

ORDINANCE NO. 013-09

AN ORDINANCE AMENDING CHAPTER 12 OF THE MUNICIPAL CODE OF THE CITY OF
CEDAR RAPIDS, IOWA, BY REPEALING CERTAIN SUBSECTIONS THEREFROM AND
ENACTING SUBSTITUTIONS IN LIEU THEREOF ESTABLISHING WATER SERVICE RATES
AND CONNECTION CHARGES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA,
as follows:

Section 1. That Section 12.26 of Chapter 12 of the Municipal Code, City of Cedar Rapids, Iowa, be and the same is hereby repealed and the following new section enacted as a substitute in lieu thereof:

“[12.26 WATER RATES.]

- (a) The rates assessed for the provision of water service shall be comprised of a daily service charge in accordance with the size of the water service meter and a volumetric charge for the water furnished. The volumetric charge for consumption July 1, 2009 or after shall be at the following rates:

First	25,000 Cu. Ft.	\$ 1.62 Per 100 Cu. Ft.
Next	75,000 Cu. Ft.	\$ 1.54 Per 100 Cu. Ft.
Next	900,000 Cu. Ft.	\$ 1.39 Per 100 Cu. Ft.
All Over	1,000,000 Cu. Ft.	\$ 0.96 Per 100 Cu. Ft.

Accounts will be assessed a daily service charge for each water service meter based on the size of the water service meter in accordance with the following schedule. Minimum volumetric and total minimum charges shall also apply when volumetric charges at the above rates do not equal or exceed amounts as follows:

SIZE OF METER	DAILY SERVICE CHARGE	MINIMUM DAILY VOLUMETRIC CHARGE	TOTAL MINIMUM DAILY CHARGE	TOTAL MINIMUM CHARGE ON A MONTHLY BASIS
5/8 Inch	\$0.25	\$ 0.00	\$ 0.25	\$ 7.60
¾ Inch	\$0.33	\$ 0.00	\$ 0.33	\$ 10.04
1 Inch	\$0.39	\$ 0.00	\$ 0.39	\$ 11.86
1½ Inch	\$0.44	\$ 0.85	\$ 1.29	\$ 39.23
2 Inches	\$0.56	\$ 1.28	\$ 1.84	\$ 55.96
3 Inches	\$0.83	\$ 3.04	\$ 3.87	\$ 117.72
4 Inches	\$1.09	\$ 5.91	\$ 7.00	\$ 212.91
6 Inches	\$2.19	\$ 13.16	\$ 15.35	\$ 466.89
8 Inches	\$3.25	\$ 26.12	\$ 29.37	\$ 893.33
10 Inches	\$5.45	\$ 42.98	\$ 48.43	\$ 1,473.08
12 Inches	\$7.35	\$ 63.72	\$ 71.07	\$ 2,161.71

The daily service charge does not apply to the separate lawn or irrigation meter, registering outside water use, and no sanitary sewer charges shall be charged to the lawn or irrigation meter registering outside water usage.

- (b) The above rates shall be applied separately on the consumption through each meter, or on the total set of meters if placed on one service pipe in parallel so as to discharge into a common supply pipe.

- (c) The above rates shall apply only to properties located within the city or as set out in contractual agreements with other cities and entities. All properties located outside of the corporate limits and served by city water shall pay a volumetric rate schedule 50 percent higher than the rates indicated.

All customers not located within the City of Cedar Rapids or one of the cities with a contractual agreement for water service shall, at the option of the City, be required to annex into the City if the property is contiguous or to voluntarily do so at such time that it becomes contiguous.

- (d) The City Council by resolution may establish fees for other materials and services furnished by the Water Division.
- (e) Failure to pay water service and other municipal utility service charges, resulting in delinquent bills, shall be subject to a three percent (3.0%) penalty calculated on the basis of the unpaid balance.

In addition to other penalties and the shutoff of service for delinquencies, the City may impose a lien upon the property served for any and all delinquent water service and other municipal utility service charges in accordance with Section 384.84 of the Code of Iowa."

Section 2. That Section 12.37 of Chapter 12 of the Municipal Code, City of Cedar Rapids, Iowa, be and the same is hereby repealed and the following new section enacted as a substitute in lieu thereof:

"[12.37 REDUCED RATES.]

Reduced rates for water, sewer, recycling, yard waste and solid waste collection services shall be charged to a customer who meets income eligibility requirements and who is either totally disabled or who is 62 years of age or older, provided an affidavit herein described is filed. To be eligible for these reduced rates, a customer shall have a total annual household income equal to or less than one hundred and fifty percent (150 %) of the Federal Poverty Guidelines for a family of two.

The reduced rates for water and sewer services shall be based on the actual consumption of water including sewer services and reduced daily service charges of \$0.125 for water service and \$0.165 for sewer service. The reduced rates for recycling, solid waste, and yard waste collection shall be as prescribed in Section 24.14 of the Municipal Code. These reduced rates shall be applicable only to a residential single family unit and the unit must be the legal residence of the customer. The customer must also be the account holder.

Such person may apply for the aforesated rates by filing an affidavit on a form furnished by the Water Division, at such place or places prescribed by the Water Division, stating the total household income received, including earned and non-earned income, social security, pension and any other benefits received for the preceding calendar year. An affidavit for the continuation of the reduced rate must be filed before June 1st of each year. Affidavits received after July 1st, reduced rates shall become effective on the receipt date of the affidavit. Non-reduced rates would be charged July 1st through the date the qualifying affidavit is received at the Water Division."

Section 3. That Section 12.05 (b) of Chapter 12 of the Municipal Code, City of Cedar Rapids, Iowa, be and the same is hereby repealed and the following new section enacted as a substitute in lieu thereof:

"(b) Water Connection Charge. If an assessment for water main costs has not been made against the property for which the water service is sought or the property owner has not contributed to the cost of the water main, a charge of \$30.00 per lineal foot of lot served shall be paid for each service before the Utilities Department-Water Division will tap the water main, unless prior arrangements are made to pay according to the provisions of subsection (e) following. In addition, the property owner shall reimburse the Utilities Department-Water Division for the actual cost of the service line, or part thereof, that becomes part of the service connection to the property served, if it has not been previously been paid by the property owner. The actual cost shall be cost paid by the Utilities Department-Water Division, or the actual cost of labor, materials and overhead, whichever is greater."

Section 4. That Section 12.25 of Chapter 12 of the Municipal Code, City of Cedar Rapids, Iowa, be and the same is hereby repealed and the following new section enacted as a substitute in lieu thereof.

"[12.25 TESTING METERS.]

(a.) If the City determines that the accuracy of a water meter should be tested, the City may test the meter.

(b) In addition, the account holder may request that the meter be tested. The Utilities Department-Water Division will assess a \$29.50 charge for performing the test, to the account holder, in the event the testing confirms that the meter is accurately recording usage plus or minus two percent of accuracy or is under recording usage (less than ninety eight percent). If the meter is found to be over recording usage (more than 102 percent), the charge for the test will be waived and there shall be a proportional deduction made from the previous water bill."

Section 5. That if any provision, paragraph, word, section or article of this Ordinance is held unconstitutional or invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

Section 6. That the changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 7. That the changes set forth in Section 1., Section 2., Section 3., and Section 4. of this Ordinance shall be in full force and effect on July 1, 2009, after passage and publication as required by law.

Introduced this 8th day of April, 2009.

Passed this 22nd day of April, 2009.

Kay Halloran, Mayor

Attest:

Ann Ollinger, City Clerk