CHAPTER 99

SEWER SERVICE CHARGES

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99.01 DEFINITIONS. For use in this chapter, the following user classes are defined:

1. "Residential unit" is defined as one of the following:
   A. A private single-family house;
   B. Each separate living area of a duplex;
   C. Each apartment in a house or apartment building.

2. "Commercial unit" is defined as one business venture which occupies part of or an entire business building, premises, etc.

3. "Agricultural unit" is defined as land upon which a farming operation is conducted and which does not include a residential unit. If purchased water is used solely for the consumption by livestock and is not thereafter discharged into the sanitary sewer, there shall be a separate water meter where water is purchased in order for this definition to apply.

99.02 SEWER SERVICE CHARGES. Each customer shall pay a sewer service charge for the use of, and for the service supplied by, the system in accordance with the following:

1. Each residential unit and each commercial unit shall pay a service charge of $28.70 per month, whether actually discharging into the system or not, plus a rate of $7.58 for each 1,000 gallons of water used per month.

2. The service charge and use rate contained herein shall not apply to an agricultural unit as defined in Section 99.01.

In no case shall the minimum service charge be less than $28.70 per month, which is necessary to retire the indebtedness, support the operation and maintenance of the system, and provide the reserve necessary for maintaining the sanitary sewer facility.

99.03 SPECIAL RATES. Where, in the judgment of the Mayor and the Council, special conditions exist to the extent that the application of the sewer use charges provided in Section 99.02 would be inequitable or unfair to either the City or the customer, a special rate shall be proposed by the Mayor and submitted to the Council for approval by resolution.

(Code of Iowa, Sec. 384.84)

99.04 PRIVATE WATER SYSTEMS. Customers whose premises are served by a private water system shall pay sewer use charges based upon the water used as determined by the City either by an estimate agreed to by the customer or by metering the water system at the customer's expense. Any negotiated or agreed upon sales or use charges shall be subject to approval of the Council.

(Code of Iowa, Sec. 384.84)

99.05 PAYMENT OF BILLS. All sewer service 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. Except as provided for in Section 92.07 of this Code of Ordinances, the owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for sewer service charges to the premises. Sewer 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[1])

99.07 SPECIAL AGREEMENTS PERMITTED. No statement in these chapters shall be construed as preventing a special agreement, arrangement or contract between the Council and any industrial concern, whereby an industrial waste of unusual strength or character may be accepted subject to special conditions, rate and cost as established by the Council.

99.08 UTILITY RECORD KEEPING.

1. The City will maintain the proportional distribution of operation, maintenance, and replacement (OM&R) costs among users and user classes.

2. The City will apply excess revenues collected from a class of users to the costs of OM&R attributable to that class for the next year and adjust the rates accordingly.

3. The OM&R portion of the total sewer use charge shall be deposited in a non-lapsing fund and the revenues so deposited will be used only for the purposes of defraying the OM&R costs of the treatment works. Funds transferred from other revenue sources to meet temporary shortages in the OM&R accounts shall be refunded following an appropriate adjustment in the user charge for OM&R. The fund will have a minimum of two primary accounts:

A. An O&M account with provision for carry-over of the fiscal year end balance to meet the overall O&M costs in the subsequent fiscal year.

B. A replacement account which accrues funds through deposits made at least annually from OM&R user charge revenues. The deposits shall provide adequate revenues to meet the replacement needs of the treatment works over its service life and shall be used for no other purpose. Fiscal year-end balances in the replacement account will be carried over to the same account in the subsequent fiscal year.

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