

4. Fees. If a delinquent customer is notified of non-payment for water service by door hanger/placard, the account shall be charged a late fee of twenty-five dollars (\$25.00) in addition to any other fees imposed for the delinquency or termination.

If water service is terminated, the account shall be charged an additional disconnection fee of twenty-five dollars (\$25.00).

If, following termination, water service is restored, the account shall be charged an additional reconnection fee of twenty-five dollars (\$25.00). Water service will be restored during normal working hours but may remain unavailable for up to twenty-four (24) hours following payment. All fees shall be paid prior to restoration of service.

No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.

(Subsection 4 – Ord. 323 – Apr. 24 Supp.)

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 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)

92.07 LIEN EXEMPTION.

(Code of Iowa, Sec. 384.84)

1. Water Service Exemption. The lien for nonpayment shall not apply to charges for water service to a residential or commercial 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 or commercial 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 such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

2. Other Service Exemption. The lien for nonpayment shall also not apply to the charges for any of the services of sewer systems, stormwater drainage systems, sewage treatment, solid waste collection, and solid waste disposal for a residential rental property where the charge is 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 for such service. The City may require a deposit not exceeding the usual cost of 90 days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

3. Written Notice. The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the residential or commercial rental property that the tenant is to occupy, and the date that the occupancy begins. Upon receipt, the City shall acknowledge the notice and deposit. A change in tenant for a residential rental property shall require a new written notice to be given to the City within 30 business days of the change in tenant. A change in tenant for a commercial rental property shall require a new written notice to be given to the City within 10

business days of the change in tenant. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City within 30 business days of the completion of the change of ownership. A change in the ownership of the commercial rental property shall require written notice of such change to be given to the City within 10 business days of the completion of the change of ownership.

4. Mobile Homes, Modular Homes, and Manufactured Homes. A lien for nonpayment of utility services described in Subsections 1 and 2 of this section shall not be placed upon a premises that is a mobile home, modular home, or manufactured home if the mobile home, modular home, or manufactured home is owned by a tenant of and located in a mobile home park or manufactured home community and the mobile home park or manufactured home community owner or manager is the account holder, unless the lease agreement specifies that the tenant is responsible for payment of a portion of the rates or charges billed to the account holder.

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 30 days prior to certification of the lien to the County Treasurer.

(Code of Iowa, Sec. 384.84)

92.09 WATER/SEWER DEPOSITS. If property served by water/sewer is a residential rental property or units, there shall be required a \$100.00 deposit when establishing a new service account with the City and shall include changes in occupancies of property within the City. This deposit shall also be applied to any outstanding water/sewer bill with the City and for any damage to City property upon termination of services.

(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 \$25.00 fee collected for shutting the water off at the curb valve and a \$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. The City is not responsible for any damages that might occur during the temporarily discontinued period, including the shut off and restoring service process.

92.11 SEPARATE METER FOR OUTSIDE WATERING (YARD METER). A customer may add a second water meter for the purpose of measuring water to be used from outside faucets and for outside watering. The cost of the meter and its installation shall be at the expense of the customer. Meter tampering shall be cause to disconnect the outside watering meter. Water service through outside water meters shall be charged at \$23.56 monthly, in addition to any monthly water usage on the outside meter. These readings and billings will occur each month from April through October of each year. A credit on sewer charges will be prorated based on the water usage through the outside watering meter on any amount above the 0-999

gallon minimum usage. For any amount of water usage over 1,000 gallons, rates shall be billed at water rates established in Chapter 92 of this Code of Ordinances. No sewer charge will be assessed to water usage through the outside meter.

(Section 92.11 – Ord. 331 – May 26 Supp.)

[The next page is 477]