

ORDINANCE NO. 14,502

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,434, passed April 25, 2005, by amending Section 118-158 thereof, relating to billing procedures, late payment charges and past and delinquent accounts for the city water works.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, and amended by Ordinance No. 14,434, passed April 25, 2005 is hereby amended by amending Section 118-158 thereof, relating to billing procedures, late payment charges and past and delinquent accounts for the city water works, as follows:

Sec. 118-158. Billing procedures; late payment charge; past due and delinquent accounts.

- (a) The city water works is authorized to act as the city's agent for the billing and collection of sewer, solid waste collection, and stormwater management service charges within the city and for charges made to the city sewer service contract accounts outside the city. The water works is authorized to read the water meter of each sewer contributor monthly, or in accordance with its procedures and regulations, and to thereafter bill sewer contributors the rates and charges provided in sections 118-149 and 118-154 of this division, utilizing its water use data as appropriate to calculate each billing. As to sewer contributors who do not derive water service from the water works, the water works shall bill such contributors for sewer service as determined and directed by the administrator pursuant to section 118-156 of this division. The water works is also authorized to bill each solid waste contributor the charges for solid waste collection service provided in section 98-55 of this Code. The city shall periodically provide to the water works an updated listing

of elderly and disabled solid waste contributors entitled to the reduced rate for such service provided in subsection 98-55(c) of this Code. The water works is authorized to bill the owners or occupants of all properties within the city, except exempt properties, the charge for stormwater management services, all as provided by division 7 of this article.

- (b) Payments for sewer, solid waste collection, and/or stormwater management services are due as of the date the billings are mailed, which date shall be the billing date. Water, sewer, solid waste collection, and/or stormwater management service charges will be billed to contributors and customers in a combined service account billing statement.
- (c) If full payment of all charges billed in a combined service account billing statement is not received within 33 days after the billing date, the city water works is authorized to impose a 5% late payment charge, according to its established practices and procedures, upon the unpaid balance of the account for sewer, solid waste collection and storm water management services. The water works may, after 30 days prior written notice to the city council, adjust the late payment charge percentage and/or the period after the due date when the late payment charge will be imposed. If the city council declines to approve such adjustments, it may repeal this authorization to impose the late payment charge.
- (d) If full payment of all charges billed in a combined service account billing statement is not received within 40 days after the billing date, the contributor's or customer's combined service account shall be considered delinquent, and the Water Works shall give notice, as hereafter provided, that the combined service account is delinquent and that water service to the premises for which the account is delinquent will be discontinued if the delinquent charges are not paid within 50 days after the billing date.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Terrence L. Timmins, Deputy City Attorney

T.M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 05-2479), passed by the City Council of said City at a meeting held October 10, 2005 signed by the Mayor on October 10, 2005 and published as provided by law in the Business Record on October 24, 2005 Authorized by Publication Order No. 4961.

Diane Rauh, City Clerk