

CHAPTER 110

UTILITY SERVICE AND POLICY DEFINITIONS

110.01 DEFINITIONS. Unless another meaning is specifically indicated, the definitions given below apply to terms used in Chapters 90, 95, 96, 110, 111, 112, 113, 115, 116 and 117 of this Code of Ordinances. Where a definition is not specifically provided, those definitions listed in IAC Chapters 19, 20 and 22 and Chapter 384 of the *Code of Iowa* shall apply for the specific utility service in question.

1. “Account holder, primary” means a person 18 years of age or older, partnership, firm, association, corporation, governmental agency or other legal entity, that is receiving a City utility service, whose name is specifically listed on an account as the primary entity responsible for decisions regarding the service and for financial obligations created from the use of the service.
2. “Account holder, secondary” means a person 18 years of age or older (who is not a dependent), partnership, firm, association, corporation, governmental agency, or other legal entity responsible by law for payment for a City utility service said person is receiving, regardless of whether or not said person is specifically listed on the account.
3. “Account status” terms are defined as follows:
 - A. “Closed” refers to an account that is no longer receiving utility service.
 - B. “Current” refers to an open or closed account that has paid all outstanding balances prior to the due date, with the exception of the most recent bill prior to the due date and any amount not yet read and billed.
 - C. “Delinquent” refers to any open or closed account that has not paid a service bill or service payment agreement amount in full on or before the last day for timely payment.
 - D. “Fully paid” refers to a closed account that has fully paid any and all charges against it.
 - E. “Grossly delinquent” refers to any open or closed account that has not fully paid the amount due after more than 90 days past the due date posted on the bill.
 - F. “Open” or “active” refers to an account that is presently receiving utility service.
 - G. “Paid to date” refers to an open or closed account that has paid all billed utility charges but that may still have unread and/or unbilled charges outstanding.
4. “Additional deposit” means deposit monies required in addition to an initial or new deposit necessary to cover an increase in number and/or types of services, usage of service previously underestimated with the initial or new deposit required.

5. "Applicant" means a person 18 years of age or older, partnership, firm, association, corporation, governmental agency or other legal entity, applying to the City for utility services.
6. "Basic service" means the cable entertainment television service tier above minimum service for which a separate price is charged.
7. "Bulk service" means the cable entertainment television service to multiple residential living dwellings where owners accept the responsibility of a single billing for all their units regardless of occupancy. The owner pays and provides service to tenants; fee is usually included in rent.
8. "Cable Act" means Section 631 of the Cable Communications Policy Act of 1934 as amended.
9. "Channel" means a portion of the electromagnetic frequency spectrum, or any other means of transmission, which is capable of carrying a video signal, an audio signal, a voice signal or a data signal, or any combination of such signals.
10. "Combined telecommunications service account" means an account for all telecommunications services, including telephone, Cable TV, and Internet services.
11. "Combined utility service account" means an account for the service of water, wastewater, gas, electric, and garbage collection.
12. "Commercial" means basic analog and basic digital and DMX cable entertainment services to a business establishment whose customers are being provided access to the video services.
13. "Commission" means the Department of Commerce Utility Division.
14. "Complaint" means a statement or question by anyone whether a utility customer or not, alleging a wrong, grievance, injury, dissatisfaction, illegal action or procedure, dangerous condition or action, or utility obligation.
15. "Converter" means a device utilized by a subscriber to change the frequency or other characteristics of a signal.
16. "Cubic foot" – Gas/Water (CCF) means a measure of gas having its meanings set forth at 250 IAC 19.1(3)e, which shall be construed in the context of use. (In general these definitions describe the quantity of gas occupying one cubic foot at specified conditions, including temperature and pressure) and a measure of water equal to 7.48 gallons.
17. "Customer" means any account holder or anyone else that directly receives or uses a City utility service.
18. "Delinquent" or "delinquency" refers to an account for which a service bill or service payment agreement has not been paid in full on or before the last date for timely payment.
19. "Demand" or "demand power" means a quantity of electric power needed by the customer at a given point in time.
20. "Deposit" means an amount determined by the Utility to be paid and kept on deposit with the Utility until good credit rating is achieved (usually within one year) or service is terminated.

21. “Digital base package” means the lowest tier of digital cable television service.
22. “Drop” means the cable that connects the subscriber terminal at a point in the subscriber’s home, designated by the subscriber, to the nearest feeder cable of the communications system.
23. “Equipment” means one or more of the following, but not limited to: converter, converter-descrambler, remote-control unit, security device, addressable control module, A/B switch, ground block, splitter, trap, cable modem, coaxial cable or fiber optic cable which is not inside wiring.
24. “Ethernet” means a physical link and data link protocol that operates at 10 Mbps (10,000,000 bits per second).
25. “FCC” means the Federal Communications Commission, its designee, or any successor thereto.
26. “Gas” means manufactured gas, natural gas, other hydrocarbon gases, or any mixture of gases produced, transmitted, distributed or furnished by the Utility.
27. “Heating and calorific values” – as set forth in 250 IAC 19.1(3)j. (Definitions for such values as BTU, therm, and various measures of BTU’s evolved by combustion are found in the section cited.)
28. “Initial deposit” means a deposit required when first securing a utility service to include adding service if required according to the criteria herein.
29. “Inside wiring” means the cable that exists inside the subscriber’s home or business to a point 12 inches outside of the home or business, and includes any extra outlets, splitters, connections, fittings, or wall plates attached to it.
30. “Installation” means the act of connecting or activating the communications system from the feeder cable to the subscriber terminal so that the subscriber may receive communications services.
31. “Interruption of utility service” means any disturbance of the utility supply whereby service to at least fifty customers in one segment or in a portion of a distribution system has been disrupted.
32. “IUB” means Iowa Utilities Board.
33. “Local service” means the cable entertainment television service tier that includes the retransmission of local television broadcast signals.
34. “Main” means a water, wastewater, or gas pipe, owner operated or maintained by the Utility, which is used for the purpose of transmission or distribution of gas, water, or wastewater, but does not include the “service line.”
35. “Maximum demand” means the greatest demand required by the customer during a specific length of time.
36. “Meter” means a device that measures and registers the integral of a water, electric or gas quantity with respect to time.
37. “New deposit” means a deposit required if the initial deposit has been returned and the criteria exists to require a deposit. It is figured the same way as the initial deposit.

38. “Pay-per-view television” means digital cable television programming that is offered on a per-order basis. The programming is delivered over the telecommunications system on per-channel or per-program signals to subscribers for a fee or charge, in addition to the regular monthly fee for basic cable and digital cable television services.
39. “Premium channels” means the additional channels added to the basic cable TV service tier for which a separate price is charged.
40. “Pressure” means an expression of pounds per square inch above atmospheric pressure, i.e., gauge pressure (abbreviated “psig”)
41. “Service line” means a distribution line that transports a utility service from a common source of supply/service to a customer meter or the connection to a customer’s piping, whichever is farther downstream, or the connection to a customer’s piping if there is not a meter.
42. “Service rules” means the entire body of rules, procedures, and policies adopted by the City Council and on file for public inspection.
43. “Service” means any service, including the transmission of data, video and voice or any other service, whether originated by the Utility or any other person, which is offered to any subscriber in conjunction with, or distributed over the communications system.
44. “Set top box” means a digital signal converter which allows a customer to view digital cable television programming carried via a compressed digital signal to a standard television.
45. “T1” means a digital transmission link with a capacity of 1.544 Mbps (1,544,000 bits per second).
46. “Telecommunication services” means, for the purposes of this Code, an all-inclusive term to encompass telephone, Cable TV, and Internet services.
47. “Timely payment” means a payment on a customer’s account made on or before the date shown on a current bill for service, or on a form which records an agreement between the customer and the Utility for a series of partial payments to settle a delinquent account, as the date which determines application of a late payment charge to the current bill or future collection effort.
48. “Unsatisfactory payment history” means a payment record of the proposed account holder that:
- A. Has had NSF checks or ACH reject notices in the last twelve months; or
 - B. Has received more than two disconnect notices of any utility service.
 - C. Has two or more late payments (past the bill due date) for any utility in the last twelve months;
49. “Utility” is interchangeable with definition of “City.”
50. “Utility service” means one of the following utility services offered by the City to the customer, to include but not limited to: Potable Water, Wastewater, Electric, Gas, Solid Waste, Telephone and Cable, and Internet.

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CHAPTER 111

CUSTOMER SERVICE POLICIES

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111.01 APPLICATION FOR SERVICE.

1. Application Submittal. An application for utility service may be made at the City Offices at 1150 Central Avenue, Hawarden, Iowa. An application may also be submitted by the customer via fax, email, or internet. Initial applications cannot be acted upon until a signed application with all required information and any applicable deposits are received. Said application and any attachments thereto shall constitute an agreement between the Utility and the applicant. Although a signature shall be required for the initial application, subsequent changes shall be permitted via telephone, email, or internet provided such authority was given by the customer in writing and the proper verification information was provided at the time of the change.
2. Application Contents. The application will include the applicant's voluntary designation of a person or agency to receive a copy of any notice to disconnect service due to the applicant's nonpayment of a bill or deposit. In order for the application to be complete, the applicant must provide any of the following that said applicant possesses (in addition to the above):
 - A. Full names of all occupants of premises who are over the age of 18, who are not legal dependents, and the designation of the account holder(s) to receive monthly bills.
 - B. Birth date.
 - C. Two forms of acceptable United States proof of identity which may include a copy of valid driver's license or other ID which may include Social Security card, an acceptable United States form of ID (at least one of which must be a photo ID).
 - D. Telephone number.
 - E. Previous address.
 - F. Employer name, address, and telephone number.
 - G. Name, address and telephone number of a relative.
 - H. If tenant, name, address, and phone number of landlord.
 - I. Verification information that could be used to change account service without a signature, if so desired. A deposit may be required as outlined in Section 111.02.

