

**CHAPTER 90**

**WATER SERVICE SYSTEM**

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**90.01 DEFINITIONS.** The following term is defined for use in the amended Chapters in this Ordinance:

1. "Combined service account" means a customer service account for the provision of two or more utility services.
2. "Customer" means, in addition to any person receiving water service from the City, the owner of the property served, and as between such parties the duties, responsibilities, liabilities and obligations hereinafter imposed shall be joint and several.
3. "Nonwater Account" means an account held by any customer receiving garbage and stormwater service from the City, but does not require water service.
4. "Stormwater Account" means an account held by any customer receiving stormwater service from the City, but does not require any other utility services.
5. "Superintendent" means the Superintendent of the City water system or any duly authorized assistant, agent or representative.
6. "Water main" means a water supply pipe provided for public or community use.
7. "Water service pipe" means the pipe from the water main to the building served.
8. "Water system" or "water works" means all public facilities for securing, collecting, storing, pumping, treating and distributing water.

*(Ordinance No. 15-216)*

**90.02 SUPERINTENDENT'S DUTIES.** The Superintendent shall supervise the installation of water service pipes and their connection to the water main and enforce all regulations pertaining to water services in the City in accordance with this chapter. This chapter shall apply

to all replacements of existing water service pipes as well as to new ones. The Superintendent shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the water system, to the approval of the Council. In the event of an emergency the Superintendent may make temporary rules for the protection of the system until due consideration by the Council may be had.

(Code of Iowa, Sec. 372.13[4])

**90.03 MANDATORY CONNECTIONS.** All residences and business establishments within the City limits intended or used for human habitation, occupancy or use shall be connected to the public water system, if it is reasonably available and if the building is not furnished with pure and wholesome water from some other source.

**90.04 ABANDONED CONNECTIONS.** When an existing water service is abandoned or a service is renewed with a new tap in the main, all abandoned connections with the mains shall be turned off at the corporation stop and made absolutely watertight.

**90.05 APPLICATION FOR SERVICE.** Before any person makes a connection with the public water system, an application for service must be made to the City. The application for service shall include the address of the property, the name of the property owner, the name and address of the person who will do the work, and the general uses of the water. The property owner shall complete installation and connection of the service line to the public water system within sixty (60) days after the application for service, except that when such time period is inequitable or unfair due to conditions beyond the control of the property owner, an extension of time within which to complete the work may be granted.

**90.06 CONNECTION CHARGE.** The person who makes the application for service shall pay to the City Administrator a connection fee, in accordance with the fee schedule established by resolution of the Council, for connection within and outside the corporate limits.

(Code of Iowa, Sec. 384.84)

**90.07 COMPLIANCE WITH PLUMBING CODE.** The installation of any water service pipe and any connection with the water system shall comply with all pertinent and applicable provisions, whether regulatory, procedural or enforcement provisions of the Uniform Plumbing Code.

**90.08 PLUMBER REQUIRED.** All installations of water service pipes and connections to the water system shall be made by a licensed plumber, and a plumber's license may be suspended or revoked for violation of any of the provisions of this chapter. The plumber shall provide a maintenance bond, in an amount determined by the City Administrator, covering the connection of the water service pipe to the water main for a period of four (4) years.

**90.09 EXCAVATIONS.** All trench work, excavation and backfilling required in making a connection shall be performed in accordance with applicable excavation provisions as provided for installation of building sewers and/or the provisions of Chapter 135.

**90.10 TAPPING MAINS.** All taps into water mains shall be made by or under the direct supervision of the Superintendent and in accord with the following:

(Code of Iowa, Sec. 372.13[4])

1. **Independent Services.** No more than one house, building or premises shall be supplied from one tap unless special written permission is obtained from the Superintendent and unless provision is made so that each house, building or premises may be shut off independently of the other.

2. **Sizes and Location of Taps.** All mains six (6) inches or less in diameter shall receive no larger than a three-fourths (3/4) inch tap. All mains of over six (6) inches in diameter shall receive no larger than a one inch tap. Where a larger connection than a one inch tap is desired, two (2) or more small taps or saddles shall be used, as the Superintendent shall order. All taps in the mains shall be made in the top half of the pipe, at least eighteen (18) inches apart. No main shall be tapped nearer than two (2) feet of the joint in the main.

