

CHAPTER 99

SEWER USER CHARGE

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99.01 PURPOSE. The purpose of this chapter is to establish a user charge system which shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and costs associated with debt retirement of bonded capital for financing the treatment works.

99.02 DEFINITIONS. Unless the context indicates otherwise, the meaning of terms used in this chapter are as follows:

1. “Normal domestic wastewater” means wastewater that has a BOD concentration of not more than 200 mg/l, a suspended solids concentration of not more than 250 mg/l and an ammonia concentration of not more than 35 mg/l.
2. “Operation and maintenance” means all expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for the management and maintenance of said treatment facilities to achieve the capacity and performance for which such works were designed and constructed.
3. “Replacement” means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such facilities were designed and constructed. The term “operation and maintenance” includes replacement.
4. “Residential customer” means any customer whose lot, parcel of real estate or building is used for domestic dwelling purposes only.
5. “Treatment works” means the devices and systems used for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping stations, power and other equipment and appurtenances, extensions, improvements, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site

acquisition of the land, that will be an integral part of the treatment process or used for ultimate disposal of residues resulting from such treatment; including and for application of sludge; or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste.

6. “Useful life” means the estimated period during which the treatment works will be operated.

7. “User charge” means that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the treatment works.

8. “Water meter” means a water volume measuring and recording device, furnished and/or installed by the City or furnished and/or installed by a user and approved by the City.

99.03 APPLICATION OF CHARGES. The charges and rates established by this chapter shall, where applicable, be applied to the quantity of water used and discharged into the sanitary sewage system of the City as determined by the water billing of the City to separate properties where such water is furnished, and to the quantity of water from other privately owned water supplies as may be discharged into the system. The user charge rates established in this chapter apply to all users, regardless of their location, of the treatment works.

99.04 SEWER USER CHARGE. Each customer shall pay a flat rate user charge of \$11.88 per month (minimum bill) plus a user charge rate for operation and maintenance of \$5.02 per 100 cubic feet of water used.

(Ord. 572 – Oct. 16 Supp.)

99.05 SURCHARGES. For those customers who contribute wastewater of strength greater than normal domestic sewage, a surcharge will be collected in addition to the sewer user charge. The surcharge for operation and maintenance including replacement is:

\$0.65 per pound BOD

\$0.52 per pound SS

Any such customer shall also pay all costs associated with surcharge sampling and evaluation required to determine BOD and SS levels, including without limitation actual outside laboratory fees and City staff time at such rate as may be determined by the Council. In addition, any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the treatment works, shall pay for such increased costs. The charge to each such user shall be as determined by the Superintendent and approved by the Council.

99.06 PRIVATE WATER SYSTEMS. Customers whose premises are served by a private water system or a private system in addition to the public water system shall pay sewer user charges based upon

the quantity of water used as determined to the satisfaction of the City at the expense of the customer. If the estimated quantity of water from any such private system exceeds fifty (50) gallons per day the City shall require that said system be metered at the expense of the customer.

99.07 USER CHARGE EXEMPTION. Customers may install a separate water meter, at the customer's expense, to determine the quantity of water that is not in any way discharged to the City sanitary sewer system. Customers may not avail themselves of the provisions of this section without prior notice to the City of the proposed installation of the separate meter and the approval of the City. Upon approved installation, the sewer user charge shall not apply to all water measured through such separate meter.

99.08 PAYMENT OF BILLS. All sewer user charges are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.04 of this Code of Ordinances. Sewer service may be discontinued in accordance with the provisions contained in Section 92.05 if the combined service account becomes delinquent, and the provisions contained in Section 92.08 relating to lien notices shall also apply in the event of a delinquent account.

99.09 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for sewer user charges to the premises. Sewer user 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)

99.10 ACCOUNTS DESIGNATED. That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes shall be deposited in a separate non-lapsing fund known as the *Operation, Maintenance and Replacement Fund* and will be kept in two primary accounts as follows:

1. Operation and Maintenance Account. An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works.
2. Replacement Account. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Replacement Account shall be made at least annually from the operation, maintenance and replacement revenue in a twenty-year average amount of \$29,000.00 annually.

99.11 YEAR-END BALANCES. Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Moneys which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate shall be adjusted such that the transferred moneys will be returned to their respective accounts within the fiscal year following the fiscal year in which the moneys were borrowed.

99.12 CHARGE REVIEW. The City shall review the user charge system at least every year and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users.

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