

ORDINANCE 614

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EVANSDALE, IOWA, BLACK HAWK COUNTY, BY AMENDING PROVISIONS PERTAINING TO SEWER FEES

BE IT ENACTED by the City Council of the City of Evansdale, Iowa:

SECTION 1. SUBSECTION MODIFIED. Section 99.01 Subsection 1 of the Code of Ordinances of the City of Evansdale, Iowa, Black Hawk County, is repealed and the following adopted in lieu thereof:

99.01 SUBSECTION 1. RESIDENTIAL USERS. Residential users, each apartment within an apartment complex and each mobile home unit of each and every lot or parcel of lot, real estate or building located within the corporate limits of the City that is connected with or in any way uses or is serviced by the municipal sewer system shall pay a monthly charge for sewer service in the sum of \$15.50.

SECTION 2. SUBSECTION MODIFIED. Section 99.01 Subsection 2 of the Code of Ordinances of the City of Evansdale, Iowa, Black Hawk County, is repealed and the following adopted in lieu thereof:

99.01 SUBSECTION 2. COMMERCIAL USERS CONNECTED TO WATER AND SEWER. A commercial user for each and every lot or parcel of real estate or building located within the corporate limits that is connected with or in any way uses or is served by the municipal sewer system, and that is connected to the municipal waterworks system and is separately metered for water usage, shall pay a monthly charge for sewer service based on the amount of water furnished to such lot or parcel or real estate or building and equal to 150% of the water bill for such premises, but in any event, not less than a minimum charge of \$15.50 per month. For purpose of this section, a commercial user shall include only those businesses which are separately metered for water usage and which are located in a commercial zone.

SECTION 3. SUBSECTION MODIFIED. Section 99.01 Subsection 3 of the Code of Ordinances of the City of Evansdale, Iowa, Black Hawk County, is repealed and the following adopted in lieu thereof:

99.01 SUBSECTION 3. COMMERCIAL USERS NOT CONNECTED TO WATER SYSTEM. A commercial user for each and every lot or parcel of real estate or building located within the corporate limits that is connected with or in any way uses or is served by the municipal sewer system, and that is not connected into the municipal waterworks system, shall pay a monthly charge for sewer service based upon the amount of water used by such lot or parcel of real estate or building and equal to 150% of the “theoretical” water bill for such

premises (determined as if such premises were connected into the municipal waterworks and furnished with the amount of water used) but in any event not less than a minimum charge of \$15.50 per month. The owner or tenant of any such premises shall have the option of installing a meter at his or her own expense for the purpose of determining the amount of water used by such premises, but if no such meter is installed, the amount of water used by such premises shall be determined by the City Public Works Committee. For purposes of this section, a commercial user shall include each and every individual building, lot or parcel of lot of real estate used for commercial purposes within a commercial zone and the owner of such premises shall pay a full and separate sewer rental charge as set forth herein.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED BY THE EVANSDALE CITY COUNCIL ON THIS _____ DAY OF _____ 2011.

First Reading: 04/05/2011
Second Reading: 04/19/2011
Third Reading: 05/03/2011

ATTEST:

Chad Deutsch, Mayor

Becky Walters, City Clerk

I certify that the foregoing was published as Ordinance 614 on the _____ day of _____, 2011.

Becky Walters, City Clerk