

ORDINANCE NO. 397

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EARLHAM, IOWA, 2017, CHAPTER 92 WATER RATES

Be it enacted by the City Council of the City of Earlham, Iowa:

SECTION 1. SECTION 92.02 AMENDED. Whereas the Des Moines Water Works has increased their rates to Warren Water District by \$0.15 per 1000 gallons, and said increase has been passed on to the City of Earlham, Chapter 92.02(1), Rates for Service of the Code of Ordinances of the City of Earlham, Iowa, 2017, is hereby deleted and replaced with the following:

1. Monthly Rates:
 - A. First, 1,500 gallon used per month @ \$24.21 (minimum bill);
 - B. Next 8500 gallons used per month @9.19 per 1,000 gallons;
 - C. All over 10,000 gallons used per month @ 11.06 per 1,000 gallons.

SECTION 2. SECTION 92.04 AMENDED. Chapter 92.05(1), and 92.05(4) of the Code of Ordinances of the City of Earlham, Iowa, 2017, are hereby deleted and replaced by the following:

1. Notice. The Utility Clerk shall notify each delinquent customer that service will be discontinued if payment of the combined service account, including late payment charges, is not received by the 14th of the month. Such notice shall be sent by ordinary mail to the customer in whose name the delinquent charges were incurred and shall inform the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance. Those delinquent customers who have not paid by the 14th, will have a tag hung on their property on the 15th (or in the case of a weekend or holiday, the next business day) informing them their water will be discontinued on the next day, and give them the opportunity to pay their delinquent bill before water is discontinued.
2. Fees.
 - A. \$25.00 shall be charged for hanging a turn off tag.
 - B. \$75.00 shall be charged before service is restored to a delinquent customer.
 - C. \$150.00 shall be charged if a delinquent customer request water be turned on after hours or on a weekend.
 - D. No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.

Sections 92.05(2) and 92.05(3) shall be renumbered accordingly.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not effect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect July 1, 2018, after its final passage, approval and publication as provided by law.

Passed and approved by the City Council of Earlham, Iowa, this ____ day of _____

Jeff Lillie, Mayor

ATTEST: _____
Mary Sue Hibbs, City Clerk/Treasurer

Passed First Reading: _____
Passed Second Reading: _____
Third Reading: _____

| <u>Member</u> | <u>1st Reading</u> | <u>2nd Reading</u> | <u>3rd Reading</u> |
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| Griswold | | | |
| Fredericksen | | | |
| Petersen | | | |
| Royster | | | |
| Swalla | | | |

I certify that the foregoing Ordinance was published as Ordinance No. 397 on the ____ day of _____, 2018.

Mary Sue Hibbs, City Clerk/Treasurer