3. **Corporation Stop.** A brass corporation stop, of the pattern and weight approved by the Superintendent, shall be inserted in every tap in the main. The corporation stop in the main shall be of the same size as the service pipe.

4. **Location Record.** An accurate and dimensional sketch showing the exact location of the tap shall be filed with the Superintendent in such form as the Superintendent shall require.

**90.11 INSTALLATION OF WATER SERVICE PIPE.** Water service pipes from the main to the meter shall be of material(s) approved by the Superintendent. Pipe must be laid sufficiently waving, and to such depth, as to prevent rupture from settlement or freezing.

**90.12 RESPONSIBILITY FOR WATER SERVICE PIPE.** All costs and expenses incident to the installation, connection and maintenance of the water service pipe from the main to the building served, including but not limited to the saddle, the tap, the curb valve/stop box, the inlet valve and the outlet valve shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of said water service pipe.

**90.13 FAILURE TO MAINTAIN.** When any portion of the water service pipe which is the responsibility of the property owner becomes defective or creates a nuisance and the owner fails to correct such nuisance the City may do so and assess the costs thereof to the property.

(Code of Iowa, Sec. 364.12[3a & h])

**90.14 CURB VALVE.** There shall be installed within the public right-of-way a main shut-off valve on the water service pipe of a pattern, or any other location, approved by the Superintendent. The shut-off valve shall be constructed to be visible and even with the pavement or ground.

**90.15 INTERIOR VALVE.** There shall be installed a shut-off valve on every service pipe inside the building as close to the entrance of the pipe within the building as possible and so located that the water can be shut off conveniently. Where one service pipe supplies more than one customer within the building, there shall be separate valves for each such customer so that service may be shut off for one without interfering with service to the others.

**90.16 INSPECTION AND APPROVAL.** All water service pipes and their connections to the water system must be inspected and approved in writing by the Superintendent before they are covered, and the Superintendent shall keep a record of such approvals. If the Superintendent refuses to approve the work, the plumber or property owner must proceed immediately to correct the work. Every person who uses or intends to use the municipal water system shall permit the Superintendent to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority.

**90.17 COMPLETION BY THE CITY.** Should any excavation be left open or only partly refilled for twenty-four (24) hours after the water service pipe is installed and connected with the water system, or should the work be improperly done, the City shall have the right to finish or correct the work, and the Council shall assess the costs to the property owner or the plumber. If the plumber is assessed, the plumber must pay the costs before receiving another permit. If the property owner is assessed, such assessment may be collected with and in the same manner as general property taxes.

(Code of Iowa, Sec. 364.12[3a & h])

**90.18 SHUTTING OFF WATER SUPPLY.** The City Administrator may order the shut off of the supply of water to any customer because of any violation of the regulations contained in these Water Service System chapters that is not being contested in good faith. The supply shall not be turned on again until all violations have been corrected and the City Administrator has ordered the water to be turned on.

**90.19 OPERATION OF CURB VALVE AND HYDRANTS.** It is unlawful for any person except the Superintendent to turn water on at the curb valve, and no person, unless specifically authorized by the City, shall open or attempt to draw water from any fire hydrant for any purpose whatsoever.

# CHAPTER 91

## WATER METERS

91.01 Purpose	91.07 Meter Repairs
91.02 Water Use Metered	91.08 Right of Entry
91.03 Fire Sprinkler Systems- Exception	91.09 Irrigation Meters
91.04 Location of Meters	91.10 Remote Reading Devices
91.05 Meter Setting	91.11 Meter Testing
91.06 Meter Costs	91.12 Conduit Required
	91.13 Hydrant Meter Rental

**91.01 PURPOSE.** The purpose of this chapter is to encourage the conservation of water and facilitate the equitable distribution of charges for water service among customers.

**91.02 WATER USE METERED.** All water furnished customers shall be measured through meters purchased through the City and installed by the City.

**91.03 FIRE SPRINKLER SYSTEMS - EXCEPTION.** Fire sprinkler systems may be connected to water mains by direct connection without meters under the direct supervision of the Superintendent. No open connection can be incorporated in the system, and there shall be no valves except a main control valve at the entrance to the building which must be sealed open.

