

## TITLE VI PHYSICAL ENVIRONMENT

### CHAPTER 5 UTILITIES - BILLING CHARGES

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6-5-1 UTILITY DEFINED. For use in this chapter, utility is the sewer, water, and refuse collection systems operated by the City.

6-5-2 DISTRICTS. There shall be one sewer and water district which encompasses all of the City of Britt, Iowa.

6-5-3 DISPOSITION OF FEES AND CHARGES. All money received under this chapter shall be deposited in the City treasury not later than the last day of the month in which it was received and a written report of the amount and source of the fees and charges shall be on file with the City Clerk.

6-5-4 BILLING, PENALTY. Utility bills shall be due on the 29<sup>th</sup> day of the month following the period for which service is billed (28<sup>th</sup> day for the month of February). Payment shall be made to the City Clerk. Bills shall become delinquent after the 30<sup>th</sup> (28<sup>th</sup> day of February) day of the month in which due and bills paid after said day shall have added a penalty of ten (10%) percent of the amount of the total bill for city utilities. When the 29<sup>th</sup> (28<sup>th</sup> day of February) day falls on Saturday or Sunday, the City Clerk shall accept payment on the next office day without penalty.

(Code of Iowa, Sec. 384.84(1))

6-5-5 DISCONTINUING SERVICE, FEES.

1. If any account is not paid within thirty days from the end of any given period, the service to such owner or person so supplied with the utility shall be discontinued after the following procedures have been complied with:

a. The City Clerk shall send a disconnect or discontinuance notice by ordinary mail providing the following notice to customers: "You are advised that you may request a hearing on this matter to the City Clerk by noon on the day preceding the scheduled shut-off date or discontinuance of service."

b. When a hearing is requested by a customer, the Mayor or the Mayor's designee shall conduct a hearing within two (2) days following the request. The customer shall have the right to present evidence or propose a payment plan. The decision of the Mayor is final.

2. If service is discontinued for nonpayment of fees and charges, or for the violation of any Ordinance, a fee of \$100.00 shall be paid to the City Clerk in addition to the rates or charges then due before such service is restored. If payment is made to the Superintendent or the Superintendent's designee at the time of disconnection, that shall be a charge of \$100.00. If any such charge is not paid within sixty (60) days from the date it is due, the same shall constitute a lien upon the premises served by said municipal system, which said lien shall be collected in the same manner as taxes.

3. A lien shall not be certified to the County Treasurer for collection unless thirty days prior written notice by ordinary mail of the intent to certify a lien is given to the account holder of the delinquent account. If the account holder is a tenant, and if the owner or property lessor of the property has made a written request for notice, the notice shall also be given to the owner or property lessor.

(Code of Iowa, Sec. 384.84(3))

4. If the property in which there are delinquent utilities owing is sold before the City certifies the lien to the County Treasurer, the City may certify the delinquent utilities against another property located in this state owned by the delinquent user.

(Code of Iowa, Sec. 384.84(3)(a)(3))

6-5-6 RESIDENTIAL RENTAL PROPERTY. For residential rental property where a charge for water service is separately metered and paid directly by the tenant, the rental property is exempt from a lien for those delinquent charges incurred after the property lessor gives written notice to the City that the tenant is liable for the charges and a deposit not exceeding the usual cost of ninety (90) days of water service is paid to the utility. Upon receipt, the City shall acknowledge the notice and deposit. A written notice shall contain the name of the tenant responsible for charges, address of the property that the tenant is to occupy, and the date that the occupancy begins. A change in tenant shall require a new written notice and deposit. When the tenant moves from the rental property, the City shall return the deposit, within ten days, if the water service charges are paid in full and the lien exemption shall be lifted from the rental property. The lien exemption for rental property does not apply to charges for repairs to a water service if the repair charges become delinquent.

A lien shall not be certified to the County Treasurer for collection unless prior written notice by ordinary mail of the intent to certify a lien is given to the account holder of the delinquent account. If the account holder is a tenant, and if the owner or property lessor of the property has made a written request for notice, the notice shall also be given to the owner or property lessor.

(Code of Iowa, Sec. 384.84(3))

6-5-7 CUSTOMER GUARANTEE DEPOSITS. Customer deposits shall be required of all customers who are tenants. Such deposit shall be one-hundred (\$100.00) dollars. Deposits of customers having a non-delinquent payment record for one (1) year shall have their deposits applied to their bill. An occurrence or recurrence of a bad payment record may be the occasion for the City Clerk to require a new or larger deposit for the continuation of service and non-refunding of deposit.

6-5-8 WATER RATES. Water shall be furnished at the following monthly rates per property serviced within the City limits:

(Code of Iowa, Sec. 384.84(1))

The first 20,000 gallons used per month @ \$3.16 per 1000 gallons.

All over 20,000 gallons used per month @ \$2.72 per 1000 gallons.

The minimum charge shall be \$7.97 per household or business building per billing month. Water rates shall automatically increase 2% on July 1, 2013 and on each July 1 thereafter. This 2% shall also apply to the minimum monthly bill.

For households or business buildings located outside the limits of the City of Britt, but connected to the Britt municipal water system, the minimum charge shall be 150% of the base rate for households or business buildings located within the City of Britt, per billing month.

6-5-9 REFUSE COLLECTION RATES. There shall be collected by the City for its services in collecting garbage and rubbish, the following mandatory fees:

1. Residence Rate. For each resident with alley or curb pickup, monthly fees paid to the City shall be as follows:

- a. Recycling Collection: \$3.68 per month
- b. Trash Collection:
  - \$7.61 for 32 gallon tote
  - \$10.79 for 64 gallon tote
  - \$13.76 for 96 gallon tote
- c. Senior Citizens (65 years of age or older): \$6.61 for 32 gallon tote

2. Commercial Rate. Rates for commercial establishments shall be established by and between the establishment and the contracted waste hauler.

(Code of Iowa, Sec. 384.84(1))

6-5-10 RATE OF SEWER RENT AND MANNER OF PAYMENT. The rate of sewer rent shall be one hundred, twenty-five (125%) percent of the net water bill for each premise. The rent shall be paid with the water bill at the same time as payment of the water bill is due and under the same condition as to penalty for late payment, at the office of the City Clerk, beginning with the next payment after the enactment of this Ordinance, or, if connection has not been made, after the connection to the sewer system is made.

(Code of Iowa, Sec. 384.84(1))

6-5-11 DETERMINATION AND PAYMENT OF SEWER RENT FROM PREMISES WITH PRIVATE WATER SYSTEMS. Users whose premises have a private water system shall pay a sewer rent in proportion to the water used and determined by the City Council either by an estimate agreed to by the user or by metering the water system. The rates shall be the same as provided in Section 6-5-10 applied as if a City water bill were to be paid. Rent shall be paid at the same time and place as provided in Section 6-5-10.

(Code of Iowa, Sec. 384.84(1))

6-5-12 SALES TAX. The rates provided above are exclusive of sales tax. The furnishing of utility services is subject to sales tax and sales tax shall be imposed upon the bill.