

ORDINANCE NO. 279

AN ORDINANCE AMENDING WATER RATES AND CHARGES SET FORTH IN NORWAY MUNICIPAL CODE, TITLE VI PHYSICAL ENVIRONMENT, CHAPTER 10, WITHIN THE CITY OF NORWAY, IOWA.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF NORWAY, IOWA:

Section 1. The Norway Municipal Code of 2000 is hereby amended to repeal and replace, WATER RATES AND CHARGES, set forth in Title VI Physical Environment, Chapter 10, Code of Ordinances.

6-10-1 WATER RATES. Water shall be furnished at the following monthly rates per building within the city limits: For the first 1,500 gallons, or fraction thereof, the minimum rate shall be \$17.83; for the amounts in excess of 1,500 gallons, and not exceeding 3,000 gallons the rate of \$2.72 per thousand gallons, or fraction thereof; for the amounts in excess of 3,000 gallons, and not exceeding 6,000 gallons the rate of 2.55 per thousand gallons or fraction thereof; for any amount in excess of 6,000 gallons the rate of 2.38 per thousand gallons, or fraction thereof. Building as used in this chapter shall mean only those building that have water connections and shall exclude outbuildings.

6-10-2 PAYMENT. All water rents and rates are due in full on the 20th of the month following the close of the billing month, and shall be paid to the authorized officer of the City of Norway. In order to keep water rent, rates, and payments paid on a current basis, on the 20th of each month the total amount due for the month will be paid. Also, as shown on the bill that will be sent to each user showing the water meter reading for the month and the balance, if any owing therefore, each user will be notified of the amount of his monthly usage that will be due on the 20th of each month based on the previous month's actual meter reading.

6-10-3 PERSONS LIABLE. The owner of premises served, the occupant thereof, and the user of the water furnished shall be jointly and severally liable for the water furnished to the premises.

6-10-4 DEPOSIT FEE AND COLLECTION PROCEDURES. When a meter is installed or service is commenced, a deposit fee in the sum of seventy-five dollars (\$75.00) will be required from the user. The deposit fee shall be held by the City of Norway until such time as the service is discontinued and shall then be returned to the user providing all charges due to the City of Norway from said user are paid in full. If the charges are not paid in full at the time service is discontinued, the City of Norway may forfeit the deposit fee to the extent of the unpaid charges and any balance will be returned to the user.

A late payment penalty of 5% of the amount due shall be added to each delinquent bill. On the second business day after the due date the clerk shall notify each delinquent user by mail that service will be discontinued if payment of the account, including late payment chares, is not received with 10 days after being sent notice. If the user is a tenant, and if the owner or landlord of the property has made a written notice, the notice of delinquency shall also be given to the owner or landlord. The city shall shut off the supply of water to any user

who, not having contested the amount billed in good faith, has failed to make payment by the date specified. A reconnect fee of fifty dollars (\$50) shall be charged before service is restored to a delinquent user. There will be a fifty dollar (\$50) reconnection fee for any service that is disconnected due to non-payment of bill.

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. The lien may be imposed upon a property or premises even if service to the property or premises has been or may be discontinued as provided herein.

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 90 days of water service to be paid to the city. The landlord's written notice shall contain the name of the tenant responsible for the 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 business days of the change in tenant. When the tenant moves from the rental property, the city shall refund the deposit if the water charges are paid in full. A change in the ownership of the residential rental property shall be given to the city with ten business day of the completion of the change of ownership.

The 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 user. If the user 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 30 days prior to the certification of the lien to the county treasurer.

If delinquent amount is owed by an account holder associated with a prior property or premises, the city may withhold service from the same account holder at any new property or premises until such time as the account holder pays the delinquent amount owing on the account associated with the prior property or premises.

6-10-5 **INSTALLATION FEE.** When a meter is installed, in addition to the deposit fee mentioned heretofore, an installation fee in the sum of one hundred fifty dollars (\$150.00) will be required and must be paid at the time of issuance of building permit from the user or other person making the installation to compensate the city of Norway for the purchase of said water meter and installation services.

6-10-6 **READING METERS.** Water meters shall be read on or about the twenty-eighth (28th) day of each month, and upon discontinuance of service.

6-10-7 **RATES FOR USERS OUTSIDE OF CITY.** Water rates for users outside of city but hooked to and receiving water service from the municipal water works plant of the incorporated City of Norway will be set at the discretion of the city council, but not less than those rates for users within the incorporated City of Norway, Iowa.

6-10-8 BULK WATER RATES FOR USERS OUTSIDE OF CITY. Bulk water rates for residents and/or non-resident users outside of city receiving non-potable water in bulk amounts from the municipal water works plant of the incorporated City of Norway, Iowa, shall be at the rate of five dollars (5.00) per 1,000 gallons.

Rates will be reviewed by council each December and raised by Resolution as required to cover all costs associated with maintenance and cost of water department.

Section 4. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 5. If any section, provision, or part of this ordinance is adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged to be invalid or unconstitutional.

Section 6. This ordinance shall be in full force and effect from and after passage and approval and publication as provided by law.

Passed by the city Council of Norway, Iowa, on the 12th day of September, 2016.

City of Norway, Iowa

Martin Schulte, Mayor

ATTEST:

Wendy Erger, City Clerk