

ORDINANCE NO. 14945
AN ORDINANCE TO AMEND CODE OF ORDINANCES, CITY OF MARSHALLTOWN,
IOWA, SECTIONS 28-50 CONCERNING WASTEWATER RATES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The Code of Ordinances, City of Marshalltown, Iowa is hereby amended by amending Chapter 28, Article III Sewers and Sewage Disposal, Division 2 Water Pollution control and Sanitary Sewer System, to read as follows:

DIVISION 2. WATER POLLUTION CONTROL AND SANITARY SEWER SYSTEM.

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Sec. 28-50. User charge system.

a.) It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the city to collect charges from all users who contribute wastewater to the city's treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining and retiring the debt for such public wastewater treatment works.

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h.) Base Charge and Flow Charge 2016 2017 2018

1.) Effective with the first billing after January 1st, of each year shown herein, each user shall pay the following user charge rates of:

a.) City contributors (except pretreated waste):

1.) Base charge per month per meter	\$18.92	\$21.20	\$23.75
2.) Flow charge per 100 cubic feet	\$2.45	\$2.75	\$3.08

b.) Pretreated wastes (requires only secondary treatment):

1.) Base charge per month per meter:	\$2.36	\$2.65	\$2.97
2.) Flow charge per 100 cubic feet	\$1.88	\$1.95	\$2.02

i.) Other Charges.

1.) The base charge shall be charged on each meter being used to register wastewater flow.

2.) Effective with the first billing after January 1st, of each year shown herein, a discharger of high strength waste greater than normal domestic (200 mg/l BOD, 200 mg/l SS, and 75 mg/l TKN) shall pay the following charges:

i.) For each day the discharge permit is exceeded, \$1,000.00, and/or a single charge of \$1,000.00 for exceeding the monthly average limit.

ii.) A sampling charge for each day the city performs wastewater sampling as spelled out in the users discharge permit, shall be at the sample testing

approved by resolution of the Marshalltown City Council.

iii.) For those contributors who contribute wastewater, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement and debt is as follows:

	<u>2016</u>	<u>2017</u>	<u>2018</u>
a.) SS per pound	\$0.32	\$0.34	\$0.36
b.) BOD per pound	\$0.54	\$0.57	\$0.60
c.) TKN per pound	\$.035	\$0.37	\$0.39

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Sec. 28-51. Billing of charges, rates and rentals.

The bills to users for charges, rates or rentals established and maintained in this division or as adjusted and maintained in this division shall be due and payable and become delinquent at such times as shall coincide with the due and delinquent dates of water bills of the city waterworks department. However, for users having privately owned water supplies, the due and delinquent dates shall be at all times as shall be fixed by the director. There shall be an additional charge made and added to bills in all cases, if bills are not paid when due, which shall be a penalty of five percent of the amount thereof. Each bill shall show the net charge, which shall be the amount computed on the basis established in this division or as the charge may be adjusted, and which charge shall be applicable and the amount payable and collectible up to and including the due date. Each bill shall also show a gross charge that shall be the net charge plus the five-percent penalty, and the gross charge shall be applicable and be the amount payable and collectible after the due date. The billing and collection of sewer bills by the city waterworks shall be done in the same manner as handled for the collection of water bills, and as set forth by the waterworks.

Sec. 28-52. Lien for bills.

The sewage charges in this division shall constitute a lien upon the premises served by the water pollution control plant. Quarterly, or more often if deemed appropriate, the Superintendent of the water pollution control plant may either furnish to the city clerk, or submit on his or her own, a list of all sewerage rental charges that have remained unpaid and delinquent for a period of 60 days prior to the end of that quarter, together with the name of the owner and the legal description of the property or premises for each separate bill, to be certified to the county auditor for collection in the same manner as taxes, and when so collected the proceeds shall become a part of the water pollution control plant rental fund of the city.

Sec. 28-53. Penalty.

Any person, firm or corporation violating the provisions of this division shall, upon conviction, be liable for any damages done to the sanitary sewer system or the water pollution control plant and shall be fined not exceeding \$750.00 and/or imprisoned not exceeding 30 days. Each

day that a violation continues may be considered a separate violation.

Secs. 28-54-28-60. Reserved.

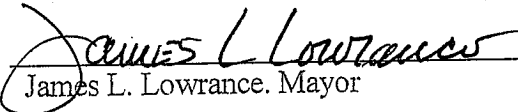
Section 2. REPEALER. All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 3. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid, unconstitutional or unenforceable for any reason, such adjudication shall not affect the validity or enforcement of the remaining provisions.

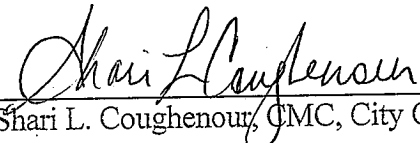
Section 4. EFFECTIVE DATE. This Ordinance shall become effective from and after its final passage, approval and publication as provided by law. [Iowa Code §380.6, 7(3) §362.3]

Passed by the Council on this 8th day of February, 2016, and signed this 10 day of February, 2016.

CITY OF MARSHALLTOWN, IOWA


James L. Lowrance, Mayor

ATTEST:


Shari L. Coughenour, CMC, City Clerk