

NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED THAT on the 12th day of May, 2025, the Van Meter City Council, at its regular business meeting at 7 PM at the Van Meter United Methodist Church, 100 Hazel Street, Van Meter Iowa, will read the first reading of a proposed ordinance amending Chapter 92 Water Rates of the Van Meter Code of Ordinances – 2nd Reading. You are invited to attend and comment. Written comments may be submitted to Jess Drake – City Clerk, PO Box 160, Van Meter, Iowa or emailed to jdrake@vanmeteria.gov no later than 5:00pm on the day of the hearing.

This notice is given by order of the Council of the City of Van Meter, Iowa.

Joe Herman, Mayor

ATTEST:

Jessica Drake, City Clerk

CHAPTER 92 WATER RATES

92.01 Service Charges	92.07 Lien for Nonpayment
92.02 Rates For Service	92.08 Lien Exemption
92.03 Rates Outside the City	92.09 Lien Notice
92.04 Water Improvement Fees	92.10 Temporary Vacancy
92.05 Billing for Water Service	92.11 Rates Outside The City Exemption
92.06 Service Discontinued	-

92.01 SERVICE CHARGES.

Each customer shall pay for water service and water improvement fees provided by the City based upon use of water as determined by meters provided for in Chapter 91. The water improvement fees shall be implemented at first in phases. Each location, building, premises or connection shall be considered a separate and distinct customer whether owned or controlled by the same person or not.

(Code of Iowa, Sec. 384.84)

92.02 RATES FOR SERVICE.

Water service shall be furnished at the following monthly rates within the City:

(Code of Iowa, Sec. 384.84)

Effective Date	First 2,000 Gallons Used Per Month	Over 2,000 Gallons Used Per Month
7/1/2019	\$21.23	\$4.84
7/1/2020	\$22.29	\$5.08
7/1/2021	\$23.40	\$5.33
7/1/2022	\$24.57	\$5.60
7/1/2023	\$25.80	\$5.88
7/1/2024	\$27.09	\$6.17
<u>7/1/2025</u>	<u>\$28.45</u>	<u>\$6.49</u>

92.03 RATES OUTSIDE THE CITY.

Water service shall be provided to any customer located outside the corporate limits of the City which the City has agreed to serve at the following rates:

Effective Date	First 2,000 Gallons Used Per Month	Over 2,000 Gallons Used Per Month
7/1/2019	\$56.14	\$12.81
7/1/2020	\$61.75	\$14.09
7/1/2021	\$67.93	\$15.50
7/1/2022	\$74.72	\$17.02
7/1/2023	\$82.20	\$18.75
7/1/2024	\$90.42	\$20.63
<u>7/1/2025</u>	<u>\$94.94</u>	<u>\$21.66</u>

92.04 WATER IMPROVEMENT FEES.

Water improvement fees shall be imposed at the following rates per gallon for users within and outside the City:

Schedule	Water Capital Improvement Fee/Gallon
1-Jul-20	\$0.002
1-Jul-21	\$0.002
1-Jul-22	\$0.002
1-Jul-23	\$0.002
1-Jul-24	\$0.002

(Ord. 2020-05 - Mar. 21 Supp.)

92.05 BILLING FOR WATER SERVICE.

Water service shall be billed as part of a combined service account, payable in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Bills Issued. The Clerk shall prepare and issue bills for combined service accounts on or before the first day of each month.

2. Bills Payable. Bills for combined service accounts shall be due and payable at the office of the Clerk by the fifteenth day of each month.

3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A one-time late payment penalty of 10 percent of the amount due for water and sewer charges shall be added to each delinquent bill. The late payment penalty shall not apply to the delinquent solid waste fees.

92.06 SERVICE DISCONTINUED.

Water service to delinquent customers shall be discontinued or disconnected in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Notice. The Clerk shall notify each delinquent customer that service will be discontinued or disconnected if payment of the combined service account, including late payment charges, is not received by the date specified in the notice of delinquency. 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 or disconnection.

2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property or premises has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord. If the customer is a tenant and requests a change of name for service under the account, such request shall be sent to the owner or landlord of the property if the owner or landlord has made a written request for notice of any change of name for service under the account to the rental property.

