

ORDINANCE NO. 1030 (2022/2023)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEVADA, IOWA, 2006, BY AMENDING PROVISIONS PERTAINING TO SEWER USER CHARGES (CHAPTER 99)

BE IT ENACTED by the City Council of the City of Nevada, Iowa:

SECTION 1. SECTION MODIFIED. Chapter 99 (Sewer Use Charges), Section 99.06 (User Charges) of the Code of Ordinances of the City of Nevada, Iowa, 2006, is amended to read as follows:

99.06 USER CHARGES.

- 1. Minimum Charge. The minimum user charge per month shall be:

Meter Reading Date	Monthly Service Fee
July, 2020	\$10.13
June, 2021	\$12.16
March, 2022	\$20.00

- 2. Additional Quantity Use Charge. In addition to the minimum monthly charge, each contributor shall pay a user charge rate for operation and maintenance (including replacement), debt retirement of any existing or future bonded indebtedness or construction of reasonable and necessary improvements:

Meter Reading Date	Charge per 1000 Gallons or Pro Rata Part Thereof
July, 2020	\$5.22
June, 2021	\$6.26
June, 2022	\$6.26
<u>December, 2022</u>	<u>\$10.00</u>

- 3. Sewer Construction. In addition to the above two charges, each user shall be assessed an additional charge per month for payment of reasonable and necessary improvements.

Metering Reading Date	Monthly Construction Fee
July, 2020	\$2.03

June, 2021	\$2.44
March, 2022	\$5.00
December, 2022	\$8.00

4. **Sewer Only Customer Deposits. The following deposit requirements are for those customers who use city sewer services but not city water:**

(a) Before sewer service is provided to any customer, a deposit is required to the City Clerk equal to three months' average use based on past usage during the most recent period of continuous occupancy, not less than seventy-five dollars (\$75.00). The deposit may be refunded or credited to the customer's account after a period of twenty-four (24) months during which time not more than one late payment penalty has been assessed.

Any customer who does not presently have a deposit on file, or in cases where a deposit is on file with the City, and who has been assessed more than two (2) late penalties within a twelve (12) month period, shall be required to pay a deposit in an amount equal to three months average use based on past usage during the most recent period of continuous occupancy, but not less than \$75.00. In these cases, a "Notice of Required Deposit" shall be mailed by ordinary U.S. mail to the customer. In addition to notifying the customer that they must remit the deposit and the reason for its requirement, the Notice shall also state that if the deposit is not paid within 30 days from the date of the Notice, the sewer service may be discontinued. Any deposit required under this subsection may be refunded or credited to the customer's account after a period of twenty-four (24) months during which time not more than one late payment penalty has been assessed.

The Wastewater Superintendent is authorized to terminate sewer service to any customer who does not timely remit the deposit or additional deposit set forth in this section.

SECTION 2. SECTION MODIFIED. Chapter 99 (Sewer Use Charges), Section 99.07 (Surcharge) of the Code of Ordinances of the City of Nevada, Iowa, 2006, is amended to read as follows:

99.07 SURCHARGE. For those contributors who contribute wastewater the strength of which is greater than the limits set out below, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement is:

1. Carbonaceous Biological Oxygen Demand (CBOD) per pound over 300mg/l

Current: July 2022	July 2023	July 2024	July 2025	
\$0.223	\$0.229	\$0.236	\$0.243	(Per pound)

***An Additional 3% increase yearly with the July billing**

2. Total Suspended Solids (TSS) in excess of 300 mg/l

Current: July 2022	July 2023	July 2024	July 2025	
\$0.543	\$0.559	\$0.576	\$0.593	(Per Pound)

***An Additional 3% increase yearly with the July billing**

3. Total Kjeldahl Nitrogen (TKN) in excess of 35 mg/l

Current: July 2022	July 2023	July 2024	July 2025	
\$0.865	\$0.891	\$0.918	\$0.945	(Per Pound)

***An Additional 3% increase yearly with the July billing**

4. Oil and Grease:
- A. \$0.10 per pound in excess of 300 mg/l and an additional
 - B. \$0.20 per pound in excess of 600 mg/l

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law. **The rates will begin with the December 2022 meter readings and customers January 2023 billing.**

Passed and approved first reading by the Nevada City Council this 22nd day of August, 2022.
 Passed and approved second reading by Nevada City Council this ___ day of ___, 2022.
 Passed and approved third reading by the Nevada City Council this ___ day of ___, 2022.

 Brett Barker, Mayor

ATTEST:

 Kerin Wright, City Clerk

1st Reading – August 22, 2022
 Motion by Council Member Brian Hanson, seconded by Council Member Jason Sampson, to adopt the first reading of Ordinance No. 1030.
 AYES: Hanson, Sampson, Skaggs, Ehrig, Nealson
 NAYS: None
 ABSENT: Barb Mittman

2nd Reading –
 Motion by Council Member ___, seconded Council Member by ___, to approve the second reading of Ordinance No. 1030.
 AYES:
 NAYS:
 ABSENT:

3rd Reading –
 Motion by Council Member ___, seconded by Council Member ___, to approve the third reading of Ordinance No. 1030.

AYES:
NAYS:
ABSENT:

The Mayor declared Ordinance No. 1030 adopted.

I certify that the foregoing was published as Ordinance No. 1030 on the ___ day of __, 2022.

Kerin Wright, City Clerk