

ORDINANCE NO. 2022-3

AN ORDINANCE AMENDING THE MILES, IOWA CODE OF ORDINANCES BY REPEALING SECTIONS, 6-5-7 “WATER RATES”; 6-5-8 “REFUSE COLLECTION RATES”; AND 6-5-10 “RATE OF SEWER RENT AND MANNER OF PAYMENT” AND REPLACING THEM WITH NEW SECTIONS 6-5-7, 6-5-8, AND 6-5-10 THAT AMEND PROVISIONS CONCERNING COMMERCIAL AND RESIDENTIAL INCREASES OF THE WATER, REFUSE COLLECTION AND SEWER RATES

SECTION 1. PURPOSE The purpose of this Ordinance is to provide adequate revenue for the operation of the Water, Refuse Collection, and Sewer Systems by increasing the rates for usage. The existing Sections 6-5-7, 6-5-8, and 6-5-10 in the Miles, Iowa Code of Ordinances are hereby repealed and replaced with new Sections 6-5-7, 6-5-8 and 6-5-10 as follows:

6-5-7 WATER RATES. Water shall be furnished at the following monthly rates within the City limits:

(Code of Iowa, Sec. 384.84(1))

1. Commercial rates for metered buildings:

The first 5,000 gallons .....	\$42.50
All over 5,000 gallons .....	\$3.99/1,000 gallons
The first 100,000 gallons...	\$350.00
All over 100,000 gallons...	\$3.23/1,000 gallons

2. Commercial flat rate user rates:

Farms.....	\$39.00
All other users.....	\$39.00 Commercial/ <b>per unit</b>

School rate. The Easton Valley School will pay a rate of \$380.00 per month to the City of Miles.

3. Residential rates: Residential buildings shall mean only those buildings that have a water connection. The minimum charge shall be \$37.00 per **unit within each** building per billing month.

4. Purchasers of bulk water shall be charged \$6.75 per 1000 gallons.

5. Exemption to rates: Commercial and industrial users of water shall be exempt from paying for water during the first twelve (12) months of the start-up of the commercial or industrial business. The commercial or industrial business shall apply to the City Council for this exemption.

(Ord. 01-5, Passed December 5, 2001)

(Ord. 02-4, Passed December 4, 2002)

(Ord. 03-3, Passed January 7, 2004)

(Ord. 05-3, Passed August 3, 2005)  
(Ord. 07-1, Passed June 6, 2007)  
(Ord. 08-1, Passed June 4, 2008)  
(Ord. 10-1, Passed May 5, 2010)  
(Ord. 16-1, Passed July 6, 2016)  
(Ord. 17-1, Passed June 7, 2017)  
(Ord. 18-1, Passed June 6, 2018)  
(Ord. 19-1, Passed June 5, 2019)

6-5-8 REFUSE COLLECTION RATES. There shall be collected by the City for its services in collecting garbage and rubbish, the following mandatory fees:

1. Residence Rate. For each resident with alley or curbside pickup, \$29.00 per month for one garbage or rubbish collection each week. This will pay for regular garbage and recyclable pickup. In the event that alley or curb pickup for any residence is not feasible, the Mayor is hereby empowered to enter into an agreement with such resident for any additional charge to be paid by such resident for any other location of pickup that may be agreed upon. Resident will no longer be able to use any other types of garbage cans. If a resident needs another garbage can it will be additional \$15.00 per month.

Anyone bringing refuse into the City for pickup will be billed for two (2) households at the above rate.

(Ord. No. 8, Passed December 1, 1993)  
(Ord. 05-1, Passed June 1, 2005)  
(Ord. 16-1, Passed July 6, 2016)

2. Business Rates. In so far as the City of Miles receives collection of Business fees for the company providing collection service under contract with the City, the following rates have been set by the City:

a. Businesses receiving commercial service shall pay \$41.00 per month to the City of Miles, and

b. Businesses receiving 2-yard dumpster service shall pay \$93.00 monthly  
4-yard dumpster service shall pay \$142.00 monthly.  
6-yard dumpster service shall pay \$192.00 monthly.  
8-yard dumpster service shall pay \$244.00 monthly.

c. Businesses receiving 2-yard recycling dumpster service shall pay \$47.00 monthly  
4-yard recycling dumpster service shall pay \$67.00 monthly  
6- yard recycling dumpster service shall pay \$93.00 monthly  
8-yard recycling dumpster service shall pay \$119.00 monthly.

(Ord. No. 8, Passed December 1, 1993)  
(Ord. 05-1, Passed June 1, 2005)  
(Code of Iowa, Sec. 384.84(1))

3. School rate. The Easton Valley School shall pay \$425.00 per month to the City of Miles:

The company providing collection service under contract with the City will provide dumpsters at the City Park and City garage free of all charges.

(Ord. 05-1, Passed June 1, 2005)

6-5-9 FEES DUE. Collection fee to consumer is an annual premium payable to the City of Miles in monthly payments. No credit may be given a vacationing consumer since the City is also on an annual "per resident" contract with the hauler. Special consideration may be given by the City Council if the consumer is away due to ill health (hospitalization or nursing home care)

6-5-10 RATE OF SEWER RENT AND MANNER OF PAYMENT.

Residential/Commercial

Monthly Service Charge	\$52.00
Sewer rate for each premise	\$48.00

1. Sewer rates. Each premise will have a monthly service of \$52.00 and the rate of sewer rent shall be \$48.00 per month for each **unit within each** premise within the sewer district created in 6-5-2, except: \$450.00 per month for Easton Valley School. All will be billed for 12 months per year. The rent shall be paid with the water bill at the same time as payment of the water bill is due and under the same condition as to penalty for late payment, at the office of the City Clerk-Treasurer, beginning with the next payment after the enactment of this Ordinance, or, if connection has not been made, after the connection to the sewer system is made.

(Code of Iowa, Sec. 384.84(1))

(Ord. 01-6, Passed December 5, 2001)

(Ord. 02-3, Passed December 4, 2002)

(Ord. 08-2, Passed June 4, 2008)

(Ord. 10-2, Passed May 5, 2010)

(Ord. 16-1, Passed July 6, 2016)

(Ord. 17-1, Passed June 7, 2017)

(Ord. 18-1, Passed June 6, 2018)

(Ord. 19-1, Passed June 5, 2019)

2. Exemption to rates: Commercial and industrial users of the sewer system shall be exempt from paying for sewer during the first twelve (12) months of the start-up of the commercial or industrial business. The commercial or industrial business shall apply to the City Council for this exemption.

(Ord.07-1, Passed June 6, 2007)

(Ord. 08-2, Passed June 4, 2008)

(Ord. 10-2, Passed May 5, 2010)

3. Approved dumping of outside waste into the sewer system, shall be \$100/load up to 1500 gallons.

(Ord. 10-2, Passed May 5, 2010)

SECTION 2. REPEALER CLAUSE. Any ordinance, provision or part thereof, which differs or is inconsistent with this ordinance, is hereby repealed, to the extent of said difference or inconsistency.

SECTION 3. SEVERABILITY. If any section, provision or part of the Ordinance shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of the ordinance as a whole, or any sector, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in full force and effect upon posting as required by Iowa law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Miles, Iowa this 7<sup>th</sup> day of the September, 2022.

Date of 1<sup>st</sup> Reading: August 3, 2022

Date of 2<sup>nd</sup> Reading: Sept. 7, 2022

Date of 3<sup>rd</sup> Reading: Sept. 7, 2022

Date of Publication: Sept. 14, 2022