3. Approval/Denial of Application for Utility Service. Upon receipt of a completed application a determination shall be made to approve or deny the application to provide a particular utility service. The Utility reserves the right to deny or refuse service for any of the reasons listed in subsection 4 of this section. The Utility may not deny or refuse service for any of the reasons listed in subsection 5 of this section. If an account holder has entered into a payment agreement or has a past due account, no additional utility service (e.g., telephone or cable features) will be added to the account until the account is current. The customer shall not be required to receive any advance written notice for the denial of an initial utility service request or for an additional service request not previously held by the applicant. However, a written reason for the denial of the service shall be mailed to the customer pursuant to these service rules if contact information is fully provided. The notice shall be considered rendered to the customer when deposited in the U.S. mail with postage prepaid.

4. Reasons for Denial of Service.

- A. In the event of a condition determined by the Utility to be hazardous.
- B. In the event of customer use of equipment in such a manner as to adversely affect the Utility's equipment or service to others.
- C. In the event of tampering with equipment furnished and owned by the Utility.
- D. In the event of unauthorized use or resale of Utility service.
- E. For violation of or noncompliance with Utility service rules.
- F. For failure of prospective customer to furnish service equipment, permits, certificates, or rights-of-way specified by the Utility as a condition of receiving service or for failure of prospective customer to fulfill his or her contractual obligations for service or facilities.
- G. For failure of the customer to permit the Utility reasonable access to its equipment.
- H. In the case of customers who have been disconnected or for whom credit action is pending, service will not be reconnected or continued in the name of another occupant or user of the premises if the previous customer or any other person liable for payment of the delinquent bill(s) continues to occupy or receive benefit of the service provided at the premises, unless arrangements are made to pay for the unpaid service at the premises. Similarly, new or transferred accounts will not be established for customers who will have co-occupants that will benefit from service so long as they have delinquent accounts. This shall not apply to an established account holder with a good credit history who allows a delinquent account holder to reside with said account holder.
- I. Failure to pay the required deposit, excluding the exception listed in subsection 5 below.
- J. Failure to comply with all terms and conditions of the Application for Service.

5. Insufficient Reasons for Denying Service. The following shall not constitute cause for refusal of service to a present or prospective customer:

- A. Delinquency in payment for service by a previous occupant of the premises to be served provided the person was not also receiving service at this location under the previous account holder.
 - B. Failure to pay for merchandise purchased from the Utility.
 - C. Failure to pay for a different type or class of public utility service.
 - D. Failure to pay the bill of another customer as guarantor thereof.
 - E. Failure to pay back bills rendered for under-registration of a meter.
 - F. Failure to pay bill adjustments resulting from an error on the part of the Utility.
 - G. Failure to pay for yellow page advertising.
 - H. Use of an auxiliary directory cover.
 - I. Failure to pay for information service not regulated by the board.
 - J. Failure to pay deregulated toll charges.
 - K. Failure of a residential customer to pay a deposit during the period November 1 through April 1 for the location at which he or she has been receiving service. (This shall not apply to new or existing customers who have not been receiving service at the location that a utility service is applied for or when adding a new utility service.)
 - L. Failure of a disconnected residential customer to pay the full amount due for past service if financial difficulty is confirmed and the customer is willing to enter into a reasonable agreement to pay the delinquent amount. (This excludes those customers that have already defaulted on a reasonable payment agreement for the same delinquent amount owed.)
 - M. Permitting another occupant of the premises access to the telephone utility service when that other occupant owed an uncollectible bill for service rendered at a different location. (Pertains to telephone service only.)
6. Classification of Service and Applicable Rates. At the time utility service is approved, the type of service per utility will be provided according to the applicable rate tables in effect at that time. Information on current rates are available at the Hawarden City Office, 1150 Central Avenue, Hawarden, IA, Telephone #712-551-2565.
7. Service Installation and Authority to Turn on Utilities. All customers will be provided service in a prompt, nondiscriminatory manner. Standard installations will be performed no later than three working days after an order has been placed. All other installations will be completed as soon as practical using due diligence. The Utility shall supply service to the applicant in accordance with this service policy and any applicable FCC and IUB rules at a price schedule established by the Utility for the applicant's appropriate class of service. No person shall have authority to turn on a utility other than a properly authorized City employee. Such authorization shall come from the City Administrator, the Director of Public Works or Telecommunications Director.

111.02 CUSTOMER DEPOSITS. A deposit intended to guarantee partial payment of bills for service may be required from either existing or new customers. A person other than the account holder may pay the deposit.

1. Criteria For Initial Service Deposits. An initial service deposit may be required of an applicant if any of the following criteria exists:
 - A. Recent past payment history with any City Utility is unsatisfactory.
 - B. The applicant has no, or insufficient, credit history with the City Utilities.
 - C. The applicant has no credit or unsatisfactory credit with another utility provider.
 - D. Incomplete application.
2. Criteria For New or Additional Service Deposits. A new or additional deposit may be required of a current customer whose initial deposit has been refunded or is found to be inadequate. The amount of a new or additional customer deposit shall be based on the deposit calculation criteria listed in subsection 3 of this section. A new or additional deposit may be required from customers who meet any of the following criteria:
 - A. The customer has received two 12-day disconnect notices in the last 12 months.
 - B. The customer has two NSF check notices or two ACH Reject notices, or a combination of the two, in the last 12-month period. If the customer has had service less than 12 months, the number of notices will be prorated.
 - C. Diversion of utility services or evidence of fraud in the use of utility services.
 - D. For those that have an existing deposit, where there are large increases in the utility usage resulting in a bill of 20% or more than the initial deposit.
3. Utility Deposit Calculation. If it is determined a deposit is necessary, the amount of the deposit will be calculated as provided in Section 113.11.
4. Deposit Receipts. The Utility shall issue a receipt of deposit to each customer from whom a deposit is received, and will also provide a means whereby a depositor may establish claim if the receipt is lost.
5. Record of Deposits. The Utility shall maintain a record of all deposits indicating:
 - A. The name and address of the person(s) making deposit or portion thereof.
 - B. The amount and date of the deposit or portion thereof.
 - C. The property location and specific account for which the deposit has been made.
 - D. Each transaction concerning the deposit.
6. Refund; Application of Deposits. A deposit will be refunded after 12 consecutive months of prompt payment. This time may be extended when the Utility

has reason to believe that continued retention of the deposit is required to insure the payment for future billings for services. The records of a customer not eligible for a deposit refund on the first deposit anniversary date will be reviewed on subsequent anniversary dates to determine refund eligibility. If necessary, deposits will be applied equally to any unpaid balances owed the City. Upon termination of service, the deposit less any unpaid billing shall be reimbursed to the person who made the deposit if the remaining deposit balance is greater than \$1.00. Deposits made by a third party are intended for the specific property location or service and will be applied to any unpaid utility, telephone or cable bill for which the deposit was originally required. If all bills are paid, the deposit can be returned to the third party.

7. Unclaimed Deposits. A record of each unclaimed deposit shall be maintained for at least one year from the date service is terminated. During that period, the Utility will make a reasonable effort to return the deposit. Deposits remaining unclaimed one year after termination of service will be transferred to the State of Iowa in accordance with Chapter 556, *Code of Iowa, Disposition of Unclaimed Property*.

111.03 BILLING. Customers shall be billed on a monthly basis. Charges for services start immediately after service is activated. The billing period will coincide with the period that utility services, including electric, natural gas, and/or water services, are provided during each billing month. Billing information will only be made available to those individuals designated by the account holder. Charges for all telecommunications services will be billed on a monthly statement that includes telephone and cable services. When a customer is connected or disconnected or the meter reading date causes a given billing period to deviate by more than 10 percent (counting only business days) from the normal meter-reading period, such bill shall be prorated on a daily basis.

1. Minimum Bill. The minimum bill provided for in the rate schedule for each class of service will apply to any billing period during which service remains connected and the minimum quantity of service is not used. The minimum bill shall apply to each separate account holder receiving a service to include each individual dwelling unit.
2. Billing Form. The following information will be included on the billing form or made available to the customer at the Utility's customer services office:
 - A. The reading of the meter at the beginning and at the end of the period for which the bill is rendered.
 - B. The dates on which the meter was read at the beginning and end of the billing period.
 - C. The number and kind of units metered.
 - D. The applicable rate schedule or identification of the applicable rate schedule.
 - E. The account balance brought forward and the amount of each net charge for rate-schedule-priced utility service, sales tax, other taxes, franchise fees, late payment charge, and other charges required by the Utility and any regulatory authority and total amount currently due. In the case of prepayment meters, the amount of money collected shall be shown.
 - F. The last date for timely payment will be clearly shown and will not be less than 20 days after the bill is rendered.

- G. A distinct marking or wording to identify an estimated bill or meter reading.
- H. A distinct marking to identify a minimum bill.
- I. Any conversions from meter readings units to billing units, or any calculations to determine billing units from recording or other devices, or any other factors, such as sliding scale or automatic adjustment (e.g., multiplier) and amount of sales tax adjustments used in determining the bill.
- J. Any other requirements in accordance with Iowa Administrative Code.

As per IAC 19.4(9) as a utility serving fewer than 5,000 customers, information regarding Items B, D and H above can be obtained by contacting the Utility's local office at 1150 Central Avenue or calling 712-551-2565.

3. **Bill Payment Terms.** Billed charges will be due and payable when rendered and will be considered past due 20 days from the time the bill is rendered. A bill is considered rendered when deposited in the U.S. Mail with postage prepaid. If delivery is by other than the U.S. Mail, the bill is considered rendered when delivered to the last known address of the party responsible for payment. The last date for timely payment will be clearly shown on the bill and will be not less than 20 days from the date the bill is rendered. A late payment charge and interest on the unpaid balance at rates set by Section 113.11 will be assessed on past-due accounts. Each account will be granted at least one complete forgiveness of a late payment charge in each calendar year. All over-payment of billings will be refunded to the account holder, unless other arrangements have been made between account holder and City. The normal past due date that appears on the account holder's utility bill can be adjusted once every 12 months, if necessary, to better coincide with the account holder's cash flow situation. To qualify, customers must have a consumption of less than 250 ccf (gas) and 3,000 kWh (electric). The requested change must be in writing and in advance (i.e., not for any currently issued bills). Bills shall be paid by mail, by direct deposit through a financial institution, by deposit in designated receptacles at the City's business office or in person at the City business office at 1150 Central Avenue.

