied or used separately by the owner or by a tenant under a lease or sublease and shall be computed on the average number of cubic feet of water usage per unit served by the meter.

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 City Administrator 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. Such notice shall be sent by ordinary mail 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. The City will also tag doors of delinquent customers twenty-four (24) hours prior to discontinuance of service as final notice of shutoff and a twenty-five dollar (\$25.00) administrative fee shall be charged to the delinquent customer for issuance of the final notice.
2. **Notice to Landlords.** If the customer is a tenant, and if the owner or landlord of the property of the premises has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord. If the account holder is a tenant and requests a change of name for service under the account, such request shall be sent to the owner or landlord of the property if the owner or landlord has made a written request for notice of any change or name for service under the account to the rental property. *(Ord. 12-09-04 – Dec. 12 Supp.)*
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. The customer has the right to appeal the City Administrator's decision to the Council, and if the Council finds that disconnection is justified, then such disconnection shall be made, unless payment has been received.
4. **Fees.** A fee of twenty dollars (\$25.00) 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.

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.

1. 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 thirty (30) 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.

2. Residential rental property where a charge for any of the services of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal is paid directly to the City by the tenant is exempt from a lien for delinquent rates or charges associated with such services 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 the services of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal to be paid to the City. Upon receipt, the City shall acknowledge the notice and deposit. A written notice shall contain the name of the tenant responsible for charges, the address of the residential rental property that the tenant is to occupy, and the date that the occupancy begins. 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 return the deposit if the charges for the services of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal 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 thirty (30) business days of the completion of the change of ownership. The lien exemption for rental property does not apply to charges for repairs related to a service of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal if the repair charges become delinquent.

(Ord. 12-09-04 – Dec. 12 Supp.)

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 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 seventy-five dollar (\$75.00) fee collected for restoring service. During a period when service is temporarily discontinued as provided herein there shall be no minimum water or sewer service charge but solid waste fees will still be charged to the customer. The City will not drain pipes or pull meters for temporary vacancies.