**91.04 LOCATION OF METERS.** All meters shall be so located that they are easily accessible to meter readers and repairmen and protected from freezing.

**91.05 METER SETTING.** The property owner shall provide all necessary piping and fittings for proper setting of the meter including a valve on the discharge side of the meter. Meter pits may be used only upon approval of the Superintendent and shall be of a design and construction approved by the Superintendent.

**91.06 METER COSTS.** The full cost of the water meter shall be paid to the City by the property owner or customer prior to the installation of any such meter by the City, or, at the sole option of the City, the property owner or customer may be required to purchase and install such meter in accordance with requirements established by the City.

**91.07 METER REPAIRS.** Whenever a water meter owned by the City is found to be out of order the Superintendent shall have it repaired. If it is found that damage to the meter has occurred due to freezing related damage, carelessness or negligence of the customer or property owner, or the meter is not owned by the City, then the property owner shall be liable for the cost of repairs.

*(Ordinance No. 09-201)*

**91.08 RIGHT OF ENTRY.** The Superintendent shall be permitted to enter the premises of any customer at any reasonable time to read, remove, or change a meter.

**91.09 IRRIGATION METERS.** An irrigation meter may also be installed to measure water that is not disposed of through the public sanitary sewer system. The water measured by an irrigation meter may include water for swimming pools, watering yards, watering gardens or other similar uses. The following regulations apply to irrigation meters:

1. Irrigation meters shall be installed not more than four (4) feet from the main meter and shall be installed parallel to the main meter.
2. A City-approved backflow preventer must be installed after the irrigation meter to protect against contamination of the water system.
3. The irrigation meter must be installed horizontal to the floor with the arrow of the meter being in the direction of the flow of water to the outside.
4. No underground irrigation systems are allowed in the public right-of-way.

The City will furnish and install the irrigation meter. The full cost of the meter and the cost of installation shall be paid by the customer or property owner prior to the installation of any such meter. Sewer service charges shall not apply to the water measured by the irrigation meter.

**91.10 REMOTE READING DEVICES.** All new meter installations in individual dwelling units shall be equipped with remote reading devices. In the event the City is unable to gain access to read a meter, the City may cause a remote reading device to be installed. The cost of the installation of the remote reading device shall be charged to the property owner.

**91.11 METER TESTING.** The Superintendent or any designee shall make a test of the accuracy of any water meter at any time when requested in writing. If it is found that such meter overruns to the extent of 5% or more, the cost of the test shall be paid by the City and a refund shall be made to the customer for overcharges collected since the last known date of accuracy, but not more than 5% of the total water bill and not for a longer period than 3 months. If the meter is found to be accurate or slow or less than 5% fast, the user shall pay a testing charge in accordance with the fee schedule established by resolution of the Council.

**91.12 CONDUIT REQUIRED.** Electrical conduit shall be installed in all residential, commercial and industrial structures in accordance with specifications provided by the City, of each meter.

*(Ordinance No. 03-228)*

**91.13 HYDRANT METER RENTAL.** A 5/8" x 3/4" hydrant meter may be temporarily installed for commercial construction only. There shall be required a two hundred dollar (\$200) per meter fee for use of said hydrant meter equipped with a backflow preventer.

*(Ordinance No. 13-208)*

## CHAPTER 92

### WATER RATES

92.01 Service Charges	92.06 Lien for Nonpayment
92.02 Rates For Service	92.07 Lien Exemption
92.03 Rates Outside the City	92.08 Lien Notice
92.04 Billing for Water Service	92.09 Customer Deposits
92.05 Service Discontinued	92.10 Temporary Vacancy

**92.01 SERVICE CHARGES.** Each customer shall pay for water service provided by the City based upon use of water as determined by meters provided for in Chapter 91. 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 rates within the City: (Code of Iowa, Sec. 384.84)