4. **Partial Payments.** Partial payments (including LIHEAP funds) made on accounts that have multiple services, shall be credited to the total bill; partial payments will not be accepted for one specific service. If a combined service account becomes delinquent, all services are subject to disconnection unless the account holder enters into a payment agreement or makes payment in full.

5. **Returned Checks and Automatic Clearing House Rejects.** A service charge per occurrence in an amount to be set by Section 113.11 shall be assessed to any customer whose check is returned unpaid or whose Automatic Clearing House (ACH) payment is rejected by the bank on which it was drawn. The service charge shall be in addition to the late payment penalty if the check is not made good and the service fee not paid prior to the delinquent date of the bill. If two or more checks are dishonored or ACH payments rejected, the Utility may require future payments to be by cash, cashiers check, or money order and may require a new deposit.

6. Adjustments of Bills.
 - A. Administrative and Hook-up Errors. An adjustment, refund or back-billing shall be made for any overcharge or undercharge resulting from incorrect reading of the meter, incorrect application of the rate schedule, incorrect meter connection, or other similar reason.
 - (1) Overcharges. The amount of the overcharge will be refunded or credited to the customer. The time period for which the utility will adjust, refund, or credit the customer's bill shall not exceed five years.
 - (2) Undercharges. The bills will be recalculated back to a period not to exceed five years. If the recalculated bills exceed \$10.00, the customer may be back-billed for the amount due. Back-billing will be completed within six months of the discovery of the error. If the back-billing creates customer hardship, a reasonable agreement to pay shall be offered. The Utility reserves the right to forego back-billings which it determines are not cost effective.
 - B. Accidental Wastage of Gas or Water. When a customer provides reasonable evidence to the utility that a leak, not resulting from customer negligence, has existed on the customer's side of the meter, the utility shall estimate the normal usage for each billing period during which the leak is reasonably believed to have existed, not to exceed two months. The bill for each such period shall be recomputed, treating the amount of the above-normal consumption as "lost gas or water." Lost gas or water shall be billed at the lowest rate on the customer's rate schedule and the total difference will be credited to the customer's account.
 - C. Meter Error. Whenever a meter is found to have an average error exceeding the allowable tolerance by more than 2.0 percent, the utility shall adjust a current customer's bill by issuing a refund/credit or back-billing. The amount of the adjustment shall be calculated on the basis of metering accuracy of one hundred percent and pursuant to the rules of the IUB found in IAC. The adjustment period shall extend from the date the error began. If the time which the error first developed or occurred cannot be definitely determined, it shall be assumed that the error has existed for the shortest time calculated as one-half the time since the meter was installed, or one-half the time elapsed since the last meter test unless otherwise ordered by the utility. The adjustment period shall not exceed six months without the approval of the Utility Division. When a meter is found not to register due to a failure of part or all of the utility equipment, the Utility shall issue an estimated bill according to the rules of the IUB found in IAC.
7. Level Payment Plan (Budget Billing). All residential customers or other customers whose consumption is less than 250 CCF (gas) or 3000 kWh (electric) may select a plan of level payments. The plan shall:
 - A. Be offered when the customer initially requests service.
 - B. Have a date of delinquency changeable for cause in writing; such as, but not limited to, fifteen days from approximate date each month upon which income is received by the person responsible for payments.

C. Provide for entry into the level payment plan anytime during the calendar year. The month of entry shall be that customer's anniversary month.

D. Have level payments equal to the sum of estimated charges divided by the number of standard billings intervals, all for the next twelve consecutive months.

E. Provide for withdrawal from the plan at any time. The account must be balanced before termination or withdrawal, except that the customer may choose to apply an account credit to future service or receive a refund.

F. The level payment plan account balance on the anniversary date shall be carried forward and added to the estimated charges for service during the next year, and this total will be the basis for computing the next year's periodic billing internal level payment amount. The customer shall be given the option of applying any credit to payments of subsequent months' level payment amounts due or obtaining a refund of any credit in excess of \$10. For purposes of this paragraph, the anniversary date account balance shall not carry forward on unpaid level payment bill. Delinquent level payments must be paid up in full as of the anniversary date.

G. Have the level payment amount computed at the time of entry into the plan. It may be recomputed on each anniversary date, when requested by the customer, or whenever utility rates or consumption, alone or in combination, result in a new estimate differing by ten percent or more from that in use. When a customer's payment level is recomputed, the customer shall be notified of the revised payment amount and the reason for the change. The notice shall accompany the monthly bill prior to the bill affected by the revised payment amount.

Regardless of the account balance, a delinquent payment on the level payment plan will subject the customer to the normal procedures for collection and termination of service. However, if the customer has an excess credit balance on said customer's account over and above normal usage for the entire plan year, a missed payment will be allowed. If the account balance is a credit, the level payment plan shall terminate after not less than 30 days nor more than 60 days of delinquency.

111.04 SERVICE DISCONNECTION PROCEDURES. Disconnection of service to customers for nonpayment of a bill or deposit shall be in accordance with the following procedures:

1. The Utility shall make a reasonable attempt to collect all past-due accounts.
2. The Utility shall give written notice to the customer and, where applicable, the person or agency designated by the customer to receive such notice that service will be disconnected if the account is not settled within twelve (12) calendar days from the date of notice. Notice shall include a written summary of the rights and remedies available to avoid disconnection in accordance with IUB mandated language. The written notice shall also include a telephone number where a utility representative qualified to provide additional information about the disconnection can be reached. Each utility representative must provide his or her name to the caller, and have immediate access to the most current and detailed information available concerning the customer's account and previous contacts with the utility.

3. The Utility may allow settlement of the account to include an agreement for payment of the past due amount over a specified period.
4. The Utility shall give the customer a reasonable opportunity to dispute the reason for disconnection to the utility. If the matter cannot be satisfactorily resolved, the customer may appeal to the City's Hearing Officer or to the utility division, as provided in Section 111.08(3).
5. If no effort has been made on the part of the customer to pay the past due amount or dispute the account, the Utility shall issue a two-day disconnection notice, with service to be disconnected at the end of the two days. The notice shall be posted on the property and a posting fee, as established by Section 113.11, shall be charged. When disconnecting service, the Utility shall make a diligent attempt to contact, by telephone or in person, the individual or agency responsible for payment of the bill to inform the customer of the pending disconnection and his or her rights and remedies. If an attempt at personal or telephone contact is unsuccessful and the customer is living in a rental unit, the Utility may attempt to contact the landlord, if known, to determine if the customer is still in occupancy and, if not in occupancy, his or her present location. A landlord so contacted shall also be informed of the date when service may be disconnected.
6. For residential customers only, during the period from November 1 to April 1, if the attempt at customer contact fails, the premises shall be posted with a notice informing the customer of the pending disconnection and rights or remedies available to avoid disconnection. The notice shall be posted at least two days prior to disconnection.
7. For residential customers only, during the period from November 1 through April 1, the utility shall give the customer twelve days from the date the disconnect notice was mailed to apply to the local community action agency for low-income energy assistance or weatherization assistance as provided in Section 111.05. This applies only to the utility that is the source of heat (electric or gas) and not to the water, solid waste, or telecommunications utility service, which can be disconnected in accordance with subsection 5 above.
8. Disconnection of a customer's service may not take place on a weekend, a holiday, or after 2:00 p.m. unless the utility is prepared to reconnect the same day. A disconnection fee or trip charge as set by Section 113.11 shall apply if the Utility person either physically travels to the premises or does disconnect one or more utilities, per combined utility for delinquent accounts only.

111.05 EXCEPTIONS TO DISCONNECTION OF SERVICE.

1. Financial Difficulty. A residential account holder may avoid disconnection by providing confirmation of financial difficulty and entering into a reasonable payment agreement. Payment agreements will be provided as follows:
 - A. A residential customer who has been disconnected or is about to be disconnected due to the inability to pay in full will be offered the opportunity to enter into a reasonable payment agreement as directed by the IUB. The agreement shall be in writing and shall be signed by a party for the utility and by the customer or a party for the customer. A signed copy of the agreement shall be provided to the account holder.

