

CITY OF CARSON, IOWA ORDINANCE 262

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF CARSON, IOWA, BY AMENDING SECTION 92.02 ENTITLED "RATES FOR SERVICE", BY AMENDING SECTION 92.03 ENTITLED "RATES OUTSIDE THE CITY", AMENDING SECTION 92.09 ENTITLED "CUSTOMER DEPOSITS", BY AMENDING SECTION 92.10 ENTITLED "TEMPORARY VACANCY" AND BY AMENDING SECTION 99.02 ENTITLED "RATE"; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; AND ESTABLISHING AN EFFECTIVE DATE.

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

SECTION 1. PURPOSE. The purpose of this ordinance is to amend Chapter 92 of the Code of Ordinances by amending Section 92.02 entitled "Rates For Service", by amending section 92.09 entitled "Customer Deposits" and by amending section 92.10 entitled "Temporary Vacancy" and to amend Chapter 99 of the Code of Ordinances by amending section 99.02 entitled "Rate".

SECTION 2. AMENDMENT OF SECTION 92.02. Section 92.02 of the Code of Ordinances of the City of Carson, Iowa, is repealed and the following adopted in lieu thereof:

92.02 RATES FOR SERVICE. Water service shall be furnished at the following monthly rates to customers within the City and to customers outside the corporate limits of the City which the City has agreed to serve: (Code of Iowa Sec. 384.84)

Gallons Used Per Month	Rate
0 gallons up to 1,000 gallons	\$10.56 (minimum bill) per month
Next 4,000 gallons	\$9.91 per 1,000 gallons or per each portion of a 1,000 gallon increment.
Next 5,000 gallons	\$9.91 per 1,000 gallons or per each portion of a 1,000 gallon increment.
All gallons over 10,000 gallons	\$9.91 per 1,000 gallons or per each portion of a 1,000 gallon increment.

Every customer is required to have a City water meter installed. Sales tax shall be added to all water bills as required by Iowa law.

Any properties on which there is located any building or structure with a connection to the water service of the City shall be billed and shall pay at least the amount of the minimum bill per month regardless of whether or not (i) the building or structure is occupied; (ii) any person currently resides in the building or structure; or (iii) the water curb stop is turned off to the building or structure.

On or before the 1st day of February of each year, the City Clerk shall compute a proposed adjustment to the water rates based on multiplication of the current rate by a factor equal to the increase in the Consumer Price Index (C.P.I.) as established by the Federal Government for the preceding twelve (12) month period of January 01 through December 31. This adjustment shall be submitted to the City Council at the first Council meeting in February. Any rate adjustment shall go into effect on July 1st of each year following the passage and publication of the ordinance adopting the adjustment.

SECTION 3. AMENDMENT OF SECTION 92.03. Section 92.03 of the Code of Ordinances of the City of Carson, Iowa, is repealed and the following adopted in lieu thereof:

92.03 SERVICE OUTSIDE THE CITY. No customer located outside will be provided service unless the City agrees to provide the service to the customer and unless the customer shall have signed a service contract agreeing to be bound by the ordinances, rules and regulations applying to water service established by the Council. As of July 1, 2002, water service shall not be provided to any new customers outside the corporate limits.

SECTION 4. AMENDMENT OF SECTION 92.09. Section 92.09 of the Code of Ordinances of the City of Carson, Iowa, is repealed and the following adopted in lieu thereof:

92.09 CUSTOMER DEPOSITS. There shall be required from every customer who is the owner of the premises served a one-hundred and twenty-five dollar (\$125.00) deposit and from every customer who is not the owner of the premises served a one-hundred and twenty-five dollar (\$125.00) deposit intended to guarantee the payment of bills for service. (Code of Iowa Sec. 384.84)

SECTION 5. AMENDMENT OF SECTION 92.10. Section 92.10 of the Code of Ordinances of the City of Carson, Iowa, is repealed and the following adopted in lieu thereof:

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 more than two weeks. During a period when service is temporarily discontinued as provided herein there shall be a minimum service charge of \$10.56 per month. The City will not drain pipes or pull meters for temporary vacancies.

SECTION 6. AMENDMENT OF SECTION 99.02. Section 99.02 of the Code of Ordinances of the City of Carson, Iowa, is repealed and the following adopted in lieu thereof:

99.02 RATE. Each customer shall pay sewer service charges in the following amounts:(Code of Iowa, Sec. 384.84)

1. Residential Users at the following monthly rates:

Gallons Of Water Used Per Month	Rate
0 gallons up to 1,000 gallons	\$29.30 (minimum bill) per month
Next 4,000 gallons	\$6.28 per 1,000 gallons or per each portion of a 1,000 gallon increment.
Next 5,000 gallons	\$6.28 per 1,000 gallons or per each portion of a 1,000 gallon increment.
All gallons over 10,000 gallons	\$6.28 per 1,000 gallons or per each portion of a 1,000 gallon increment.

The service charge shall be applied to the quantity of water used by each Residential User for each individual water meter reading of the City, and by such privately owned water supplies as may contribute to the sewerage system.

2. Commercial Premises at the following flat monthly rate: \$42.32 per month.

3. Residential Users who have private well water will be charged each month an average sewer fee based on the average water usage per number of individuals living in the household. The sewer rates stated in subsection 99.02(1) will be used to calculate the sewer service charges. The City shall estimate the amount of water use either by agreement with the customer or by metering the water system at the customer's expense. Any negotiated or agreed upon sales or charges shall be subject to approval of the Council.

4. Any properties on which there is located any building or structure with a connection to the water service of the City shall be billed and shall pay at least the amount of the minimum bill per month regardless of whether or not (i) the building or structure is occupied; (ii) any person currently resides in the building or structure; or (ii) the water curb stop is turned off to the building or structure.

Section 7. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. 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 9. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law, as of July 10, 2024.

Passed by the Council on first reading the 13 day of May, 2024.

Roll Call Vote: 4 ayes: Pilling, Rose, Houser, Graves. 1 Absent: Richardson. Motion carried.

Passed by the Council on second reading the 10 day of June, 2024.

Roll Call Vote: 5 ayes: Pilling, Rose, Houser, Graves, Richardson. Motion carried.

Passed by the Council on third reading the 10 day of July, 2024 and directions to the City Clerk to publish the Ordinance as approved.

Roll Call Vote: 3 ayes: Rose, Graves, Richardson. 1 Council Vacancy. 1 Absent: Houser. Motion carried.

Ordinance scheduled to be published 20 day of July, 2024-Daily Nonpareil.

Tim Todd, Mayor

Attest: Brianne Duede, City Clerk