

CHAPTER 99

SEWER SERVICE CHARGES

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99.01 PURPOSE. The purpose of this chapter is to enable the collection of the costs of operation and maintenance of the sewage treatment works in the City from all users in proportion to the contribution of each to the total sewage loading of the treatment works; to recover sufficient revenue to equal the cost of all treatment works operation and maintenance, including replacements and to enable collection of revenue at least sufficient to provide for amortization of and payment of interest on indebtedness incurred in the construction of the sewage treatment works.

99.02 DEFINITIONS.

1. “Commercial user” means a customer discharging wastes into the sanitary sewer system who cannot be classified as a residential user or an industrial user.
2. “Dwelling” means a house, an apartment or a portion of a house or building divided from the remainder of the house or building so as to be a private living section and containing a kitchen or cooking facilities.
3. “Industrial Class A User” means an industrial user discharging wastes into the sanitary sewer system with a B.O.D. concentration of less than 100 mg/L and a total suspended solids concentration of less than 100 mg/L.
4. “Industrial Class B User” means an industrial user discharging wastes into the sanitary sewer system with a B.O.D. concentration of 100 mg/L or more or a total suspended solids concentration of 100 mg/L or more.
5. “Industrial user” means a customer discharging waste into the sanitary sewer system who is required by the State or the United States Environmental Protection Agency to execute an Operation Permit Treatment Agreement with the City.

6. “Residential user” means a customer discharging wastes into the sanitary sewer system from two (2) or less dwelling units of the same building.

99.03 LEVEL OF USER CHARGES.

1. User Charges. The user charge for all classifications shall be an amount of money per thousand gallons of potable water delivered to customers during a billing period, as measured by the potable water system meter or other reliable means. It shall be computed for each individual user by multiplying the volume of potable water delivered to said user by the appropriate classification user rate. These separate user rates shall be fixed from time to time by resolution of the Council. Separate minimum monthly amounts and/or monthly surcharges for each classification for the purposes of financial security and future improvements to the sewer system may be set by resolution of the Council.

2. Determination of Level of Charges. From time to time, the City Clerk and/or City Administrator shall assess the costs for: (1) operation and maintenance including billing, collection and administrative costs; (2) the cost of replacements, for the sewage treatment works of the City so as to recover said operation and maintenance costs, and to maintain an adequate reserve for replacements; and (3) the cost of debt service. The fraction of the charges dedicated to replacements shall not be less than twenty percent (20%) of the total of other operation and maintenance costs unless analysis of replacement experience indicates the need for an increase or reduction in this fraction, provided, however, that this fraction shall be such as to always provide adequate revenues to meet the replacement needs of the treatment works over its service life. The Superintendent shall assist in this assessment, and engineering assistance may be employed as well. The Council shall then by resolution fix each classification’s user rate so as to recover operation, maintenance, debt service and replacement costs. In so doing, the Council may adjust the level for excessive recovery and shall adjust the level for insufficient recovery for said costs.

99.04 DETERMINATION OF CONCENTRATION OF WASTES.

Concentrations of pollutants from industrial users shall be determined by the Superintendent from periodic sampling of the user’s sewage. The Superintendent shall obtain a sufficient number of regularly spaced samples to obtain a representative measurement of such concentration. The volume of sewage discharged shall be established by suitable periodic measurement

techniques or by permanent installation of metering equipment. These measurements shall be the sole basis for determining the classification of industrial users as Class A or Class B.

99.05 CHARGES FOR CONTRIBUTORS OF UNMEASURED WATER. Residential users having private water systems, or otherwise unmetered intake and use of water, shall pay debt service and user charges based on at least 2,000 gallons per resident per month. All other classifications under similar circumstances shall pay debt service and user charges based on a volume established by the Superintendent from an estimate agreed to by the customer or determined by installation of special metering equipment at the customer's expense. Any negotiated, or agreed upon rate shall be subject to approval by the Council.

99.06 METERED WATER THAT DOES NOT ENTER THE SEWER SYSTEM. Users that purchase potable water that does not enter the sanitary sewer system shall be exempt from debt service and user charges for such water to the extent that such water is measurable and is reliably measured. For the purpose of this section, the Superintendent shall solely decide the method and form of accurate measurement. Debit meters that deduct sewer usage from water usage are expressly forbidden.

99.07 PAYMENT OF BILLS. The sewage treatment works user charge and the debt service charge are due and payable under the same terms and conditions provided for payment of solid waste disposal service, and sewer service may be discontinued in accordance with the provisions contained in Section 106.07(3) if the combined service account referred to therein becomes delinquent, and the provisions contained in Section 106.09 relating to lien notices shall also apply in the event of a delinquent account. Late payment fees as set by resolution of the Council may be added to delinquent bills.

99.08 APPLICATION OF SEWAGE TREATMENT WORKS USER CHARGES. All sewer user charges shall be deposited by the Clerk in a non-lapsing fund consisting of at least two accounts, to-wit:

1. An Operation and Maintenance Account, into which shall be deposited that fraction of the total user charges dedicated to operation and maintenance. Funds in this account shall be used only for the purpose of defraying operation and maintenance costs of the treatment works. Balances remaining in the fund at the end of the fiscal year shall be carried forward to the next succeeding fiscal year.

2. A Replacement Account, into which shall be deposited that fraction of the user charges dedicated to replacements. Funds in this account shall be used only for the purpose of defraying operation and maintenance costs of the treatment works. Balances remaining in the fund at the end of the fiscal year shall be carried forward to the next succeeding fiscal year.

Any transfer of funds from other revenue sources to meet temporary shortages in these accounts may be refunded following an appropriate adjustment in the sewage treatment works user charge rates.

99.09 SPECIAL RATES. Where, in the judgment of the City, special conditions exist to the extent that the application of the normal user charges would be inequitable or unfair to either the City or the customer, a special rate shall be proposed and submitted to the Council for approval by resolution.

99.10 RECORDS. The superintendent shall maintain records of volumes of flow and concentration of pollutants utilized in determining Industrial Class A and Class B users. The City Clerk shall maintain records of revenue and of cost of operation and maintenance, including replacement, adequate to document compliance with the provisions of this chapter.

99.11 LIEN FOR NONPAYMENT. 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 premises served and shall be certified by the City Clerk, Finance Officer or Water Clerk to the County Treasurer for collection in the same manner as property taxes. *(Ord. 804 – Nov. 03 Supp.)*
(Code of Iowa, Sec. 384.84)

99.12 DEPOSIT. There shall be required from every customer a fee as set by resolution of the Council as a deposit collected by the Water Department, intended to guarantee the payment of bills for service.
(Code of Iowa, Sec. 384.84)

99.13 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.

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