

**CHAPTER 92**  
**WATER RATES**

92.01 Service Charges  
92.02 Rates For Service  
92.03 Billing for Water Service  
92.04 Service Discontinued  
92.05 Lien for Nonpayment  
92.06 Lien Exemption

92.07 Lien Notice  
92.08 Customer Connection Fee  
92.09 Temporary Vacancy  
92.10 Partial Month Water Billing  
92.11 Special Rates

**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		
	August 1, 2023	July 1, 2024	July 1, 2025
First 2,200 (Minimum Bill)	\$47.50	\$49.88	\$52.37
Usage over 2,200 gallons	\$2.16	\$2.26	\$2.37

**92.03 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 15 percent of the amount due shall be added to each delinquent bill.

**92.04 SERVICE DISCONTINUED.** Water service to delinquent customers shall be discontinued or disconnected in accordance with the following:

*(Code of Iowa, Sec. 384.84)*

1. The Clerk shall notify each delinquent customer that service will be discontinued or disconnected 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 delinquent charges incurred, the nature of the delinquency, and afford the customer the opportunity for a hearing prior to the discontinuance or disconnection. If not paid by the twenty seventh of the month, a notice will be posted on the door stating the service will be disconnected or disconnected on the last business day of the month. With this extra notice, there will be an added posting fee of \$10.00. The notice shall contain the language "This is your final notice before utilities are shut off if payment or other arrangements are not made by the delinquent due date.

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. If the customer 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 of name for service under the account to the rental property.

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 discontinuance or disconnection is justified. The customer has the right to request to be put on the agenda for the next regular City Council meeting to appeal the Clerk's decision. If the Council finds that discontinuance or disconnection is justified, then such discontinuance or disconnection shall be made, unless payment has been made.

4. Fees. If service is discontinued or disconnected a fee of \$50.00 will be charged to the customer and a reconnection fee of \$50.00 during normal business hours will be charged before service is restored to a delinquent account. After 4:00 p.m. weekdays and on weekends or holidays, the reconnection fee is \$75.00. The disconnecting, reconnecting fees, and the past due bill must all be paid in full prior to the water being reconnected.

**92.05 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 property or 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)*

**92.06 LIEN EXEMPTION.**

*(Code of Iowa, Sec. 384.84)*

1. Water Service Exemption. The lien for nonpayment shall not apply to charges for water service to a residential or commercial 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 or commercial 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 90 days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

2. Other Service Exemption. The lien for nonpayment shall also not apply to the charges for any of the services of sewer systems, stormwater drainage systems, sewage

treatment, solid waste collection, and solid waste disposal for a residential rental property where the charge is 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 for such service. The City may require a deposit not exceeding the usual cost of 90 days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

3. **Written Notice.** The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the residential or commercial rental property that the tenant is to occupy, and the date that the occupancy begins. Upon receipt, the City shall acknowledge the notice and deposit. A change in tenant for a residential rental property shall require a new written notice to be given to the City within 30 business days of the change in tenant. A change in tenant for a commercial rental property shall require a new written notice to be given to the City within 10 business days of the change in tenant. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City within 30 business days of the completion of the change of ownership. A change in the ownership of the commercial rental property shall require written notice of such change to be given to the City within 10 business days of the completion of the change of ownership.

4. **Mobile Homes, Modular Homes, and Manufactured Homes.** A lien for nonpayment of utility services described in Subsections 1 and 2 of this section shall not be placed upon a premises that is a mobile home, modular home, or manufactured home if the mobile home, modular home, or manufactured home is owned by a tenant of and located in a mobile home park or manufactured home community and the mobile home park or manufactured home community owner or manager is the account holder, unless the lease agreement specifies that the tenant is responsible for payment of a portion of the rates or charges billed to the account holder.

**92.07 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 30 days prior to certification of the lien to the County Treasurer.

*(Code of Iowa, Sec. 384.84)*

**92.08 CUSTOMER CONNECTION FEE.** There shall be required from every new customer a non-refundable customer water connection fee in amount of \$50.00 for property owners and \$150.00 for tenants.

*(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 \$25.00 fee collected for restoring service. 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.

**92.10 PARTIAL MONTH WATER BILLING.**

1. For customers receiving their final bill for voluntary disconnection of service and customers in their first partial month of service, the water bills of water utility customers will be prorated for persons who do not have service for the entire billing period as follows:

A. The minimum water bill is as set by Section 92.02 herein, based on a minimum usage of 2,200 gallons within the service period. If the utility customer's usage for the service period meets or exceeds 2,200 gallons, there will be no proration, and the customer will be billed their actual water usage.

B. For the water utility customer who does not have water service for the whole period, whose water usage for the partial billing period does not meet or exceed 2,200 gallon, the customer will be charged a per diem rate for the days for which the customer has service. The per diem rate will be the minimum monthly charge (see Section 92.02), divided by the number of days in the service period (which varies), and then multiplied by the number of days for which the customer had service. The service period varies and depends on the dates that the meters are read each month and the number of days between those meter readings.

2. Nothing in this section shall restrict the Council from modifying the minimum water service usage rate, as permitted by this chapter. Changing such rates, as permitted by ordinance, shall not otherwise invalidate this policy. Where such minimum rates are modified by the Council, absent further action by the Council, the new minimum rates shall be substituted into the policy for the existing rates, as applicable, without further amendment of this ordinance. Absent gross mistake, the records of the city as to usage, service days, and billing period, and the results produced by the City's computer billing program will be final. Customers concerned about a gross mistake may request to be heard at the next Council meeting.

**92.11 SPECIAL RATES.** In the instance of those properties which do not have a water meter accessible to public works employees to read, a special rate shall be charged of double the minimum rate, to those property owners each month they are not compliant with this section, commencing with the November 1, 2021, billing.

[The next page is 473]