

CHAPTER 99

SEWER SERVICE CHARGES

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99.01 SEWER SERVICE CHARGES REQUIRED. Every customer shall pay to the City sewer service fees as hereinafter provided.

(Code of Iowa, Sec. 384.84)

99.02 FINANCIAL NEEDS. It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment works.

99.03 DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

1. "Basic service fee" means that portion of the total user charge which represents a minimum fee charged to each user.
2. "B.O.D." (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C., expressed in milligrams per liter (mg/l).
3. "Bond reserve" means expenditures for the purpose of making note principal and interest payments when due.
4. "Improvement/replacement" means expenditures for extraordinary maintenance expenses or repairs not included in the annual budget and equipment and material renewals and replacements which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
5. "Normal domestic wastewater" means wastewater that has a BOD concentration of not more than 300 mg/l and a suspended solids concentration of not more than 300 mg/l.
6. "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 managing and maintaining the treatment works to achieve the capacity and performance for which such works were designed and constructed.
7. "Residential customer" means any contributor to the City's treatment works whose lot, parcel of real estate or building is used for domestic dwelling purposes only and any customer who is not considered an industrial or commercial contributor, but

who receives a utility bill and who has a service connection to the City's sanitary sewer utility.

8. "SS" (denoting suspended solids) means solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.
9. "Total user charge" means the total wastewater utility charge to any user.
10. "Treatment works" means any devices and systems for the transportation, 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, power and other equipment and their appurtenances; extension 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 is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.
11. "Useful life" means the estimated period during which a treatment works will be operated.
12. "User" means any residential, industrial or commercial contributor to the City's treatment works.
13. "User charge" and "user surcharge" means those portions of the total user charge which are levied in a proportional and adequate manner for the cost of treatment of total flow, BOD and SS, including operation, maintenance, and replacement of the wastewater treatment works.
14. "User unit charge rate" means that monthly rate at which each user is billed for each 1,000 gallons of water usage.
15. "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.
16. "Water used" means water that has passed through any prime water meter that is not an irrigation meter, whether or not the water is returned to the sewer system.

99.04 USE OF FUNDS.

1. The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance, improvement/replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works which the City may by ordinance designate to be paid by the user charge system. That portion of the user charge system which is designated for operation and maintenance including replacement of the treatment works shall be established by this chapter.
2. Sufficient monthly transfer shall be made to a separate Bond Reserve Account until a specific minimum balance has been accumulated. This account is restricted to making the note principal and interest payments when due.

3. That portion of the total user charge collected which is designated for improvement/replacement purposes, as established in Section 99.05, shall be deposited in a separate account known as the Improvement/Replacement Account. This account is restricted for the purpose of paying note principal and interest payments when insufficient money is available in the Reserve Account and is designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works. Deposits in the Improvement/Replacement Account shall be made monthly in the minimum amount of \$500.00 until a minimum of \$20,000.00 has been accumulated.
4. Fiscal year-end balances in the Bond Reserve Account and the Improvement/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 that have been transferred from other sources to meet temporary shortages in the Bond Reserve Account and the Improvement/Replacement Account shall be returned to their respective accounts upon appropriate adjustment of the user charge system for bond reserve and improvement/replacement. The user charge system 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.
5. The total user charge shall be established at a level that produces and maintains net revenues at a level not less than 110% of the amount of principal and interest on the notes falling due in the same year.

99.05 RATE.

1. Each user shall pay for the services provided by the City based on their use of the treatment works as determined by water meters acceptable to the City and tests to characterize the strength of the wastewater.
2. For residential contributors, monthly user charges will be based on monthly water usage as metered. For industrial and commercial contributors, user charges shall be based on monthly usage as metered plus any surcharge per subsection 99.05(4) and 99.05(5). If a customer or industrial contributor has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that customer may be based on a wastewater meter or separate water meter installed and maintained at the customer's expense, and in a manner acceptable to the City.
3. The basic service fee per month is \$15.00 per user. In addition, each user shall pay a user unit charge rate for operation, maintenance, replacement and debt service in the amount of \$5.99 per 1,000 gallons.
4. For those customers who contribute wastewater, the strength of which is greater than normal domestic sewage, a user surcharge in addition to the normal user charge will be collected. The user surcharge for operation and maintenance including replacement is:
 - \$0.31 per pound BOD
 - \$0.29 per pound SS
 - \$0.31 per pound other pollutant(s)
5. Any user that discharges any toxic pollutants that cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user

that discharges any substance that 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 responsible plant operating personnel and approved by the City Council.

6. The basic service fee, user charge, and user surcharge rates established in this chapter apply to all users of the City's treatment works, regardless of their location.

99.06 PAYMENT OF BILLS. All sewer service charges are due and payable under the same terms and conditions provided for payment of a combined service account as contained in Section 92.05 of this Code of Ordinances. Sewer service may be discontinued in accordance with the provisions contained in Section 92.06 if the combined service account becomes delinquent, and the provisions contained in Section 92.09 relating to lien notices shall also apply in the event of a delinquent account.

99.07 LIEN FOR NONPAYMENT. Except as provided for in Section 92.08 of this Code of Ordinances, 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 Clerk to the County Treasurer for collection in the same manner as property taxes.

(Code of Iowa, Sec. 384.84)

99.08 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.

99.09 ACCOUNTING AND AUDITING. The City shall establish a proper system of accounts and shall keep proper records, books and accounts in which complete and correct entries shall be made of all transactions relative to the sewer system and at regular annual intervals the Council shall cause an audit of the books to be made by the State Auditor or an independent auditing concern to show the receipts and disbursements of the sewer system.

99.10 RATE REVIEW.

1. The City shall review the user charge system (at least every two years) and revise user charge rates and user surcharge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance, bond reserve and improvement/replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

2. The City will notify each user at least annually, in conjunction with a regular bill, of the rates being charged for operation and maintenance and improvement/replacement of the treatment works.

99.11 SEWER UTILITY SERVICE AREA.

(Code of Iowa, Sec. 384.84)

1. Area Defined. Sewer shall only be supplied to property located within the established corporate limits of the City. There shall be no public sewer service

supplied to unincorporated areas or properties except upon annexation of the area or property and payment of associated costs by the owner of said unincorporated area or property.

2. Exception. Notwithstanding the provisions of subsection 1, the City may provide sewer service to an unincorporated area or property without annexation or to an area or property in another incorporated municipality upon the showing of exceptional benefit and need to the City and in accordance with the favorable recommendation of City staff, the City's comprehensive plan and the general health, safety and welfare of the public. Among the findings made under this section must be a finding that such sewer service to the unincorporated area or property or to the area or property in another incorporated municipality will be at no cost to the City. All customers in the unincorporated area or property without annexation that obtain sewer service from the City of Carlisle, Iowa pursuant to this section hereby agree to enter into an agreement in which they agree to be voluntarily annexed into the corporate limits of the City of Carlisle at such time as the City Council may determine is prudent.

(Ord. 676 – Mar. 16 Supp.)

3. Rate. The rate for said sewer service outside the City pursuant to this chapter shall be negotiable but in no case shall it be less than the sewer basic service fee and the sewer user unit charge rate for residents of the City.

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