

CHAPTER 90

CITY UTILITIES SYSTEM

90.01 Definitions	90.07 Lien for Nonpayment
90.02 Establishment of Council as Governing Board of Municipal Utilities	90.08 Delinquency Notice to Landlords
90.03 Purpose	90.09 Warranty
90.04 Customer's Establishment of Service	90.10 Water Rates
90.05 Deposit Required	90.11 Sewer Rates
90.06 Disconnection For Nonpayment	90.12 Natural Gas Rates
	90.13 Electric Utility Rates

90.01 DEFINITIONS. Unless the context indicates otherwise, the meanings of terms used in this chapter are as follows:

1. "Account class" means the specific type of customer use type: commercial, residential, public authority, separately metered heat electric, interruptible, etc.
2. "Service" means that commodity delivered to a customer; i.e., gas, water, sewer, or electric service.
3. "Tariff" means the platform which states the rules and parameters of electric and natural gas as regulated by the Iowa Utilities Board.
4. "Utility" means gas, water, sewer and/or electric service provided by Lamoni Municipal Utilities.
5. "Utility service account" means the established credit-patronage required to receive utility service and the record of credit/debits for a utility customer.

90.02 ESTABLISHMENT OF COUNCIL AS GOVERNING BOARD OF MUNICIPAL UTILITIES. As provided by Section 388.2 of the *Code of Iowa* and pursuant to elections held, the management and control of the municipally owned Electric Utility, Water Utility, Gas Utility and Sewer Utility System of the City were placed in the hands of a Board of Trustees. Pursuant to an election held on the November, 1993, referendum, the control and management of the Lamoni Municipal Utilities are under the Council. (Pursuant to said referendum, the Utilities Board of Trustees expired on December, 1993.)

90.03 PURPOSE. The purpose of the municipally owned Electric, Gas, Water and Sewer utilities is to provide these services to the City and other customers within the tariff areas served by the municipal system.

90.04 CUSTOMER'S ESTABLISHMENT OF SERVICE. A utility service account will be established by providing to the Municipal Utilities one of the following:

1. A letter of utility credit for each respective account class of service required, which shall demonstrate 12 months of prompt remittance;
2. A utility deposit for each respective account class commensurate with the highest use month within a 12-month period. The utility deposit will be refunded after 12 months of prompt remittance.
3. A warranty of credit by a system member in good standing who holds the same class of service as that being applied for.

90.05 DEPOSIT REQUIRED. Three late payments within a 12-month period by a customer will require the institution of a security deposit.

90.06 DISCONNECTION FOR NONPAYMENT. Lamoni Municipal Utilities may disconnect service to any customer for non-payment. The Municipal Utilities will observe requisites of the Iowa Utilities Board and Iowa law concerning the connection of registered heating-energy assistance program recipients during established winter months in lieu of gas and electric accounts. Payment for service is due upon billing issued on the first day of each month, and is late after the twentieth day of each month. Holidays and weekend days which fall on the twentieth shall extend the payment date until the next working day. When a late payment has not received remittance, and 12 days pass without remittance, the Municipal Utilities shall post a written notified of disconnection advising that services will be shut off within 24 hours of the time the notice is posted. After the 24-hour notice period, and bona fide remittance has not been paid, services will be shut off. Services will not resume until the required payment has been made and a reconnection fee has been recovered by the Municipal Utilities. If the customer is a tenant and the owner or landlord of the property has made a written request for notice, the notice of post-for-disconnect will also be provided to the landlord.

90.07 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for service charges to the premises. Charges remaining unpaid and delinquent shall constitute a lien upon the property or premises served and shall be certified by the Municipal Utilities to the County Treasurer for collection in the same manner as property taxes. A lien imposed pursuant to this section shall not be less than \$5.00. The Municipal Utilities shall give ten days' written notice by first class mail to the property owner of record who has filed a written request containing the name and address of the person to be notified before placing a lien on the owner's property.

90.08 DELINQUENCY NOTICE TO LANDLORDS. When charges for rental properties become delinquent, the Municipal Utilities shall give notice to the landlord who has filed a written request containing the name and address of the person to be notified of the delinquency.

90.09 WARRANTY. During utility construction projects in rights-of-way and easements, it sometimes becomes necessary for the Municipal Utilities to disturb service lines to private properties. In the event that this becomes necessary, the service lines to private properties will be repaired using the best practices available. In the event repairs are made, the Municipal Utilities will be responsible for repairs to said service if problems directly related to the repairs in question occur within a 24-month period. After the 24-month period, the responsibility reverts to the owner of the service. In any event, the Municipal Utilities will not be responsible for any damages to private property that may result as a malfunction of a service line for whatever reason, before, during or after the 24-month period.

90.10 WATER RATES. Water service shall be furnished at rates set by resolution of the Council.

90.11 SEWER RATES. Each customer shall pay sewer service charges based upon the amount of water consumed as set by resolution of the Council.

90.12 NATURAL GAS RATES. Rates for natural gas service are as set by resolution of the Council.

90.13 ELECTRIC UTILITY RATES. Rates for electric utility service are as set by resolution of the Council.

[The next page is 479]