- B. The utility may require the account holder to provide confirmation of financial difficulty prior to entering into an agreement. Confirmation may be written acknowledgement from the Iowa Department of Social Services, a legal guardian, or another individual or agency at the discretion of the Utility.
- C. Payment agreements shall include provisions for the payment of current bills pursuant to provisions of a level payment plan.
- D. Whenever possible, the Utility shall attempt to reach a mutually acceptable payment agreement with the customer. If the attempt fails and the customer offers a payment agreement, which the Utility intends to refuse, the customer shall be provided a written explanation of the reason for refusal within thirty days of the mailing of the initial disconnect notice. A customer may protest the refusal by filing a written complaint, including a copy of the refusal, with the Iowa Utilities Board within ten days after written refusal by the Utility. A reasonable agreement may be amended at the discretion of the Utility upon request of the account holder. Default of the agreement by the customer renders the customer subject to the disconnection in accordance with procedures specified in Section 111.04, except that the twelve-day notice provision shall not apply.
- E. Failure to enter into a reasonable payment arrangement will result in disconnection as provided in the original notices (without further written notice as permitted by law).
- F. The Utility will not offer a second payment agreement to a customer who currently has an existing agreement, unless necessary to comply with IUB requirements.
2. Weather Forecast. Disconnection of gas and/or electric service to a residential customer who has entered a reasonable payment agreement may not take place, where gas or electricity is used as the only source of space heating or to control or operate the only space heating equipment at the residence, on any day when the National Weather Service forecast for the following 24 hours covering the area in which the residence is located includes a forecast that the temperature will fall below 20 degrees Fahrenheit. In any case where the Utility has posted a disconnect notice in compliance with Section 111.04, but is precluded from disconnecting service because of a National Weather Service forecast, the Utility may immediately proceed with appropriate disconnection procedures, without further notice, when the temperature in the area where the residence is located rises to above 20 degrees Fahrenheit, unless the customer has paid the past due amount in full or is entitled to postponement of disconnection under some other rule. This applies only to gas and/or electric service and shall not apply to water, wastewater, garbage collection or any telecommunication utility service.
3. Health of a Resident. Disconnection of a residential customer shall be postponed if the discontinuance of service would present a special danger to the health of any permanent resident of the premises. A special danger to health is indicated if one appears to be seriously impaired and may, because of mental or physical problems, be unable to manage his or her own resources, carry out activities of family living or protect oneself from neglect or hazardous situations without assistance from others. Indicators of an especial danger to health include but are not limited to: age, infirmity, or mental incapacitation; serious illness; physical disability, including blindness and limited mobility; and any other factual circumstances which indicate a

severe or hazardous health situation. The utility may require written verification of the special danger to health by a physician or public health official. The written verification shall include: (1) the name of the person endangered, (2) a statement that he or she is a resident of the premises in question, (3) the name, business address, and telephone number of the certifying party, (4) the nature of the health danger and (5) approximately how long the danger will continue. Initial verification may be by telephone if signed written verification is forwarded to the utility within five days. Verification shall postpone disconnection for thirty days; however, the postponement may be extended by a renewal of the verification. In the event service is terminated within fourteen days prior to verification of illness by or for a qualifying resident, service shall be restored to that residence if a proper verification is made thereafter in accordance with the foregoing provisions. The customer must enter into a reasonable agreement for the retirement of the unpaid balance of the account within the first thirty days and keep the current account paid during the period that the unpaid balance is to be retired. This does not apply to any telecommunication utility service.

4. Eligibility for Winter Energy Assistance (November 1 – April 1) (For Residential Customers Only). If the utility is informed by the Community Action Agency that the customer's household may qualify for winter energy assistance or weatherization funds, there shall be no disconnection of service for thirty days from the date of application, to allow the customer time to obtain assistance. Disconnection shall not take place from November 1 through April 1 for a resident who is a head of household and whose eligibility for either the low-income home energy assistance or weatherization assistance program has been certified to the utility by the Community Action Agency. A notice describing availability of energy assistance funds and application procedures shall be published in a local newspaper of general circulation or mailed directly to all residential customers by November 1 of each year by the City. This applies only to gas and electric services, and does not apply to water, wastewater, garbage collection or any telecommunications utility service.

5. Disputed Bill. In the event there is a dispute concerning a bill for utility services, the customer may avoid disconnection by prompt payment of the undisputed portion of the bill and by filing a statement with the Utility of the reasons upon which the dispute is based. The Utility will delay disconnection pending settlement of the disputed portion of the bill as outlined in Section 111.04.

111.06 CUSTOMER OBLIGATIONS.

1. Acceptance of Service Rules. An application being submitted and signed and such service provided, and/or subsequent usage of the utility service shall obligate a customer to the conditions imposed by this chapter and other service rules contained in this Code of Ordinances, and the owner of the property shall be considered as having expressed his or her consent to be bound by the regulations and requirements contained in such service rules.

2. Reading of Meters. Customers are required to read their own meters or allow Utility personnel access to the premises to read meters. Non-residential premises shall not be exempted. Estimated meter readings or meter readings by appointment may be charged a meter reading fee as set by Section 113.11. There is no charge for annual or verification meter readings that are specifically needed by the Utility.

3. **Damage to Utility Equipment or Facilities.** The customer shall not use the equipment or structures of the Utility for reasons other than those incident to normal service, or create a condition likely to interfere with the functions of such equipment and structures, without written consent of the Utility. The customer shall be held responsible for his or her actions which cause damage to or loss of utility equipment.
4. **Customer Premises; Utility Access.** The customer and owner shall grant the Utility, without charge, right-of-way over and on the premises on which equipment and structures of the Utility are located. Access to the equipment and structures shall be granted to the Utility at reasonable times for installation, inspection, testing, repair and other functions necessary for the maintenance of satisfactory service.
5. **Notice by Customer To Terminate Service.** A customer shall give the Utility not less than three business days' notice, excluding weekends and holidays, prior to final termination of service. Discontinuance of service notice under this section shall be during normal business hours for the Utility's Business Office at 1150 Central Avenue from 7:30 a.m. to 4:30 p.m., Monday through Friday, or by calling 712-551-2565 during regular business hours.
6. **Moving or Altering of Utility Equipment.** Equipment owned by the Utility, including but not limited to meters, lines, load management boxes/disconnects, converters, digital converter boxes and Residential Subscriber Units (RSU's), may not be moved to a location or address other than the location or address where service was installed without prior written authorization from the Utility. Also, only authorized employees may remove, cut, raise or change any facilities belonging to the Utility.
7. **Attachment of Equipment.** Attachment of any unauthorized device to Utility equipment, or modification to the Utility's equipment or facilities, is prohibited without prior written authorization from the Utility.
8. **Resale of Service; Providing Utility Service to Others.** No account holder, person, occupant or owner of any premises to which a utility service is supplied shall be allowed to provide or resell service of the Utility to other persons, families, buildings, premises, etc. or permit the same to be taken. All service shall be subject to immediate disconnection per IAC. Back-billing shall occur for past minimum charges and any expenses incurred as a result of this illegal activity.
9. **Prohibited Equipment Installations.** No customer-owned equipment or device that interferes in any way with the normal operation of the Utility facilities, including any equipment or device that intercepts or assists in intercepting or receiving any service offered by the Utility, may be installed on either the customer's wiring or the Utility's facilities.
10. **Implementation of Energy Conservation Standards.** As a condition of electric or gas service per space heating or cooling, the owner of any building or structure completed after April 1, 1984, intended primarily for human occupancy, must certify to the Utility that the building conforms with the energy conservation requirements of the State of Iowa Building Code (680 IAC 16.800) (3) as amended by 16.800 (4). If compliance is being certified to other State and local agencies, a copy of their certificate form may be provided to the City. Otherwise certification shall be provided on a form provided by the City.

111.07 CUSTOMER SERVICES.

1. Customer Assistance Programs.

A. Low Income Programs. Customer discounts on telephone service and initial connection fees are available through assistance programs sponsored by the State of Iowa and the Federal government. The amount of the discount will equal the maximum amount authorized by State and Federal regulations. In order to qualify, applicants must demonstrate eligibility for one of the following programs:

- Low Income Home Energy Assistance Program (LIHEAP)
- Federal Public Housing Assistance or Section 8
- Medicaid
- Food Stamps
- Supplemental Security Income (SSI)
- Temporary Assistance to Needy Families Program (TANF)
- National School Lunch Program (NSL) Free Lunch Program
- Income at or below 135% of the Federal Poverty Guidelines, depending on number of persons in household.

Qualifying applicants must present verifying documentation of their eligibility for one of the above listed programs within three months of the date the discount is initially granted. It will be the responsibility of the applicant to provide Utility representatives with such documentation within the specified time period. Failure to do so may disqualify the customer from the program.

B. Project Share. The City participates in the Project Share Fund whereby anyone can donate to the fund to provide assistance for heating assistance. Any monies collected for Project Share are forwarded to Mid-Sioux Opportunity Inc. for distribution for heating assistance to low-income families.

2. Temporary Disconnections. The Utility may, upon reasonable notice by a customer, make temporary disconnects for the customer's convenience for construction. The customer shall be required to pay the standard temporary disconnect fee established by Section 113.11. Additional fees may also apply for repetitive or complicated requests.

3. Service Calls. The customer will be billed for the cost of services not the responsibility of the Utility, as listed below, at rates established by Section 113.11.

A. Service calls requesting the relocation of facilities belonging to the Utility. A deposit equal to the total estimated cost of labor and materials may be required in advance of any construction.

B. Service calls requesting temporary relocation of cable lines or other Utility facilities to accommodate movement of buildings or large equipment. The Utility shall be given a minimum of 72 hours' advance notice and shall be consulted regarding the route of the move. An advance deposit or cash bond shall be required to cover estimated costs.

- C. Service calls requesting installation or relocation of facilities belonging to the customer.
 - D. Service calls where the trouble is found to be on the customer's equipment.
 - E. For location of line.
 - F. The gas utility division shall investigate leak calls, shut-offs and re-light pilot lights without charge to the customer. In providing these services as a convenience to its customers, the Utility, its employees, and/or the City offer no warrant, express or implied, as to the operating condition of the customer's piping or appliances. For other services, such as adjustments to a customer piping and appliances, the customer shall be required to contact a qualified gas plumber, appliance dealer, and/or contractor.
 - G. Utility Reconnection; Check-In; Turn-On. Simple meter installations or the initial turning on of utility service or reconnection of a utility service for established premises.
4. Customer Requested Meter Tests and Referee Tests.
- A. Requested Meter Tests. Upon request by a customer, a utility shall test the meter servicing that customer, except that such tests need not be made more frequently than once in 18 months. A written report of the test results shall be mailed to the customer within ten days of the completed test and a record of each test shall be kept on file at the Utility's office. The Utility shall give the customer or a representative of the customer the opportunity to be present while the test is conducted. If the test finds the meter is accurate within the limits accepted by the Utility in its meter inspection and testing program, the Utility may charge the customer a fee as established by Section 113.11. The customer shall be advised of any potential charge before the meter is removed for testing.
 - B. Referee Meter Tests. Upon written request by a customer or Utility, the utilities board will conduct a referee test of a meter except that such tests need not be made more frequently than once in 18 months. The request shall be accompanied by a check or money order, in an amount established by Section 113.11, made payable to the Utility. Within five days of receipt of the written request and payment, the utilities board shall forward the deposit to the Utility and notify the Utility of the requirement for a test. The Utility shall, within 30 days after notification of the request, schedule the date, time, and place of the test with the board and customer. The meter shall not be removed or adjusted before the test and the Utility shall furnish all testing equipment and facilities for the test. If the tested meter is found to be more than two percent fast or two percent slow, the deposit will be returned to the party requesting the test and billing adjustments shall be made as required. The board shall issue its report within 15 days after the test is conducted, with a copy to the customer and the Utility.
5. Customer Assistance with Abnormal Utility Consumption. A customer whose utility consumption appears to the customer to be abnormally high may request the Utility to provide assistance in identifying the factors contributing to this usage pattern and to suggest remedial measures. The Utility shall provide assistance by discussing patterns of utility usage which may be readily identifiable, suggest that an

energy audit be conducted (if available), and identify sources of energy information and financial assistance which may be available to the customer.

