

# 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 SERVICES** Water service shall be furnished at the following monthly rates within the City until amended:

1. To all customers:

Gallons Used Per Month	Rate as of June 15 <sup>th</sup> , 2023
Water Availability Charge:	\$46.70
100 to 3,000 gallons	\$6.30 per 1,000 gallons
3,001 to 10,000 gallons	\$16.30 per 1,000 gallons
10,001 to 100,000+ gallons	\$25.10 per 1,000 gallons
	Water Rates will increase 5% annually thereafter on June 15

2. To wholesale customers:

1. The water rate for Xenia Rural Water shall be \$12.29 per 1,000 gallons used.

3. To the Lake Panorama Association: The water rate for the Lake Panorama Association shall be \$6.93 per 1,000 gallons used.

**92.03(a) RATES AND SERVICE OUTSIDE CITY.** Water service shall be provided to any Customer located outside the corporate limit of the City, which the City has agreed to serve, at the following monthly rates:

Gallons Used Per Month	Rate as of July 1 <sup>st</sup> , 2023
0 to 3,000 gallons	\$83.20
3,000 to 30,000	\$21.10
30,001 to 100,000	\$18.60
100,001 to 500,000	\$17.70
500,000 to 1,000,000	\$17.20
All over 1,000,001	\$16.00

**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 20<sup>th</sup> day of the month.
3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A late payment penalty of one and one-half percent (1.5) 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 provisions and additional provisions contained in the Utility Customer Service Manual adopted by resolution:

(Code of Iowa, Sec. 384.84)

1. Notice. The Finance Administrator 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 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 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 Finance Administrator shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. If the Finance Administrator finds that disconnection is justified, then such disconnection shall be made, unless payment has been received
4. Fees. A fee in an amount set by resolution of the Council 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 ten (10) 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. If the customer is a tenant and if the owner or landlord of the property 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 CUSTOMER DEPOSITS.** There shall be required from every customer a deposit, in an amount set by resolution of the Council, 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 to be temporarily discontinued and shut off at the curb valve when the property is expected to be vacant for an extended period of time (which must be a minimum of thirty days). The amount of the fees for shutting the water off at the curb valve and for restoring service is set by resolution by the Council. During any vacant period in which service is disconnected the “water availability charge” will be billed monthly. The City will not drain pipes or pull meters for temporary vacancies. For those customers that own vacant lots with no structures on the lot, no “water availability charge” will be billed.

**92.11 RATES CONTINUE UNTIL AMENDED.** The water rates set forth in sections 92.02 and 92.03 shall continue beyond specified term until subsequently amended.

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