1. A service availability charge of \$8.17 per month.
2. In addition to the service availability charge, a usage charge of \$8.17 for each 1,000 gallons of water used per month.
3. A usage charge of \$11.63 for each 1,000 gallons of water withdrawn from a hydrant as an approved metered withdrawal. No service availability charge is required
4. A usage charge of \$12.75 for each 1,000 gallons of withdrawn water from a hydrant under an approved withdrawal not qualifying for the metered withdrawal. No service availability charge is required
5. A usage surcharge of \$18.03 per 1,000 gallons of water withdrawn from a hydrant for flushing will be added to the usage charge for any withdrawal not in conformance with the requirements of 92.13. The surcharge shall apply to all water volume used for flushing. The surcharge would not be applied to other usage if a portion of the withdrawal is for a purpose other than flushing.
6. A bulk usage charge for construction water of \$637.71 will be added to applicable building permits for new construction as determined by the Building Inspector or Permit Clerk.

*Applied to all bills issued on and after 7/1/2024, Chapter 92.02 Rates for Service of the Code is amended as follows:*

**92.02 RATES FOR SERVICE.** Water service shall be furnished at the following rates within the City: (Code of Iowa, Sec. 384.84) Applied to all bills

1. A service availability charge of \$9.19 per month.
2. In addition to the service availability charge, a usage charge of \$9.19 for each 1,000 gallons of water used per month.
3. A usage charge of \$13.09 for each 1,000 gallons of water withdrawn from a hydrant as an approved metered withdrawal. No service availability charge is required.
4. A usage charge of \$14.35 for each 1,000 gallons of withdrawn water from a hydrant under an approved withdrawal not qualifying for the metered withdrawal. No service availability charge is required.
5. A usage surcharge of \$20.29 per 1,000 gallons of water withdrawn from a hydrant for flushing will be added to the usage charge for any withdrawal not in conformance with the requirements of 92.13. The surcharge shall apply to all water volume used for flushing. The surcharge would not be applied to other usage if a portion of the withdrawal is for a purpose other than flushing.
6. A bulk usage charge for construction water of \$717.43 will be added to applicable building permits for new construction as determined by the Building Inspector or Permit Clerk.

*Applied to all bills issued on and after 7/1/2025, Chapter 92.02 Rates for Service of the Code is amended as follows:*

**92.02 RATES FOR SERVICE.** Water service shall be furnished at the following rates within the City: (Code of Iowa, Sec. 384.84) Applied to all bills

1. A service availability charge of \$10.34 per month.
2. In addition to the service availability charge, a usage charge of \$10.34 for each 1,000 gallons of water used per month.
3. A usage charge of \$14.73 for each 1,000 gallons of water withdrawn from a hydrant as an approved metered withdrawal. No service availability charge is required.
4. A usage charge of \$16.15 for each 1,000 gallons of withdrawn water from a hydrant under an approved withdrawal not qualifying for the metered withdrawal. No service availability charge is required.
5. A usage surcharge of \$22.83 per 1,000 gallons of water withdrawn from a hydrant for flushing will be added to the usage charge for any withdrawal not in conformance with the requirements of 92.13. The surcharge shall apply to all water volume used for flushing. The

surcharge would not be applied to other usage if a portion of the withdrawal is for a purpose other than flushing.

6. A bulk usage charge for construction water of \$807.11 will be added to applicable building permits for new construction as determined by the Building Inspector or Permit Clerk.

*Applied to all bills issued on and after 7/1/2026, Chapter 92.02 Rates for Service of the Code is amended as follows:*

**92.02 RATES FOR SERVICE.** Water service shall be furnished at the following rates within the City: (Code of Iowa, Sec. 384.84) Applied to all bills

1. A service availability charge of \$11.63 per month.
2. In addition to the service availability charge, a usage charge of \$11.63 for each 1,000 gallons of water used per month.
3. A usage charge of \$16.58 for each 1,000 gallons of water withdrawn from a hydrant as an approved metered withdrawal. No service availability charge is required.
4. A usage charge of \$18.17 for each 1,000 gallons of withdrawn water from a hydrant under an approved withdrawal not qualifying for the metered withdrawal. No service availability charge is required.
5. A usage surcharge of \$25.69 per 1,000 gallons of water withdrawn from a hydrant for flushing will be added to the usage charge for any withdrawal not in conformance with the requirements of 92.13. The surcharge shall apply to all water volume used for flushing. The surcharge would not be applied to other usage if a portion of the withdrawal is for a purpose other than flushing.
6. A bulk usage charge for construction water of \$908.00 will be added to applicable building permits for new construction as determined by the Building Inspector or Permit Clerk.