111.08 CUSTOMER COMMUNICATIONS.

1. Utility Customer Service Representatives. A Utility customer service representative charged with customer communication must give his or her name to the customer, whether communication is in person or by telephone. The representative must have immediate access to the most current detailed information available concerning the customer's account and previous contact with the Utility and shall be properly qualified and instructed in the screening and prompt handling of complaints.
2. Telephone and Other Contact Information. The Utility's main telephone number (712-551-2565) is staffed during the business hours of 7:30 a.m. to 4:30 p.m., Monday through Friday (excluding holidays), to handle routine business questions and other communications. After hours Utility Emergencies Information can be found at this same number with contact information given for each utility.
3. Complaint Procedure. Complaints concerning the charges, practices, facilities, or service of the Utility shall be investigated promptly and thoroughly. The Utility shall keep records of written complaints sufficient to enable review and analysis of its procedures and actions. Customers are required to submit previously unresolved verbal complaints in writing with the following information:
 - A. Name of complainant.
 - B. Address of complainant.
 - C. Telephone number of complainant.
 - D. Nature of the complaint.
 - E. Relief sought.

Initial contact by a customer regarding a complaint shall be made with the customer service representative of the Utility. The complaint may be pursued with the appropriate supervisor or the appropriate manager, in that order, if the customer is not satisfied with the handling of the complaint. A written complaint may be filed with the City Administrator as Hearing Officer if the customer is not satisfied with the supervisor or manager's handling of the complaint. The Hearing Officer shall then establish a hearing date of the complaint. A customer who is unable to travel need not appear before any Utility official described in this section to explain the nature of the complaint. The customer may do so by telephone, via email, in writing, or in some other mutually agreeable fashion. During the hearing, each side may present information or evidence regarding his or her side of the issue. The hearing officer shall weigh the facts in the case in accordance with the City of Hawarden service rules and Iowa Law with a written decision and any applicable findings. The hearing officer's decision may be appealed to the Iowa Utility Board as provided below. In the absence of the City Administrator, the Mayor shall serve as the Hearing Officer. If the Utility does not resolve the complaint, the customer may request assistance from the Utilities Division of the Department of Commerce by calling or writing: Utility Division, Department of Commerce, 350 Maple Street, Des Moines, IA 50319, telephone number (515)-281-3839 or 877-565-4450. Complaints involving policies or actions of the Utility that are regulated by the IUB may also be filed with the IUB in accordance with applicable regulations.

111.09 CUSTOMER PRIVACY. The Utility shall abide by the limitations imposed upon operators in the use, collection and disclosure of personally identifiable customer information by the Privacy Act, FCC, IUB, and any other State or Federal Regulatory Agency.

1. Disclosure of Information. The disclosure of personally identifiable customer information to a third party shall only occur if the customer provides written or electronic consent in advance, or if disclosure is necessary to render communications services and related business activities, or if disclosure is required pursuant to a court order and the customer is notified of such order. In addition, these records may be available to employees, agents, and contractors of the Utility to install, market, provide or audit utility services and to measure usage and customer satisfaction and to provide customers with information concerning utility-related products and services offered by third parties. Information may also be made available to suppliers and outside auditors to check our records whenever such audits are required; to attorneys and accountants on a continuous basis as necessary to render service to the Utility; to representatives of governmental taxing, or regulatory authorities in furtherance of our legitimate business activities; and to collection services if required to collect past due bills at such time as bills are submitted for collection.
2. Retention of Customer Information. Retention of personally identifiable customer information shall be discontinued when it no longer serves a legitimate business purpose or required by law. Some documents such as work orders and involuntary disconnects shall be kept as required by law.
3. Involuntary Disclosure of Information. Court ordered disclosure of personally identifiable customer information shall be provided to authorities.
4. Information Inspection. Inspection of each customer's own personal identifiable customer information shall be permitted during normal office hours. Customers shall have the right to request the correction of any inaccurate information they believe to be inaccurate.
5. Legal Remedies. Customers shall have the right to seek all other legal remedies available to them.

Editor's Note:

For definitions of terms used in this chapter, see Chapter 110.

For Supplemental Water Service Policies, see Chapter 90.

For Supplemental Sanitary Sewer Service Policies, see Chapter 95 and Chapter 96.

For additional General Service Policies, see Chapter 112.

For Utility Rates and Fees, see Chapter 113.

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CHAPTER 112

GENERAL UTILITY SERVICES POLICIES

112.01 General Utility Line Construction Methods

112.02 Meters for Gas, Electric and Water Utilities

112.03 Utility Line Extensions, Relocations and
Modifications

112.04 Aggregation of Retail Customer Demand Response

112.05 Ancillary Services Provided by Demand Response
Resources

112.01 GENERAL UTILITY LINE CONSTRUCTION METHODS.

1. Wire Installations on City Utility Poles. No wire, cable, or other attachments shall be permitted on any City-owned pole without approval of the City, a pole attachment agreement, and the payment of rents as required by said agreement.
2. Excavations. No excavation in any street, avenue, alley, or public grounds for any pipe, wire, or other purpose shall be made without first notifying Iowa One Call at 811 or 1-800-292-8989. Notification shall follow Iowa One Call guidelines.
3. Protecting the Public. The contractor shall be fully responsible to provide, erect, and maintain at all times, until final completion of his or her work, suitable and requisite barriers, signs and warning lights as may be necessary to insure the safety of the public and shall assume full responsibility for all damages sustained by any person or property due to carrying on of his work. All contractors will be required to provide the City with proof in insurance.
4. Inspection of Lateral/Service Line. Before any service line pipe is covered for water or sanitary sewer, it must be inspected by the Public Works Director. Any service pipe which fails to meet the requirements of these service rules or any other ordinances of the City shall not be accepted and must be corrected or such service will be not be provided or discontinued and the installer and owner will be subject to a municipal infraction.
5. Backfilling of Public Property. For backfill, only materials approved by the City shall be used. Pipes shall be backfilled completely under the pipe and along the haunches in uniform layers not exceeding six inches in depth up each side and up to a level of two feet over the top of the pipe. Above this backfill shall be laid and tamped in 12-inch lifts. If located in the street surfaced area, the last 12-inch lift shall be road gravel. Each layer placed shall be uniformly mechanically tamped and compacted, so as to eliminate the possibility of vertical or lateral displacement. This tamping shall be required the full depth of the trench in the public right-of-way. Paving materials and dirt/grass shall be renewed or replaced at the owner's expense to the same condition in the right-of-way as existed prior to construction. If a concrete street, the concrete shall be pinned into the adjoining concrete and shall match the existing grade and thickness of the street/sidewalk concrete with a minimum of 6-inch thickness for the street and 4-inch for a sidewalk. A chip and seal or hot mix repair for a non-concrete street shall be done by the City Street Department for the reasonable cost of actual time and materials.
6. Interruption of Service. If the Utility deems it necessary, the Utility may temporarily interrupt utility service to any customer or group of customers for the purpose of making repairs, changes or improvements upon any part of the Utility's

system. When practical, scheduled interruptions will occur during a period of minimal usage or will be pre-arranged and advance notice will be given to the customer.

112.02 METERS FOR GAS, ELECTRIC AND WATER UTILITIES.

1. Meter Ownership; Installation. The Utility shall install, own, and maintain a meter of a type appropriate to the nature of the service, for each applicable utility service. Meters shall not be required, however, where consumption can be readily computed without metering or where the service is of a temporary nature and the cost of meter installation would be unreasonable. A meter seal shall be placed on all meters such that the seal must be broken to gain entry. Private meters up to the point of demarcation (Utility meter or RSU) are prohibited for any City utility service. Should a private meter exist, the City shall replace it with a utility meter at no charge to the account holder.

2. Individual Metering. Individual metering shall be required on multi-occupancy premises in which units are separately leased or owned, except that the utility may provide single meters for the following:

- A. Service for central heating, cooling, water heating, or ventilation systems;
- B. Where individual metering is impractical, unreasonable, or uneconomical as determined by the City of Hawarden;
- C. Where sub-metering or resale was permitted prior to July 12, 1966; or
- D. Where resale as an undefined part of a fixed rental or lease payment was permitted prior to January 1, 1979.

Separately metered utilities shall not be interconnected (i.e., two separate gas services being connected is prohibited).

3. Special Metering Installation. The utility reserves the right, at its option and expense, to place special meters or instruments on the premises of a customer for the purpose of special tests of all or part of the customer's load or equipment or for remote or automated meter reading.

4. Meter Register. Where it is necessary to apply a multiplier to the meter readings, the multiplier shall be marked on the face of the meter register or stenciled in weather resistant paint upon the front cover of the meter. Customers shall have continuous visual access to meter registers at the meter except where the utility has experienced vandalism to windows in the protective enclosures, where access would create a safety hazard, or where access to tenant metering installations is restricted by a building owner.

