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ORDINANCE NO. 478

MILLS COUNTY, IOWA, SS.  
FILE NO. 2721 FILED

1983 JUN 15 AM 10:00

*and*  
RECORDED BK. 142 PG. 668-672  
KENNETH A. SHUSSEN,  
RECORDER

SEWER USE RATE

*Fee \$18.00 per*  
*Annex*

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, 1983, Section 384.84[1]).

3-3.0302 The total sewer charges shall consist of two components:

A customer charge, and a sewer 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.....\$1.80 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 \$11.70 per month.

2. Commercial Rate.....\$1.80 per 1000 gallons

Commercial and industrial sewer use charges shall be based on the water consumed during that month. For commercial users and industries discharging only non-processed, domestic-strength wastewater, the rate shall be \$1.80 per 1,000 gallons. Industrial and commercial use charges shall be based on wastes discharged or water consumed, as determined by the City of Glenwood during that month.

3. Minimum charge per month = customer charge.

4. Surcharge Rate. If 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 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.
- 3-3.0304 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 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 necessary by City to recover the increased costs.
- 3-3.0309 PRIVATE WATER SYSTEMS. 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 of Glenwood, Iowa, and all other provisions of said City Code inconsistent herewith.

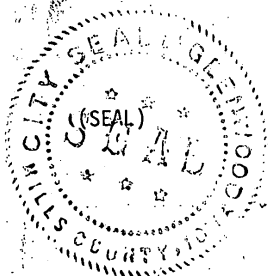
3-30312 This ordinance shall be published and become effective June 1, 1983, and be utilized with billings dated July 1, 1983, and thereafter.

PASSED AND APPROVED by the Mayor and Council for the City of Glenwood, Iowa, this 24<sup>th</sup> day of May, 1983.

*Gene A. Schatz*  
Gene A. Schatz Mayor

ATTEST:

*Nancy L. West*  
City Clerk  
Nancy L. West



I, Nancy L. West, city Clerk of the City of Glenwood, Iowa, do hereby certify that the above 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 the 24th day of May, 1983.

*Nancy L. West*  
Nancy L. West, City Clerk



# Public Notice

**ORDINANCE NO. 478  
SEWER USE RATE**  
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 REQUIREMENT.** Every contributor shall pay to the City sewer rental fees as hereinafter provided. (Code of Iowa, 1983, Section 384-84(1)).

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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 \$11.70 per month.

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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

STATE OF IOWA }  
Mills County }

1. Pat Hofmoeckel

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 May 26 1983.

Printing Fee \$ 57.00

Pat Hofmoeckel  
Publisher/Employee of the Glenwood Opinion-Tribune  
Pat Hofmoeckel

Subscribed and sworn to before me this 27<sup>th</sup>

day of May 1983

Eula Mae Hammer  
Notary Public

219 x .25 = 54.75  
6 x .375 = 2.25  
Total = 57.00

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.

**3-3.0304** 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 sewerage 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 replacement 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 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 necessary by City to recover the increased costs.

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**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 of Glenwood, Iowa, and all other provisions of said City Code inconsistent herewith.

**3-3.0312** This ordinance shall be published and become effective June 1, 1983, and be utilized with billings dated July 1, 1983, and thereafter.

**PASSED AND APPROVED** by the Mayor and Council for the City of Glenwood, Iowa, this 24th day of May, 1983, s/ Gene A. Schatz, Mayor

**ATTEST:**  
s/ Nancy L. West  
Nancy L. West, City Clerk  
(Published in the Glenwood Opinion-Tribune, Thurs., May 26, 1983)