*(Ordinance No. 05-203)*  
*(Ordinance No. 07-211)*  
*(Ordinance No. 13-211)*  
*(Ordinance No. 15-200)*  
*(Ordinance No. 16-215)*  
*(Ordinance No. 18-226)*  
*(Ordinance No. 210201-200)*  
*(Ordinance No. 210216-204)*  
*(Ordinance No. 220307-201)*  
*(Ordinance No. 230206-207)*

**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 rates one

hundred fifty percent (150%) of the rates provided in Section 92.02. No such customer, however, will be served 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.

(Code of Iowa, Sec. 364.4 & 384.84)

*(Ordinance No. 07-213)*

*(Ordinance No. 15-200)*

*(Ordinance No. 17-203)*

**92.04 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)

All properties receiving services are required to have an account set up for billing purposes. Property owners that rent or lease properties receiving single services or combined services will be referred to as Landlord accounts. Landlords are required to have an account on file for each above-described property, whether or not they file a Lien Exemption form with the City for their tenant's consumption. When a Landlord has a property that has a tenant move out and will be vacant for any period of time, the Landlord must notify the City of the vacancy within seven (7) days of when the vacancy occurs. The services automatically revert to the Landlord account for the property immediately upon the tenant's departure of the property. Failure to notify the City within seven (7) days of the vacancy will result in a \$35 administrative fee being charged to the Landlord account to cover the cost associated researching the property owner and the residency status of the property and reverting and calculating back service charges to the Landlord account.

1. Bills Issued. The City Administrator 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 City Administrator by the fifteenth (15th) day of each month.
3. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A one-time late payment penalty of ten percent (10%) of the amount due shall be added to each delinquent bill.

*(Ordinance No. 210201-200)*

**92.05 SERVICE DISCONTINUED.** Water service to delinquent customers shall be discontinued in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Notice. The City Administrator shall notify, in the form of a Disconnect Notice, each delinquent customer that service will be discontinued if payment of the combined service

account, including late payment charges, is not received before 8:30 a.m. of the date specified in the notice of delinquency. Such notice shall be sent by ordinary mail to the account holder in whose name the delinquent rates or 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.

2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord.

3. Hearing. If a hearing is requested by noon of the day preceding the shut off, the City Administrator shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. If the City Administrator finds that disconnection is justified, then such disconnection shall be made unless payment has been received.

4. Fee. A fee of \$50 shall be charged before service is restored to a delinquent customer. Said fee shall be effective and assessed at 8:30 a.m., on the morning of the date on the above-referenced Disconnect Notice. No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.

*(Ordinance No. 14-202)*

*(Ordinance No. 16-206)*

**92.06 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 premises served and shall be certified by the City Administrator to the County Treasurer for collection in the same manner as property taxes.

(Code of Iowa, Sec. 384.84)

**92.07 LIEN EXEMPTION.** The lien for nonpayment shall not apply to a residential 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 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 ninety (90) days of water service be paid to the City. The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the rental property and the date of occupancy. A change in tenant shall require a new written notice to be given to the City within thirty (30) business days of the change in tenant. When the tenant moves from the rental property, the City shall refund the deposit if the water service charges are paid in full. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City

within thirty (30) business days of the completion of the change of ownership. The lien exemption does not apply to delinquent charges for repairs to a water service.

(Code of Iowa, Sec. 384.84)

***(Ordinance No. 09-207)***

**92.08 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. If the customer is a tenant and if the owner or landlord of the property 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 thirty (30) days prior to certification of the lien to the County Treasurer.

(Code of Iowa, Sec. 384.84)

***(Ordinance No. 09-207)***

**92.09 CUSTOMER DEPOSITS.** There shall be required from every customer a one hundred, fifty dollar (\$150.00), per account, deposit intended to guarantee the payment of bills for service. If an irrigation meter is installed, no additional deposit is required. The following are customers exempt from the deposit requirement:

(Code of Iowa, Sec. 384.84)

- a. Institutional organizations. Institution organizations is defined as schools, Federal, State and Local Government-used properties.
- b. Landlord accounts on rental properties.

