

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 AND SERVICE.

1. Each customer shall pay water service fee in the amount of \$12.81 per month plus \$7.02 per 1,000 gallons of water used beginning April 15, 2017. Water rates shall automatically increase 5% thereafter on April 15th annually, in accordance with the following table:

2018: \$13.45 per month, plus \$7.38 per 1,000 gallons of water used

2019: \$14.12 per month, plus \$7.74 per 1,000 gallons of water used

2020: \$14.83 per month, plus \$8.13 per 1,000 gallons of water used

2021: \$15.57 per month, plus \$8.54 per 1,000 gallons of water used

In the event an existing industry or new industry projects the employment of at least twenty (20) additional persons on a full time equivalent (FTE) basis over a two (2) year period and capital expenditures of five hundred thousand dollars (\$500,000) or more in said same two (2) year period for building and/or machinery and equipment purchases, and agrees to not drill a private fresh water well within the City Corporate limits, the City may grant an economic development incentive water user rebate which will be a percentage of the standard rate as follows:

1st year: 50%

2nd year: 50%

3rd year: 50%

4th year: 20%

5th year: 10%

After the fifth year, no rebate shall apply. If employment projections are not met within said two (2) year period, then said industry shall, upon notice by the City, repay said rebate amounts.

2. Water service to any customer for a structure containing more than one dwelling unit, as defined by the Clarion Zoning Ordinance, shall be subject to a minimum monthly charge based on the multiplication of base service fee times a number which is 80 percent of the number of dwelling units in the structure.

(Subsections 1-2 – Ord. 565 – May 17 Supp.)

3. The monthly per-gallon rate set out in subsection 1 of this section shall be adjusted annually as follows:

A. On or before January 2 of each year, the City Administrator shall adjust the water rate based upon the multiplication of the current rate by a factor equal to the increase in the Consumer Price Index as established by the Federal government for the preceding twelve-month period.

B. The City Council shall consider the recommendation and any proposed change in rate at the next Council meeting.

92.03 BILLING FOR WATER SERVICE. Billing and payment for water service shall be in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Bills Issued. The Utility Billing Clerk shall prepare, date, and issue bills for water service. Bills shall be deemed issued as of the date indicated on the bills.

2. Bills Payable. Bills for water shall be due and payable at the City offices by the 15th day of the month. Payments received after the 15th of the month, however, will be charged an additional \$10.00. *(Ord. 519 – Apr. 10 Supp.)*

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

(Code of Iowa, Sec. 384.84)

1. Notice. The Utility Billing 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. 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.

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 by noon of the day preceding the shut off, the City Administrator and the Public Works Director shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. If it is found that disconnection is justified, then such disconnection shall be made, unless payment has been received.

4. Fees. A fee of twenty-five dollars (\$25.00) during regular business hours and fifty dollars (\$50.00) after business hours 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. 519 – Apr. 10 Supp.)*

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 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. 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.

92.07 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 thirty (30) days prior to certification of the lien to the County Treasurer.

(Code of Iowa, Sec. 384.84)

92.08 CUSTOMER DEPOSITS. *(Repealed by Ordinance No. 521 – Sep. 10 Supp.)*

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 collected a fee of \$15.00 during regular business hours and \$25.00 after business hours 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.

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