5. Meter Testing. All meters and associated devices shall be inspected, tested, adjusted and certified to be within an allowable tolerance of error, prior to being placed in service. Subsequent periodic testing shall be in accordance with the schedules and tolerances required by the manufacturer, as can be accomplished by Utility personnel. Customer-requested tests shall be provided in accordance with Section 111.07 of this Code of Ordinances.

6. Meter Location. All meters shall be located in a proper, handy, and accessible place approved by the City of Hawarden. For new homes and businesses, gas and electric meters shall be outside the structure. Water meters shall generally be inside

the home, in basement if possible. However the meter may be located outside a building, provided the account holder shall furnish and install at his/her expense a meter box, approved by the Water Supervisor, with proper extension dial near the surface of the ground.

112.03 UTILITY LINE EXTENSIONS, RELOCATIONS AND MODIFICATIONS.

1. Main/Distribution System Line Extensions. The Utility shall make all standard utility main/distribution line extensions in accordance with terms and conditions established by resolution of the Council. The main distribution system will be constructed along existing public roads, streets and alleys and, where practical, along the rear of the customer's lot. Underground or overhead construction shall be established within the terms and conditions established by resolution of the Council.
2. Lateral/Service Line Extensions. Water and sewer service lines up to the main including the tap in connection are the responsibility of the customer. Electric, gas and telecommunications lines shall be the responsibility of the City. The route of all service line extensions and location of any meters will be determined by the City, working with the property owner.
3. New Subdivisions. The Utility must approve plats for any new subdivisions. Line extensions to the newly plotted and approved subdivisions of two or more lots may require an aid in construction by the owner or developer. The amount of the aid shall be established by resolution of the Council and shall be based upon actual construction cost.
4. Special Underground Service. The Utility may, upon request of a customer, provide underground service to a customer currently being served with overhead service. In providing such service to residential or nonresidential customers, the utility shall construct, own and maintain all facilities up to and including the meter and meter socket or RSU for telecommunications service. The customer shall be responsible for the cost of converting from overhead service to underground service on his or her facilities. The utility shall convert said services as time and resources permit. The utility may, upon its choice, install underground service to a customer. The cost of installing underground service from overhead to underground for the utility services would be paid by the utility in this case, including hiring an electrician or utilizing City staff to convert the owner facilities. This does not apply to utilities not owned by the City.
5. Nonresidential Low Use Extensions. Low use utility service at sites such as (but not limited to) services for isolated water pumps, cribs, dryers, feedlots, garages, and so forth shall require the customer to be responsible for the total cost of installing service as determined by the Public Works Director. If an additional meter is required, the customer shall be charged an additional monthly system charge plus usage.
6. Temporary Line Extensions. Where service is likely to be temporary or where it is provided on an emergency basis, the utility shall charge an amount equal to the total cost of installing and removing the service. Any deposit in excess of actual cost will be refunded. Utility may also require a customer deposit pursuant to Section 112.02 of this Code of Ordinances for any estimated usage.
7. Line Extension Costs. The Utility will construct broadband hybrid fiber optic and coaxial cable facilities at its own cost to all areas of the City when the density of

homes meets or exceeds ten homes within 1,320 cable-bearing strand feet. When a service extension is requested in an area of the City in which the required density of homes is not met, the Utility will absorb the first \$100.00 per customer of the extension cost. The Utility reserves the right to require payment in advance for the customer's portion of the line extension cost. Construction of line extensions will be completed promptly, and no later than six months after the date service was requested. Nothing in this chapter shall prohibit the Utility from constructing facilities in new housing developments or other areas of the City, whether or not the density test is met, if in the sole judgment of the Utility such construction will facilitate the efficient future expansion of services.

8. Relocation of Utility Facilities. In those cases where the relocation of Utility facilities is mutually beneficial, the cost may be shared on a basis agreeable to the customer or property owner and the Utility. Only authorized employees may remove, cut, raise or change any facilities belonging to the Utility. The customer or property owner shall reimburse the Utility for the cost of relocating its facilities under the following conditions:

- A. Structural changes in a building that will result in Utility facilities being damaged, inaccessible or unsafe.
- B. Modifications for the convenience of a customer or property owner, which in the judgment of the Utility, does not result in mutual benefits.

112.04 AGGREGATION OF RETAIL CUSTOMER DEMAND RESPONSE.

1. The Hawarden Municipal Utility System or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by the Hawarden Municipal Utility System directly into any Commission-approved independent system operator's or regional transmission organization's organized electric markets.

2. Retail customers served by the Hawarden Municipal Utility System wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized electric markets may do so by participating in the program established by the Hawarden Municipal Utility System or its authorized designee. Retail customers are not permitted to participate in the demand response program of any other entity without the express prior authorization of the Hawarden Municipal Utility System.

112.05 ANCILLARY SERVICES PROVIDED BY DEMAND RESPONSE RESOURCES.

1. The Hawarden Municipal Utility System or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by Hawarden Municipal Utility System directly into any Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff).

2. Retail customers served by the Hawarden Municipal Utility System wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized markets for energy

imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff) may do so by participating in the program established by the Hawarden Municipal Utility System or its authorized designee. Retail customers are not permitted to participate in the demand response program of any other entity without the express prior authorization of the Hawarden Municipal Utility System.

Editor's Note:

For definitions of terms used in this chapter, see Chapter 110.

For Supplemental Water Service Policies, see Chapter 90.

For Supplemental Sanitary Sewer Service Policies, see Chapter 95 and Chapter 96.

For Customer Service Policies, see Chapter 111.

For Utility Rates and Fees, see Chapter 113.

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CHAPTER 113

UTILITY RATES AND FEES

113.01 Rate Classifications For Service
113.02 Minimum System Support Charge Applicable
113.03 Liens For Nonpayment
113.04 Rates for All Classes of Water Service
113.05 Wastewater Utility Definitions and Rates
113.06 Electric Utility Rates

113.07 Gas Utility Rates
113.08 Solid Waste Collection Rates
113.09 Cable Television Services
113.10 Telephone Services
113.11 Miscellaneous Fees and Charges
113.12 Wholesale Internet Access Charges

113.01 RATE CLASSIFICATIONS FOR SERVICE. Where a rate distinction is made between various classes of service (i.e. residential and nonresidential) the City shall generally attempt to classify the utility account by the categories listed below. It is possible to have multiple classifications for the same site depending on use.

1. Classifications of Service.
 - A. Residential. To include single-family dwellings, multi-family dwellings, mobile home trailers and condominiums and other similar residential dwellings. This does not include group homes, nursing homes and common areas of the described uses.
 - B. Nonresidential/Business: To include stores, shops, offices, restaurants, schools, Laundromats, dry-cleaning establishments, car washes, garages, service stations, rooming houses, dormitories, motels, hotels, hospitals, nursing homes, and processing plants and factories.
 - C. Nonresidential/Interdepartmental: To include all uses directly controlled by City and owned by the City taxpayers.
2. Interpretation of Classifications. When it is unclear what classification should be applied, the City (via the Public Works Director) shall at its sole discretion, determine the classification based on all available information, including but not limited to, the following:
 - A. Location of the service;
 - B. Other services at the location;
 - C. Most common use of the service;
 - D. Similar uses by other customers and how those classifications were treated (precedent);
 - E. Quantity of usage of the service;
 - F. Whether the use is advertised as a business including business cards, phone book, etc.; and
 - G. Any other pertinent information.

113.02 MINIMUM SYSTEM SUPPORT CHARGE APPLICABLE. The minimum system support charges provided for in this chapter apply to every account holder, per unit or site, as applicable, in which an active account/service is maintained, even though no actual

usage is generated or metered for the location. This does not apply to disconnected or closed accounts.

113.03 LIENS FOR NONPAYMENT. The amount of utility usage owed at a particular location shall constitute a lien upon that property served by the specific utility, where permitted by law. Such amount owed shall be collected in the same manner as other taxes, if payment is not made when due.

113.04 RATES FOR ALL CLASSES OF WATER SERVICE. The following rates apply to all classes of water service:

1. Minimum System Support Charge Per Unit: \$8.64 per month (this includes no usage);
2. First 2,000 cubic feet: \$1.51 per 100 cubic feet;
3. Next 2,000 cubic feet: \$1.32 per 100 cubic feet;
4. Over 4,000 cubic feet: \$1.23 per 100 cubic feet;
5. Water Supplies. The City shall sell supplies it stores to electricians and owners at the City's cost plus 25%.

(Ord. 686 – Aug. 15 Supp.)

113.05 WASTEWATER UTILITY DEFINITIONS AND RATES.

1. Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this section shall be as follows:
 - A. “Ammonia nitrogen” means the measure of nitrogen in wastewater determined in a laboratory by measuring ammonia plus organic nitrogen after digestion to convert it to ammonia nitrogen (also known as Total Kjeldahl Nitrogen).
 - B. “BOD (Biochemical Oxygen Demand)” means the quantity of oxygen expressed in parts per million by weight, utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at twenty degrees Centigrade (20°C). The laboratory determinations shall be made in accordance with procedures set forth in “Standard Methods.”
 - C. “Contributor” means any person or entity connected to the City's wastewater treatment system.
 - D. “Major contributing industry” means an industrial user of the City's wastewater treatment system that (i) has a flow of 50,000 gallons or more per average work day, or (ii) has a flow greater than five percent of the flow to the City's wastewater treatment system, or (iii) has in its waste a toxic pollutant in toxic amounts as defined in standards issued under Section 307a of the Clean Water Act and adopted by reference in 567-62.5 of the Iowa Administrative Code, or (iv) is found by the Iowa Department of Natural Resources to have a significant impact, either singly or in combination with other contributing industries, on the City of Hawarden's wastewater treatment system or on the quality of effluent from the City's wastewater treatment system.

E. “Nonresidential contributor” means any contributor to the City’s wastewater treatment system who does not meet the definition of “residential contributor” as defined below.