***(Ordinance No. 18-226)***

***(Ordinance No. 210201-200)***

**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. The fee for shutting the water off at the curb valve and for restoring service is fifty dollars (\$50.00). The City will not drain pipes or pull meters for temporary vacancies.

***(Ordinance No. 210201-200)***

**92.11 HYDRANT USAGE - METERED.** Any person obtaining approval of the City to withdraw water from a fire hydrant may do so through the use of a water meter suitable for the purpose intended subject to the following conditions:

1. Obtain prior approval of the City for use of the meter.

2. Document the meter was calibrated by an independent entity within 6 months prior to the use of the water meter.
3. Prior to the start of withdrawal, the City must be notified to determine the meter reading prior to the start of withdrawal.
4. At the end of the withdrawal the City must be notified to determine the reading on the meter at the end of the withdrawal.

To qualify for the metered water rate from a hydrant under this Chapter the person must follow all requirements of this section. Failure to follow the requirements of this section shall disqualify the water sales from the metered rate.

**92.12 OTHER HYDRANT WITHDRAWALS.** Any person obtains approval for withdrawal of water from a hydrant that does not qualify for a metered withdrawal as set forth in this Chapter shall be subject to and conform with the provisions set forth herein.

1. Notify the City at least two work days prior to the start of withdrawal to allow the City to determine the flow rate of the hydrant. Once the City determines the flow rate for the hydrant that information will be provided to the requesting person.
2. Withdrawal must do so between the hours of 7:00 a.m., and 5:00 p.m., during the normal work week of the City excluding holidays, unless other hours are approved in writing by the City.
3. Notify the City at least 30 minutes prior to the start of withdrawal to allow the City an opportunity to confirm the start time.
4. Notify the City at least 30 minutes prior to the termination of the withdrawal to provide the City an opportunity to confirm the time for the end of the withdrawal.
5. Maintain a record of the start time and stop time for each withdrawal and must make that record available to the City on request.

At the termination of any withdrawal and once each month if the withdrawal lasts more than 30 days the person withdrawing water must provide the written record of each start time and each stop time to the City Water Superintendent. The Water Superintendent will review the time log and confirm or reject the time log. If the Water Superintendent confirms the time log, the volume of water used during the period will be calculated based on the flow rate measured by the City prior to the start of the withdrawal and the duration based on the approved time record.

If the Water Superintendent rejects the time record the Water Superintendent shall determine, based on available information, the duration of withdrawal. The Water Superintendent's determination of the withdrawal duration shall be provided in writing to the person undertaking the withdrawal. The volume of water shall be calculated based on the duration of the withdrawal

determined by the Water Superintendent and the water withdrawal rate measured by the City prior to the start of withdrawal.

In the event the person withdrawing water fails to notify the City before the start or termination of any withdrawal the water volume calculated by the Water Superintendent will be increased by a factor of 1.25.

*(Ordinance No. 13-211)*

**92.13 HYDRANT FLUSHING.** Any person withdrawing water from a hydrant for purposes of flushing must notify the Water Superintendent 24 hours in advance of flushing. The Water Superintendent, or his designee, must be present at the time the flushing occurs. Any person withdrawing water who has notified the Water Superintendent of the scheduled test must wait for a period of 60 minutes after the designated start time of the test to provide the Water Superintendent, or his designee, time to arrive to observe the flushing. If the Water Superintendent, or his designee, does not arrive within 60 minutes the test must be cancelled and rescheduled.

Any person who fails to notify the Water Superintendent of the scheduled flushing, to wait up to the prescribed 60-minute period, or otherwise proceeds without the Water Superintendent, or his designee, observing the flushing shall be in violation of this section. Any flushing undertaken in violation of this section shall be subject to the surcharge set forth in 92.01.5 of this chapter.