3. Hearing. If a hearing is requested by noon of the day preceding the shut off, the Clerk shall conduct an informal hearing and shall make a determination as to whether the discontinuance or disconnection is justified. The customer has the right to appeal the Clerk's decision to the Council, and if the Council finds that discontinuance or disconnection is justified, then such discontinuance or disconnection shall be made, unless payment has been received.

4. Fees. A fee of \$25.00 shall be charged before service is restored to a delinquent customer. No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.

92.07 LIEN FOR NONPAYMENT.

The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for water service charges to the premises. Water service charges remaining unpaid and delinquent shall constitute a lien upon the property or 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)

92.08 LIEN EXEMPTION.

(Code of Iowa, Sec. 384.84)

1. Water Service Exemption. The lien for nonpayment shall not apply to charges for water service to a residential or commercial rental property where water service is separately metered and the rates or charges for the water service are paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential or commercial rental property and that the tenant is liable for the rates or charges. The City may require a deposit not exceeding the usual cost of 90 days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

2. Other Service Exemption. The lien for nonpayment shall also not apply to the charges for any of the services of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, and solid waste disposal for a residential rental property where the charge is paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential rental property and that the tenant is liable for the rates or charges for such service. The City may require a deposit not exceeding the usual cost of 90 days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.

3. Written Notice. The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the residential or commercial rental property that the tenant is to occupy, and the date that the occupancy begins. Upon receipt, the City shall acknowledge the notice and deposit. A change in tenant for a residential rental property shall require a new written notice to be given to the City within 30 business days of the change in tenant. A change in tenant for a commercial rental property shall require a new written notice to be given to the City within 10 business days of the change in tenant. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City within 30 business days of the completion of the change of ownership. A change in the ownership of the commercial rental property shall require written notice of such change to be given to the City within 10 business days of the completion of the change of ownership.

4. Mobile Homes, Modular Homes, and Manufactured Homes. A lien for nonpayment of utility services described in Subsections 1 and 2 of this section shall not be placed upon a premises that is a mobile home, modular home, or manufactured home if the mobile home, modular home, or manufactured home is owned by a tenant of and located in a mobile home park or manufactured home community and the mobile home park or manufactured home community owner or manager is the account holder, unless the lease agreement specifies that the tenant is responsible for payment of a portion of the rates or charges billed to the account holder.

92.09 LIEN NOTICE.

A lien for delinquent water service charges shall not be certified to the County Treasurer unless prior written notice of intent to certify a lien is given to the customer in whose name the delinquent charges were incurred. If the customer is a tenant and if the owner or landlord of the property or premises has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than 30 days prior to certification of the lien to the County Treasurer.

(Code of Iowa, Sec. 384.84)

92.10 TEMPORARY VACANCY.

A property owner may request water service be temporarily discontinued and shut off at the curb valve when the property is expected to be vacant for ~~an extended period of time~~ a period of time extending longer than four (4) weeks. ~~There shall be a \$25.00 fee collected for shutting the water off at the curb valve and a \$25.00 fee for restoring service. The fees charged for shutting the water off at the curb valve and restoring service shall be established by resolution of the City Council.~~ During a period when service is temporarily discontinued as provided herein there shall be no minimum service charge for water or sewer. However, a charge for solid waste/recycling and administrative fee will continue to be billed monthly. The City will not drain pipes or pull meters for temporary vacancies.

A request to temporarily discontinue service must be made in writing to the City Clerk on a form available at City Hall or on the City website at least 72 hours in advance of the date of requested disconnection. The temporary disconnection fee and restoration fee shall be added to the next applicable utility bill for the utility billing account.

92.11 RATES OUTSIDE THE CITY EXEMPTION. Remove this section as this is specific to the Brookview properties that will be annexed in to the corporate limits prior to the enactment of these proposed changes.

~~—The properties listed under this section are exempt from Section 03 “Rates Outside the City.” For water service billing purposes, these properties shall be subject to Section 02 “Rates for Service.”~~

~~—Exempt Properties:~~

- ~~—1. 425 4th Avenue~~
- ~~—2. 2684 Brookview Lane~~
- ~~—3. 2680 Brookview Lane~~
- ~~—4. 2676 Brookview Lane~~
- ~~—5. 2672 Brookview Lane~~
- ~~—6. 2668 Brookview Lane~~
- ~~—7. 2664 Brookview Lane~~

(Section 92.11 - Ord. 2021-06 - Mar. 21 Supp.)