

## CHAPTER 92

### WATER RATES

92.01 Service Charges  
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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 and shall each be charged a \$7.00 user fee per month. *(Ord. 194 – Nov. 12 Supp.)*

*(Code of Iowa, Sec. 384.84)*

**92.02 RATES FOR SERVICE.** Water service shall be furnished at the following monthly rates within the City until December 31, 2012:

*(Code of Iowa, Sec. 384.84)*

| Gallons Used Per Month                  | Rate                     |
|---|--------------------------|
| First 1500 (0-1500)                     | \$8.66 (minimum bill)    |
| Next 3500 (1501-5000)                   | \$3.60 per 1,000 gallons |
| Next 3500 (5001-8500)                   | \$2.81 per 1,000 gallons |
| Over 8500 (8501-)                       | \$2.14 per 1,000 gallons |
| Base rate of \$7.00 per month user fee. |                          |

2013  
 Water service shall be furnished at the following monthly rates within the City beginning January 1, 2013:

| Gallons Used Per Month                  | Rate                     |
|---|--------------------------|
| First 1500 (0-1500)                     | \$9.96 (minimum bill)    |
| Next 3500 (1501-5000)                   | \$4.14 per 1,000 gallons |
| Next 3500 (5001-8500)                   | \$3.23 per 1,000 gallons |
| Over 8500 (8501-)                       | \$2.46 per 1,000 gallons |
| Base rate of \$7.00 per month user fee. |                          |

*(Ord. 194 – Nov. 12 Supp.)*

**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 twentieth day of each month.
3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A one-time late payment penalty of five percent (5%) of the amount due shall be added to each delinquent bill.

**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 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 Clerk 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 Clerk'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-five 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.** 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.

*(Code of Iowa, Sec. 384.84)*

**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 UTILITY DEPOSIT.** There shall be required from every customer a seventy-five dollar (\$75.00) deposit intended to guarantee the payment of bills for service.

*(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. There shall be a twenty-five dollar (\$25.00) fee collected for shutting the water off at the curb valve and a twenty-five dollar (\$25.00) fee 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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ORDINANCE NO. 195

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF APLINGTON, IOWA, CHAPTER 92, WATER RATES BY AMENDING PROVISIONS PERTAINING TO RATES FOR SERVICE AND DISCONTINUED SERVICE

BE IT ENACTED by the City Council of Aplington, Iowa:

SECTION 1. SECTION MODIFIED. Section 92.02 of the Code of Ordinances of the City of Aplington, Iowa, is repealed and the following adopted in lieu thereof:

92.02 RATES FOR SERVICE. The rates for water service shall be furnished at the following monthly rates within the City until July 31, 2015:

|   |                          |
|---|--------------------------|
| First 1500 (0-1500)                     | \$9.96 (minimum bill)    |
| Next 3500 (1501-5000)                   | \$4.14 per 1,000 gallons |
| Next 3500 (5001-8500)                   | \$2.81 per 1,000 gallons |
| Over 8500 (8501-)                       | \$2.14 per 1,000 gallons |
| Base rate of \$7.00 per month user fee. |                          |

Water service shall be furnished at the following monthly rates within the City  
Beginning August 1, 2015:

|   |                          |
|---|--------------------------|
| First 1500 (0-1500)                     | \$13.00 (minimum bill)   |
| Over 1500 (1501-)                       | \$5.00 per 1,000 gallons |
| Base rate of \$7.00 per month user fee. |                          |

SECTION 2: SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinances as a whole or any section, provision, or part thereof no adjudged invalid or unconstitutional.

Section 3: WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the council the 8<sup>th</sup> day of July, 2015, and approved this 8<sup>th</sup> day of July, 2015.

Jason Mehmen  
Jason Mehmen, Mayor

ATTEST:  
Debra Prier  
DEBRA PRIER, City Clerk

First reading: 5-13-15  
Second Reading: 6-10-15  
Third Reading: 7-8-15

I certify that the foregoing was published as Ordinance No. 195 on the 9<sup>th</sup> day of July, 2015.

