

## CHAPTER 100

# STORM WATER UTILITY SYSTEM

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**100.01 STORM WATER UTILITY ESTABLISHED.** Pursuant to the authority of Section 384.84 of the *Code of Iowa*, a Storm Water Utility System is established. The entire City, as increased, decreased, or otherwise changed from time to time, shall constitute a single storm water drainage system district.

**100.02 CHARGES AND FEES.** The Council shall adopt, by ordinance, charges, rates, and fees for the use of the City's Storm Water Utility System, and for services provided by the City relating to that system. Such charges shall be just and equitable. The charges shall be based upon the actual costs of operation, maintenance, acquisition, extension, and replacement of the City's system, the costs of bond repayment, and the costs of regulation, administration, and services related to the City's Storm Water Utility System. The City may adopt charges to include delinquency and interest charges and penalties. All billing procedures shall be the same as for water usage and may be billed on the same bill. All charges collected under this chapter shall be deposited into the "storm water utility fund," and shall be used only for the cost of operation, maintenance, acquisition, extension, and replacement of the City's system, costs of bond issuance and repayment, and administration related to the storm and surface water drainage system.

**100.03 COLLECTION OF CHARGES.** Charges for use of the City's Storm Water Utility System are due and payable as part of a combined service account under the same terms and conditions as payment for water service as established by City for the Water Utility. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for storm water utility charges to the premises. Charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified to the County Treasurer for collection in the same manner as property taxes.

### **100.04 BILLING.**

1. Each water customer shall pay a Storm Water Utility System Charge. The City shall send a bill for the amount due by regular mail to every user in the City. Mailing to the owner of record as shown in the records of the Poweshiek County Assessor or to the occupant with a water account, as determined appropriate by the City, shall satisfy this requirement. The billing period shall be on the basis of a calendar month period. The bill may be made part of the regular billing for a water account, or a separate billing, as determined by the City. If the billing is made part of the regular billing for a water account, the billing shall be included in the regular water billing issued at the time in the calendar month during which the billing cycle closes and shall be monthly as determined by the billing cycle of the water billing.

2. Charges imposed under this chapter are deemed delinquent when not paid in full by the due date provided in a billing for the charge.

**100.05 RATES.** Each water meter customer shall pay a monthly Storm Water Utility System charge of two dollars (\$2.00) per month.

**100.06 UNLAWFUL CONNECTIONS.** It is unlawful and a violation of this chapter for any person to discharge wastewater into the City's Storm Water Utility System. It is also unlawful and a violation of this chapter to maintain a connection to or use the City's Storm Water Utility System without paying the appropriate charges and fees established in this chapter. Even if no billing is received, such charges shall be due and owing and the user is obligated to pay any charges in a timely fashion.

**100.07 DELINQUENT ACCOUNTS AND SERVICE DISCONTINUED.** Delinquent charges, procedures for collection, interest on delinquent charges, and penalties for delinquency shall be the same as for the Water Utility under Chapter 92 of the City's Code of Ordinances. All City services may be discontinued if the combined service account, including the Storm Water Utility System, becomes delinquent. The provisions relating to property liens and notices shall also apply in the event of a delinquent account.

*(Ord. 2013-8 – Apr. 14 Supp.)*

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