*(Ordinance No. 13-211)*

## CHAPTER 93

### WATER CONNECTION FEE DISTRICTS

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92.05 Service Discontinued	92.10 Temporary Vacancy

#### 93.1 HIGHWAY 65 UTILITY EXTENSION WATER CONNECTION FEE DISTRICT.

**93.1.1 CONNECTION FEE DISTRICT.** The Highway 65 Utility Extension Water Connection Fee District is hereby established consisting of the following tracts of land located in Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> Principal Meridian, Polk County, Iowa consisting of the following:

1. That portion of the north one-half of the southeast quarter of Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> Principal Meridian lying easterly of the right-of-way of U.S. Highway 65 and westerly of a line located 600 feet easterly and parallel to the easterly right-of-way line of U.S. Highway 65.
2. That portion of the south 81.5 acres of the northeast fractional one-quarter of the southeast quarter of Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> Principal Meridian lying easterly of the right-of-way line of U.S. Highway 65 and westerly of a line 600 feet east and parallel to the easterly right-of-way line of U.S. Highway 65.
3. Beginning 1,210.5 feet south of the northeast corner of Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> Principal Meridian, thence southwesterly 614.4 feet along the easterly right-of-way line of U.S. Highway 65, thence easterly 437.2 feet, thence north to the point of beginning, and
4. Beginning at the northwest corner of the northwest quarter of the southeast quarter of Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> Principal Meridian, thence south 591.6 feet, thence northeasterly 820.45 feet, thence west 568.1 feet to the point of beginning.
5. The east 1,320 feet of the north 40 acres of the southwest quarter of Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> Principal Meridian located west of the right-of-way of U.S. Highway 65.
6. The east 1,320 feet of the south one-half of the northwest fractional quarter of Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> Principal Meridian.
7. Beginning at the center of Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> Principal meridian, thence north 1,355.02 feet, east 977.48 feet, south 543.65 feet, east 367.85 feet, southwesterly along the westerly right-of-way line of U.S. Highway 65, 1,126.2 feet, thence west 565.35 feet to the point of beginning.
8. Beginning 1,355.02 feet north and 977.48 feet east of the southwest corner of the South 81.50 acres of the northeast fractional one-quarter of Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> Principal Meridian, thence east 890.33 feet southwesterly along the westerly right-of-way

line of U.S. Highway 65, 754.35 feet, west 367.85 feet, north 543.65 feet to the point of beginning.

9. That portion of the following described parcel located westerly of the westerly right-of-way line of U.S. Highway 65 and easterly of a line located parallel to and 800 feet westerly of the right-of-way line of U.S. Highway 65. The north 100 acres of the northeast fractional quarter Section 1, Township 79 North, Range 23 West of the 5<sup>th</sup> PM., Polk County, Iowa, except 831.4 feet south and 29.2 feet southwest of northeast corner thence southwest 476.5 feet northwest 101 feet, northeast 446.5 feet, southeast 105.3 feet to point of beginning road easement and beginning at northeast corner thence west 400 feet south 662.45 feet southeasterly 425.5 feet northeasterly 29.05 feet, north 831.95 to point of beginning and Parcel C at Book 9958 Page 761.

**93.1.2 FEE SCHEDULE.** From the effective date hereof through June 30, 2019 a connection fee of \$2,220 per acre shall be imposed. The connection fee shall be adjusted on July 1, 2019 and each calendar year thereafter based on the change in the ENR construction cost index for the one year period ending on April 1 of the calendar year in which the adjustment is made. The connection fee shall be rounded to the nearest whole dollar. The City Administrator shall determine the applicable connection fee and shall maintain on file the connection fee effective July 1 of each calendar year.

**93.1.3 PAYMENT OF THE CONNECTION FEE.** The payment of the connection fee shall be made prior to the approval of any final plat of an area within the connection fee district, or prior to the approval of a site plan located within the connection fee district, or prior to the issuance of a permit for installation of the sewer connection for any parcel within the connection fee district. The connection fee shall be paid prior to the first of any of the three listed actions. If a connection fee is paid for the parcel for one of the three actions said parcel shall not be further subject to the connection fee.

**93.1.4 PROPERTY OUTSIDE DISTRICT.** Any property outside of the described connection fee district may connect to the sewer serving the district with the approval of the City Administrator and payment of the appropriate connection fee. The number of connections to the system is limited and connections outside the district may not be allowed.

