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MILLS COUNTY, IOWA, SS.
FILE NO. 561 FILED

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ORDINANCE NO. 454

RECORDED BY 139 PG. 395-401

SEWER USE RATE

KENNETH ASMUSSEN,
RECORDER

by Wayne Mc Menigal, deputy

AN ORDINANCE OF THE CITY OF GLENWOOD, MILLS COUNTY, IOWA, TO AMEND THE GLENWOOD CITY CODE BY AMENDING TITLE 3, CHAPTER 3, ARTICLE 3, DEALING WITH THE SEWER RENTAL RATES OF SAID CODE: TO REPEAL SAID ORIGINAL SECTION AND TO ESTABLISH THE EFFECTIVE DATE FOR SAID RATES.

Be it Ordained by the Mayor and City Council of the City of Glenwood:

- 3-3.0301 SEWER RENTAL REQUIRED. Every contributor shall pay to the City sewer rental fees as hereinafter provided. (Code of Iowa, 1975, Section 384.84(1)).
- 3-3.0302 The total sewer charges shall consist of two components:
 - A customer charge, and a sewer use charge:
 - A. Customer Charge.....\$4.50 per month
For multiple dwelling units or commercial users served jointly by a single meter, the charge shall be \$4.50 times the number of units served by said meter. For trailer courts or camps, the charge shall be \$4.50 times the number of units deemed to be the capacity of the court. For hotels, motels and nursing homes, the charge shall be \$4.50 plus \$1.26 per rental unit in excess of the first unit.
 - B. Sewer Use Charge:
 - 1. Residential Rate.....\$1.50 per 1000 gallons
For residential customers, the monthly charge for the twelve (12) months following April 1 of each year shall be based on average water during the preceding months of December, January and February for that property. Until consumptive history is properly established for previously unoccupied residential properties, the monthly charge shall be based on typical monthly residential consumption of 6500 gallons, yielding a typical sewer charge of \$9.75 per month.
 - 2. Commercial Rate.....\$1.50 per 1000 gallons
Commercial and industrial sewer use charges shall be based on the water consumed during that month.

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For commercial users and industries discharging only non-processed, domestic-strength wastewater, the rate shall be \$1.50 per 1,000 gallons. Industrial and commercial use charges shall be based on wastes discharge or water consumed, as determined by the City of Glenwood during that month.

3. Minimum charge per month = customer charge.

4. Surcharge rate. In the concentration of wastes from any user exceeds 200 mg/l BOD, 240 mg/l SS, or 100 mg/l grease, said user will be subject to a surcharge. The surcharge shall be based on that amount of waste which exceeds the above concentrations. The charge shall be at the following rates:

BOD.....	\$0.29 per pound
SS.....	0.20 per pound
Grease.....	0.15 per pound

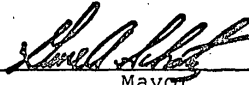
3-3.0303 The sewerage service charges prescribed by this ordinance shall be collected at the same time in the same manner and by the same officers as water charges are collected and may be included on the same billing or statement as is used for the billing for water service. Notice of delinquent payments may be sent to the owner of the real estate provided the owner of the real estate and the tenant thereof have in writing notified the City Clerk of the name and address where such notice to the owner should be send and the tenant has agreed to the landlord being notified of the delinquent payments. Said notice is given as an aid to the property owner in light of the liens that may be placed on the real estate as contained herein.

3-3.0304 Each sewerage service charge prescribed by this ordinance shall be a lien upon the premises and real estate for which the sewer service is supplied and used and if not paid when due such charge shall be certified to the City Treasurer and may be recovered by the City in an action at law and may, upon resolution of the City Council, be certified to the County Auditor and assessed against the real estate and premises served and be collected and returned in the same manner as other taxes. All service charges levied by this ordinance which are not paid when due shall be deemed to be delinquent and the water service and sewer service of any such user may be discontinued until payment is made and a reconnection charge of \$10.00 is paid.