F. “Normal wastewater” means wastewater where no testing has indicated that such wastewater has an average concentration of suspended materials and five (5) days BOD established at greater than 200 parts per million each, by weight, or ammonia nitrogen (NH₃-N) greater than 30 parts per million by weight, oil, and grease in excess of 100 mg/1, or total suspended solids greater than 200 parts per million.

G. “Oil and grease” means fats, oil, and grease as set forth in EPA Method 1664, Revision A (N-Hexane Extractable Method).

H. “Residential contributor” means any contributor to the City’s wastewater treatment system whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

I. “Treatment agreement” means the Iowa Department of Natural Resources Operation Permit Application Treatment Agreement (DNR form 31).

J. “TSS” (total suspended solids) means solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

K. “Water meter” means a water volume measuring and recording device, furnished and/or installed by the City of Hawarden or furnished and/or installed by a user and approved by the City.

2. Normal Wastewater Contributor Rates Per Unit/User. Each contributor of normal wastewater to the City’s wastewater treatment system shall pay per unit/user for services provided by the City by payment of a minimum system support charge and additional charges based on water use as measured by water meters acceptable to the City according to the following schedule:

A. Minimum System Support Charge: \$15.40 per month (this includes no usage);

B. Per 100 cubic feet or fraction thereof of water used, up to 1,200 cubic feet (8,976 gallons): \$0.63 per 100 cubic feet (\$0.85 per 1,000 gallons);

C. For the next 2,500 cubic feet (18,700 gallons) of water used: \$0.58 per 100 cubic feet (\$0.78 per 1,000 gallons);

D. For the next 7,500 cubic feet (56,100 gallons) of water used: \$0.51 per 100 cubic feet (\$0.68 per 1,000 gallons);

E. For all water used over 11,200 cubic feet (83,776 gallons): \$0.32 per 100 cubic feet (\$0.41 per 1,000 gallons).

A contributor to the City wastewater system whose use of the wastewater system is not accurately reflected by metered water usage may, at the request of either the City or the contributor, be billed based upon usage adjusted by measurements of wastewater meter(s) or separate water meter(s) installed and maintained at the contributor’s expense.

(Ord. 686 – Aug. 15 Supp.)

3. Rates for Contributions with BOD, TSS Oil and Grease, or Ammonia Nitrogen Strengths in Excess of Normal Wastewater Standards. For those contributors who contribute wastewater the strength of which is greater than normal wastewater, a surcharge in addition to the normal user charge shall be paid. The surcharge for operation and maintenance including replacement is:

- A. \$.18 per pound BOD in excess of the BOD concentration limit defined for normal wastewater;
- B. \$.12 per pound TSS in excess of the TSS concentration limit defined for normal wastewater;
- C. \$.50 per pound ammonia nitrogen in excess of the ammonia nitrogen limit defined for normal wastewater;
- D. \$.35 per pound of oil and grease in excess of the oil and grease concentration limit defined for normal wastewater;
- E. For BOD, TSS, oil and grease, or ammonia nitrogen in excess of Treatment Agreement limits an amount equal to two (2) times the above rates for all quantities above the maximum limits set in the Treatment Agreement.

(Ord. 686 – Aug. 15 Supp.)

4. Treatment Agreement Required. Any major industrial contributor that discharges for treatment by the Municipal Wastewater Treatment Plant shall enter into a Treatment Agreement limiting the quantities of BOD, TSS, oil and grease, and ammonia nitrogen that can be discharged into the municipal treatment system. Agreement shall be based on the capacity of the Municipal Treatment Plant, NPDES permit discharge limits, and other factors as negotiated between the City and the contributor.

5. Special Rates for Extraordinary Discharges. Any contributor that discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user that discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, shall pay for such increased costs with the charge to each such user to be as determined by the responsible plant operating personnel and approved by the City Council.

6. Charges for Testing of Discharges. Contributors of wastewater in excess of normal wastewater standards or of extraordinary discharges under subsections 3 and 5 above shall be charged the actual costs of billing, sample collection, sample testing and of servicing and maintaining metering and sampling stations. These charges may include but are not limited to costs of travel, labor, materials, chemicals, equipment replacement, postage and laboratory fees. Weekend measurements may be conducted on Mondays.

7. Alternate Sanitary Sewer System Rates Per Unit. The following charges shall apply on a per-unit basis whenever it is necessary to use alternative sanitary sewer equipment to provide service to a property:

- A. The minimum equipment and installation charge per unit installed shall be \$2,000.00. Additional costs shall apply where the sewer must be extended more than a length of 300 feet and for any sewer unit with a cost in excess of the cost of a base E-1 sewer unit cost with all costs to be assessed to the customer.

- B. Minimum System Support Charge: \$14.00 per month (this includes no usage) and is in addition to the applicable rate per cubic feet of water used as set forth elsewhere in this section.
8. Annual Rate Review. The monthly rate for sewer service set out above may be adjusted annually as follows:
- A. On or before January 2 of each year the Council shall review the sewer rates according to the United States Department of Labor Consumer Price Index calculations. At the first regularly scheduled Council meeting in January, the Council may amend the rates, not to exceed five percent annually. Said amendment will adjust rates for 12 consecutive billing cycles, beginning with the January bill.
- B. Rates for service and usage will revert to the above rates unless said rates are amended annually.

113.06 ELECTRIC UTILITY RATES.

1. Residential Rates. Single phase, 120/240 volt, 3 wire, single meter. If more than one meter presently exists, the readings will be added as if the premises had a single meter.
- A. Minimum System Support Charge: \$13.65 (this includes no usage);
- B. Plus all energy used: \$.0755 per KWH
2. Nonresidential, Non-Demand Rate (Commercial). Single or three phase, 120/240 volt, 3 or 4 wire, single meter. If more than one meter presently exists for a single account holder, at one location, the readings will be added as if only one meter existed. Special secondary voltages may be made available at the discretion of the municipal utility. A demand reading of less than 100 kWh will be billed according to the rate in this category.
- A. Minimum System Support Charge: \$16.35 (this includes no usage).
- B. Plus all energy used: \$.0937 per KWH.
3. Nonresidential Demand Rate. Single or three phase, 120/240 volt, 3 or 4 wire, single meter. If more than one meter presently exists for a single account holder, at one location, the readings will be added as if only one meter existed. Special secondary voltages may be made available at the discretion of the municipal utility. A demand reading of 100 kWh or more will be billed according to the rates in this category.
- A. Minimum System Support Charge: \$0 (this includes no usage).
- B. Demand Charge: \$4.98
- C. Plus all energy used: \$.064 per kWh
- D. Minimum Demand Charge: Is the demand rate above applied to 75% of the peak demand in the 6 months preceding the billing month.
4. Nonresidential, Demand, Interruptible Rate. The City may enter into a contract for a minimum duration of one year with a nonresidential demand customer providing for an interruptible electric rate as follows: Single or three phase, 120/240 volt, 3 or 4 wire, single meter. If more than one meter presently exists for a single account holder, at one location, the readings will be added as if only one meter

existed. Special secondary voltages may be made available at the discretion of the municipal utility. A demand reading of 100 kWh or more will be billed according to the rates in this category.

- A. Minimum System Support Charge: \$0 (this includes no usage).
 - B. Demand Charge: \$1.50
 - C. Plus all energy used: \$.064 per kWh
 - D. Minimum Demand Charge: Is the demand rate above applied to 75% of the peak demand in the 6 months preceding the billing month.
5. Nonresidential, City Interdepartmental Rate. Single or three phase, 120/240 volt, 3 or 4 wire, single meter. If more than one meter presently exists for a single account holder, at one location, the readings will be added as if only one meter existed. Special secondary voltages may be made available at the discretion of the municipal utility.
- A. Minimum System Support Charge: \$0 (this includes no usage).
 - B. Charge for all energy used: \$.045 per kWh
6. Other Services.
- A. Security Lights. Security lights shall be provided at a rate of \$5.00 for metered security lights plus any electrical usage, or \$8.00 per month for unmetered lights.
 - B. Electric Supplies. The City shall sell electric supplies it stores to electricians and owners at the City's cost plus 25%.
7. Renewable Electric Energy Rates. The charge for renewal electric energy shall be \$2.00 per 100 kWh block of renewable wind energy purchased.
8. Purchased Power Cost Adjustment Clause: The energy charge per kilowatt-hour (kWh) shall be adjusted upward or downward each month in accordance with the provisions set forth below:
- A. City staff shall have the authority to adjust the purchased power cost adjustment (PPCA) as needed to reflect changes in the electricity supplier's generation, transmission, and other related expenses charged by the City's wholesale provider(s), hereafter referred to as "power costs," and may not change the City's revenues other than the amount necessary to pay the City's power costs from wholesale provider(s). Prior to each billing cycle, City staff shall determine the purchased power cost adjustment to be billed for that cycle by combining all power costs from wholesale provider(s) and divide said amount by the total kWh's purchased during said billing cycle.
 - B. In the event the City is unable to calculate the exact PPCA for a specific billing cycle, the City staff shall prepare an estimate of the PPCA per kWh for said cycle to be billed and shall adjust the next billing cycle to reflect any over/under collections from the estimated PPCA. The adjustment to the estimate will reflect variances in the estimated and actual power costs billed by the City's wholesale supplier(s) by the City.

