

Ordinance No. 05.26

An Ordinance Amending Title 6, Chapter 6, of the Odebolt of Ordinances (2025).

BE IT ORDAINED BY THE CITY Council of the City of Odebolt, Iowa:

Section 1. Section Modified. Ordinance 6-4-4 is hereby repealed and the following adopted in lieu thereof.

6-6-4 BILLING; PENALTY.

Utility bills shall be due on the 20th of the month following the period for which service is billed.

Payment shall be made to the City Clerk. Bills shall become delinquent after the twentieth of the month in which due, and bills paid after said day shall have added a penalty of twenty-five dollars (\$25.00).

Section 2. Section Modified Ordinance 6-4-5 is hereby repealed and the following adopted in lieu thereof.

6-6-5 Discontinuing Service, fees

1. If any account is not paid within ten days (10) from the end of any given period, the service to such owner or person so supplied with the utility shall be discontinued after the following procedures have been complied with:

- a. The City clerk shall send a notice of disconnect or discontinue by ordinary mail providing the date on which service will be disconnected. Such date will be ten (10) calendar days from the date of the notice.
- b. On the tenth day, the city shall deliver by hand service a twenty-four (24) hour notice to disconnect and said notice shall be posted on the door of the property or handed to any resident in the home. At the time such notice is delivered a fee of twenty-five dollars (\$25.00) will be added to the delinquent bill. This charge will be referred to commonly as a "door tag fee".
- c. Each twenty-four-hour notice will provide the following information to residents:

"You are hereby notified that your account for utility service is delinquent and utility service will be disconnected unless the amount stated below is paid in full within 24 hours. Balance Due Now \$

_____ Door Tag Fee \$ 25.00 Total Due \$ _____

If the past due balance as indicated above is not paid in full within 24 hours, you will be required to pay the account current to the last billing, plus a \$100 reconnection fee per account before utilities will be reconnected. You have a right to a hearing before the Odebolt City Council on (insert next scheduled Council meeting.)"

- d. When a hearing is requested by a customer, the Council shall conduct a hearing during the next regularly scheduled City Council meeting. The Customer shall have the right to present evidence or propose a payment plan. The decision of the Council is final.

3. A lien shall not be certified to the County Treasurer for collection unless thirty (30) days prior written notice by ordinary mail of the intent to certify a lien is given to the account holder of the delinquent account. If the account holder is a tenant, and if the owner or property lessor of the property has made a written request for notice, the notice shall also be given to the owner. (Code of Iowa, Sec. 384.84 (3))

4. If the property in which there are delinquent utilities owing is sold before the City certifies the lien to the County Treasurer, the City may certify the delinquent utilities against another property located in this state owned by the delinquent user. (Code of Iowa, Sec. 384.84(3)(a)(3))

5. A \$25.00 fee shall be charged for customers who elect to forgo water service for usual or customary absences for extended time periods. If the water service is stopped to correct leaks, or for remodeling purposes, no fee will be charged. If a water service stoppage is requested and granted through the City Clerk's office as a result of an extended usual or customary absence, all other city services will be stopped and will resume only when water service has been reconnected.

6. There will be no extension of water service after the current billing, unless an extension is preapproved due to extenuating circumstances. The City Clerk or the Clerk's authorized representative will determine whether to authorize an extension of time to pay, based on individual circumstances and the customer's payment history. Repeat violators will not be extended past the shutoff date at the discretion of the City.

7. Persons receiving service outside the City limits shall be deemed to have accepted the requirements of the water service and rules set by the City Council and its authorized representatives. Persons receiving water service outside the city limits shall be charged a rate of 2 times the rate charged to premises located within the corporate city limits of the City.

6-6-7 CUSTOMER GUARANTEE DEPOSITS. Customer deposits of a refundable \$225 and non-refundable \$25 office fee shall be required of all customers who are tenants or buying a house, deposits of customers buying a house and have established acceptable credit records for 12 months shall have their deposits returned. If a customer is renting, they will receive their deposit when they move out and if they are up to date on their bill.

Section 3. Severability Clause. If any section, provisions 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. Effective Date. The ordinance shall be in full force and effect upon publication or written notification as required by the Code of Iowa.

Passed and Approved by the City Council of Odebolt, Iowa, on the 2nd day of March, 2026.