- 3-3.0305 There are hereby established the required accounts for the purpose of managing the revenues derived and to be derived from the City's sanitary sewerage system. A separate account, to be known as the "Operation and Maintenance Account," shall be established for purposes of paying the operation and maintenance costs of the sewage system. Funds required for this account shall take precedence to assure satisfactory operation of the system. An account to be known as the "Repair and Replacement Account" shall be established for purposes of repairing and replacing portions of the system. Funds shall be deposited into this account at a rate of at least thirty thousand dollars (\$30,000.00) per year. Deposits shall be allowed to accrue without a maximum limit. Other accounts as established by a Bond Ordinance shall receive deposits as required by the ordinance.
- 3-3.0306 Sewer use rates shall be reviewed at least every two years and shall be revised as necessary to keep revenues reasonably in balance with anticipated expenditures. Excess funds may be carried forward from year to year in the respective accounts. This review shall include an analysis of the balance credited to the "Repair and Replacement Account," such that sufficient funds are accrued to provide for the expected replacements costs of the sewerage system. Adequate funds shall be generated or credited to the Operation and Maintenance Account to pay the costs of operation and maintenance. This rate review shall continue the fair and equitable distribution of all costs to all of the system's use. This rate review and the rate shall be sufficient to create sufficient revenues to pay the principal on the system. Further a reasonable reserve for the payment of principal and interest on reserve for the payment of principal and interest on the revenue bonds and pledge orders may be established.
- 3-3.0307 User's shall be provided with written notice of the sewer use rate and of that portion of the user charge which is attributed to wastewater treatment. Such notice shall also be provided to the user's after the review of rates described above, and shall include the findings and determination of such review.
- 3-3.0308 Any user discharging toxic pollutants to the system shall pay for such increased costs of managing the effluent or sludge by the treatment works or, may at the City's discretion, be prohibited from discharging into the system. Charges shall be as deemed necessarily by City to recover the increased costs.

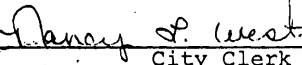
- 3-3.0309 PRIVATE WATER SYSTEM. Contributors whose premises are served by a private water system shall pay sewer rentals based upon the water used as determined by the Superintendent either by an estimate agreed to by the contributor or by metering the water system at the contributor's expense. Any negotiated, or agreed upon sales or rentals shall be subject to approval of the Council.
- 3-3.0310 Any person violating any provisions of this ordinance shall become liable to the City for any expenses, loss, or damage occasioned the City by reason of such violation.
- 3-3.0311 REPEALER CLAUSE. This ordinance shall repeal in its entirety by Title 3, Chapter 3, Article 3, sewer rental of the City Code of Glenwood, Iowa, and all other provisions of said City Code inconsistent herewith.
- 3-3.0312 This ordinance shall be published and become effective March 1, 1982, and be utilized with billings dated April 1, 1982, and thereafter.

PASSED AND APPROVED by the Mayor and Council of the City of Glenwood, Iowa, this 23rd day of February, 1982.

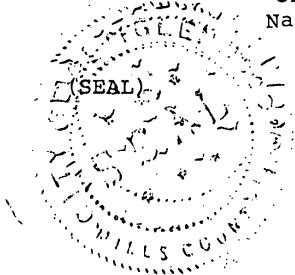


 Mayor
 Gene A. Schatz

ATTEST:



 City Clerk
 Nancy L. West



STATE OF IOWA }
Mills County } ss.

I, Pat Hofmockel

being duly sworn, depose and say that I am publisher or employee of

The Glenwood Opinion Tribune

a newspaper published at Glenwood, in and for said Mills County, and

that a notice, a copy of which is hereto attached, was published in said

newspaper one consecutive weeks, the last

publication being on February 25, 1922

Pat Hofmockel
Publisher/Employee of the Glenwood Opinion-Tribune

Printing Fee 56.25 Pat Hofmockel

Subscribed and sworn to before me this

day of September, 1922

Eula Mae Hammer
Notary Public

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ORDINANCE NO. 454
SEWER USE RATE
AN ORDINANCE OF THE CITY OF
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WA, TO AMEND THE GLENWOOD
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Be It Ordained by the Mayor and City Council of the City of Glenwood:

3-3.0301 **SEWER RENTAL REQUIRE-**
ED. Every contributor shall pay to the City sewer rental fees as hereinafter provided. (Code of Iowa, 1975, Section 384.84(1)).