*(Ordinance No. 18-219)*

## **93.2 PARK SIDE WATER CONNECTION FEE DISTRICT**

**93.2.1 CONNECTION FEE DISTRICT.** The Park Side Water Connection Fee District is hereby established consisting of the following tracts of land located in Section 29, Township 80 North, Range 22 West of the 5th Principal Meridian, Polk County, Iowa consisting of the following:

1. Commencing at the East Quarter corner of Section 29 Township 80 North Range 22 West of the Fifth Principal Meridian, thence south along the east line of the southeast quarter of said Section 29 to the north right-of-way line of the former railroad right of way, thence southwesterly along the northerly line of the former railroad right of way to a point on the west line of the southeast quarter of the southwest quarter of said Section 29, thence north along the west line of the southeast quarter of the southwest quarter of said Section 29 to the northwest corner of the southeast quarter of the southwest quarter of said Section 29, thence north along the west line of the northeast quarter of the

southwest quarter of said Section 29 to the northwest corner of the northeast quarter of the southwest quarter of said Section 29, thence north along the west line of the southeast quarter of the northwest quarter of said Section 29 to a point on the southwesterly line of Park Side Plat 2, an official plat in and forming a part of the City of Bondurant, Iowa, thence N 53°, 52', 57'' W a distance of 438.64 feet along the southwesterly line of Park Side Plat 2, thence N 29°, 7', 45'' W a distance of 238.47 feet along the southwesterly side of Park Side Plat 2, thence westerly along a curve, a distance of 10.77 feet, with said curve having a bearing angle of N 85°, 45', 59'' E, said curve being along the westerly boundary of Park Side Plat 2, thence N 4°, 55', 13'' W a distance of 60.00 feet along the westerly boundary of Park Side Plat 2, thence N 23°, 10', 16'' W a distance of 137.65 feet to a point on the north line of Park Side Plat 2, thence east along the north side of Park Side Plat 2 to a point on the west line of the southeast quarter of the northwest quarter of said Section 29, thence north along the west line of the southeast quarter of the northwest quarter of said Section 29 to the northwest corner of the southeast quarter of the northwest quarter of said Section 29, thence east along the north line of the southeast quarter of the northwest quarter of said Section 29 to the northeast corner of the southeast quarter of the northwest quarter of said Section 29, thence east along the north line of the southwest quarter of the northeast quarter of said Section 29 to the northeast corner of the southwest quarter of the northeast quarter of said Section 29, thence east along the north line of the southeast quarter of the northeast quarter of said Section 29 to the northeast corner of the southeast quarter of the northeast quarter of said Section 29, thence south along the east line of the southeast quarter of the northeast quarter of said Section 29 to the Point of Beginning.

**93.2.2 Fee Schedule.** From the effective date hereof through June 30, 2022 a connection fee of \$1,790 per acre shall be imposed. The connection fee shall be adjusted on July 1, 2022 and each calendar year thereafter based on the change in the ENR construction cost index for the one year period ending on April 1 of the calendar year in which the adjustment is made. The connection fee shall be rounded to the nearest whole dollar. The City Administrator shall determine the applicable connection fee and shall maintain on file the connection fee effective July 1 of each calendar year.

**93.2.3 Payment of the Connection Fee.** The payment of the connection fee shall be made prior to the approval of any final plat of an area within the connection fee district, or prior to the approval of a site plan located within the connection fee district, or prior to the issuance of a permit for installation of the sewer connection for any parcel within the connection fee district. The connection fee shall be paid prior to the first of any of the three listed actions. If a connection fee is paid for the parcel for one of the three actions said parcel shall not be further subject to the connection fee. For any property within the Park Side Water Connection Fee District where the City has entered into an agreement for payment of the connection fee, either prior to the establishment of this connection fee district or subsequent to the establishment of this connection fee district, the property within the plat shall not be subject to separate payment of the connection fee if the payment of the connection fee for said property is subject to the provisions of the agreement. This connection fee is applicable to all users connecting to the water main after date of acceptance of the water main by the City.

**93.2.4 Property Outside District.** Any property outside of the described connection fee district may connect to the sewer serving the district with the approval of the City Administrator and payment of the appropriate connection fee. The number of connections to the system is limited and connections outside the district may not be allowed.

***(Ordinance No. 201207-220)***