3-3.0302 The total sewer charges shall consist of two components: A customer charge, and a sewer use charge:

A. Customer Charge....\$4.50 per month For multiple dwelling units or commercial users served jointly by a single meter, the charge shall be \$4.50 times the number of units served by said meter. For trailer courts or camps, the charge shall be \$4.50 times the number of units deemed to be the capacity of the court. For hotels, motels and nursing homes, the charge shall be \$4.50 plus \$1.26 per rental unit in excess of the first unit.

B. Sewer Use Charge:
 1. Residential Rate....\$1.50 per 1000 gallons For residential customers, the monthly charge for the twelve (12) months following April 1 of each year shall be based on average water during the preceding months of December, January and February for that property. Until consumptive history is properly established for previously unoccupied residential properties, the monthly charge shall be based on typical monthly residential consumption of 6500 gallons, yielding a typical sewer charge of \$9.75 per month.

2. Commercial Rate....\$1.50 per 1000 gallons Commercial and industrial sewer use charges shall be based on the water consumer during that month.

For commercial users and industries discharging only non-processed, domestic-strength wastewater, the rate shall be \$1.50 per 1,000 gallons. Industrial and commercial use charges shall be based on wastes discharge or water consumed, as determined by the City of Glenwood during that month.

3. Minimum charge per month = customer charge.

4. Surcharge rate. In the concentration of wastes from any user exceeds 200 mg/l BOD, 240 mg/lSS, or 100 mg/l grease, said user will be subject to a surcharge. The surcharge shall be based on that amount of waste which exceeds the above concentrations. The charge shall be at the following rates:

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3-3.0303 The sewerage service charges prescribed by this ordinance shall be collected at the same time in the same manner and by the same officers as water charges are collected and may be included on the same billing or statement as is used for the billing for water service. Notice of delinquent payments may be sent to the owner of the real estate provided the owner of the real estate and the tenant thereof have in writing notified the City Clerk of the name and address where such notice to the owner should be sent and the tenant has agreed to the landlord being notified of the delinquent payments. Said notice is given as an aid to the property owner in light of the liens that may be placed on the real estate as contained herein.

3-3.034 Each sewerage service charge prescribed by this ordinance shall be a lien upon the premises and real estate for which the sewer service is supplied and used and if not paid when due such charge shall be certified to the City Treasurer and may be recovered by the City in an action at law and may, upon resolution of the City Council, be certified to the County Auditor and assessed against the real estate and premises served and be collected and returned in the same manner as other taxes. All service charges levied by this ordinance which are not paid when due shall be deemed to be delinquent and the water service and sewer service of any such user may be discontinued until payment is made and a reconnection charge of \$10.00 is paid.

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This review shall include an analysis of the balance credited to the "Repair and Replacement Account," such that sufficient funds are accrued to provide for the expected replacements costs of the sewerage system. Adequate funds shall be generated or credited to the Operation and maintenance Account to pay the costs of operation and maintenance. This rate review shall continue the fair and equitable distribution of all costs to all of the system's use. This rate review and the rate shall be sufficient to create sufficient revenues to pay the principal on the system. Further a reasonable reserve for the pay-payment of principal and interest on reserve for the payment of principal and interest on the revenue bonds and pledge orders may be established.

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PASSED AND APPROVED by the Mayor and Council of the City of Glenwood, Iowa, this 23rd day of February, 1982.

s/ Gene A. Schatz
 Gene A. Schatz, Mayor

ATTEST:
 s/ Nancy L. West
 Nancy L. West, City Clerk
 (Published in the Glenwood Opinion-Tribune Thurs., February 25, 1982)

I, Nancy L. West, City Clerk of the City of Glenwood, Iowa do hereby certify that the attached and foregoing is a true and correct copy of an Ordinance of the City of Glenwood, Iowa duly adopted by the Glenwood City Council on 23rd day of February, 1982.

Nancy L. West
Nancy L. West, City Clerk

Dated this 9th day of September, 1982.



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