113.07 GAS UTILITY RATES.

1. Base Rates. The base rates for delivery of gas service, including delivery charges, transportation and pumping expenses, demand charge (space in pipeline and agreement to have a constant flow of gas available to occupy said space) and pipeline balancing fees shall be as follows:

A. Residential Service:

- (1) Minimum System Support Charge per month/per meter – \$5.00
- (2) Delivery Charge per CCF – \$.50

B. Nonresidential/Business Service:

- (1) Minimum System Support Charge per month/per meter – \$5.00
- (2) Delivery Charge per CCF – \$.50

C. Nonresidential/Interdepartmental Service:

- (1) Minimum System Support Charge per month/per meter – \$5.00
- (2) Delivery Charge per CCF – \$.50

2. Gas Cost Recovery Fee. In addition to the payment of the base rate as set forth in Subsection 1 above, each gas customer will be billed for and must pay for the amounts of natural gas actually metered each month. Because of the volatility of the natural gas price paid by the City of Hawarden, the cost of said gas to be billed to each customer will be determined each month by measuring the volume of natural gas entering the City gate between approximately the first day of each month and the last day of the same month. This volume of gas entering the City gate shall be multiplied by the average price of each ccf charged to the City during the same one-month period. City gas customers will be charged the same price per ccf as the City is charged by its wholesaler(s). The City shall not “mark up” the cost of gas delivered to City gas customers.

3. Annual Rate Review and Adjustment. On or before the second regularly scheduled City Council Meeting in June of each year the Council shall review the Base Rates established under subsection 1 above and may adjust them as necessary by adoption of an ordinance setting forth the base rates to take effect at the beginning of the month following adoption of the ordinance and to remain in effect until such time as the rates are subsequently adjusted by ordinance of the Council.

4. Miscellaneous Sales of Inventory. The City may sell gas parts and supplies which it maintains on hand to contractors and property owners at the City’s cost plus 25%.

113.08 SOLID WASTE COLLECTION RATES.

1. Residential – \$12.00 per month (If residence is unoccupied, the Residential Solid Waste Collection Charge will be waived.)
2. Commercial – \$3.00 per month

113.09 CABLE TELEVISION SERVICES.

1.	Service Tiers		
	A. Local Service.....	\$	21.95
	B. Basic Service.....	\$	47.00
	C. Digital Base Pack	\$	26.00
2.	Analog Premium Channels		
	A. HBO	\$	20.00
	B. Cinemax	\$	10.00
	C. Showtime Package	\$	15.00
3.	Digital Premium Multiplexes		
	A. HBO Digital Multiplex.....	\$	20.00
	B. Showtime/TMC Digital Multiplex	\$	15.00
	C. Cinemax Digital Multiplex.....	\$	10.00
	D. Starz!/Encore.....	\$	15.00
4.	Miscellaneous Charges		
	A. Digital access control fee (includes set top box maintenance)	\$	6.00
	B. Digital access control fee (without set top box maintenance)	\$	2.00
	C. First standard definition digital set top box rental (access included)	\$	6.95
	D. Additional standard definition digital set top box rental (access included).....	\$	3.50
	E. High definition digital set top box rental with dual tuner digital video recorder (access included)	\$	14.95
	F. M-Card rental (access included).....	\$	4.00
	G. Replacement digital/analog remote control.....	\$	15.00
	H. Replacement digital set top box	\$	300.00
	I. Replacement of digital set top box with dual tuner digital video recorder	\$	500.00
	J. Analog converter box rental	\$	2.00
	K. Replacement analog converter box	\$	115.00
	L. Reconnect from nonpayment disconnect	\$	25.00

(Ord. 692 – Aug. 15 Supp.)

113.10 TELEPHONE SERVICES.

- 1. Basic Service
 - A. Residential..... \$ 11.05
 - B. Business Single-Line..... \$ 26.65
 - C. Business Multi-Line..... \$ 26.05
- 2. Interstate and Intrastate Long Distance. The charge for interstate and intrastate long distance service shall be \$.13 per minute.

3. International Long Distance Rates.

Country	Rate – 24 hours	Country	Rate – 24 hours
Afghanistan	\$3.02	Cape Verde Islands	\$1.48
Albania	\$0.98	Cayman Islands	\$0.82
Algeria	\$0.96	Central Africa Republic	\$2.34
American Samoa	\$1.04	Chad	\$2.36
Andorra	\$0.72	Chile	\$0.74
Angola	\$1.46	China	\$1.58
Anguilla	\$1.32	Christmas/Cocos Islands	\$1.16
Antarctica	\$1.16	Colombia	\$1.24
Antarctica/Scott	\$1.16	Comoros	\$1.96
Antigua	\$1.04	Congo	\$1.72
Argentina	\$1.12	Cook Islands	\$2.44
Armenia	\$1.78	Costa Rica	\$1.16
Aruba	\$0.92	Croatia Republic	\$0.88
Ascension Island	\$1.88	Cuba	\$1.72
Australia	\$0.44	Cyprus	\$0.92
Austria	\$1.16	Czech Republic	\$0.74
Azerbaijan	\$2.18	Denmark	\$0.44
Azores	\$0.10	Diego Garcia	\$1.72
Bahamas	\$0.54	Djibouti	\$2.04
Bahrain	\$1.66	Dominica	\$1.30
Bangladesh	\$2.36	Dominican Republic	\$0.60
Barbados	\$1.24	Ecuador	\$1.48
Belarus	\$1.04	Egypt	\$1.62
Belgium	\$0.44	El Salvador	\$1.18
Belize	\$1.50	Equatorial Guinea	\$1.92
Benin	\$1.52	Eritrea	\$2.76
Bermuda	\$0.60	Estonia	\$0.74
Bhutan	\$1.66	Ethiopia	\$2.44
Bolivia	\$1.36	Faroe Islands	\$0.84
Bosnia-Herzegovina	\$1.18	Falkland Islands	\$1.82
Botswana	\$1.06	Fiji Islands	\$2.02
Brazil	\$1.00	Finland	\$0.48
British Virgin Islands	\$0.92	France	\$0.42
Brunei	\$1.36	French Antilles	\$0.84
Bulgaria	\$0.94	French Guiana	\$1.04
Burkina Faso	\$1.62	French Polynesia	\$1.62
Burundi	\$1.74	Gabon	\$1.68
Cambodia	\$2.52	Gambia	\$1.46
Canada:		Georgia	\$1.78
204 Manitoba	\$0.26	Germany	\$0.42
306 Saskatchewan	\$0.26	Ghana	\$1.46
403 Alberta	\$0.26	Gibraltar	\$0.98
416 Ontario/Toronto	\$0.26	Greece	\$0.90
418 Quebec	\$0.26	Greenland	\$1.06
506 New Brunswick	\$0.26	Grenada	\$1.30
514 Quebec/Montreal	\$0.26	Guadeloupe	\$1.12
519 Ontario	\$0.26	Guam	\$0.54
604 British Columbia	\$0.26	Guantanamo Bay	\$1.60
613 Ontario	\$0.26	Guatemala	\$1.12
706 Ontario	\$0.26	Guinea	\$1.56
709 Newfoundland	\$0.26	Guinea-Bissau	\$2.32
807 Ontario	\$0.26	Guyana	\$1.94
819 Quebec	\$0.26	Haiti	\$1.58
902 Nova Scotia	\$0.26	Honduras	\$1.48
905 Ontario	\$0.26	Hong Kong	\$1.08

Country	Rate – 24 hours	Country	Rate – 24 hours
Hungary	\$0.66	Namibia	\$1.44
Iceland	\$0.76	Nauru Islands	\$2.12
India	\$1.92	Nepal	\$2.02
Indonesia	\$1.40	Netherlands	\$0.42
Iran	\$2.28	Netherlands Ant	\$1.00
Iraq	\$2.86	Nevis	\$0.10
Ireland	\$0.60	New Caledonia	\$1.64
Israel	\$0.58	New Zealand	\$0.50
Italy	\$0.54	Nicaragua	\$1.20
Ivory Coast	\$2.24	Niger Republic	\$1.96
Jamaica	\$1.56	Nigeria	\$1.92
Japan	\$0.90	Niue	\$2.48
Jordan	\$2.06	Norfolk Island	\$1.16
Kazakhstan	\$1.80	Norway	\$0.38
Kenya	\$1.80	Oman	\$1.90
Kirghiz	\$0.10	Pakistan	\$2.04
Kiribati	\$2.48	Palau	\$1.96
Korea, North	\$2.22	Palm Island	\$0.10
Korea, South	\$0.86	Panama	\$1.30
Kuwait	\$1.96	Papua New Guinea	\$1.14
Kyrgyzstan	\$2.14	Paraguay	\$1.52
Laos	\$1.82	Peru	\$1.30
Latvia	\$0.92	Philippines	\$1.16
Lebanon	\$1.82	Poland	\$0.82
Lesotho	\$1.34	Portugal	\$0.70
Liberia	\$1.24	Qatar	\$1.94
Libya	\$1.10	Reunion Island	\$1.40
Liechtenstein	\$0.48	Romania	\$1.12
Lithuania	\$0.96	Russia	\$1.28
Luxembourg	\$0.44	Rwanda	\$1.81
Macao	\$1.32	Saipan	\$0.88
Macedonia	\$1.26	Sakhalin	\$1.34
Madagascar	\$2.14	San Marino	\$1.08
Malawi	\$1.36	Sao Tome	\$2.92
Malaysia	\$0.68	Saudi Arabia	\$2.02
Maldives	\$1.56	Senegal Republic	\$2.38
Mali Republic	\$2.18	Seychelles	\$2.76
Malta	\$0.76	Sierra Leone	\$1.90
Marshall Islands	\$1.38	Singapore	\$0.94
Martinique	\$0.10	Slovakia	\$0.78
Mauritania	\$2.02	Slovenia	\$0.84
Mauritius	\$1.80	Solomon Islands	\$2.18
Mayotte Islands	\$2.22	Somalia	\$6.02
Mexico		South Africa	\$1.20
Zones 1-2	\$0.50	Spain	\$0.56
Zones 3-5	\$0.66	Sri Lanka	\$1.96
Zones 6-8	\$1.04	St. Helena	\$2.10
Micronesia	\$1.52	St. Kitts	\$1.02
Moldova	\$1.30	St. Lucia	\$1.24
Monaco	\$0.58	St. Pierre/Miquelon	\$0.86
Mongolia	\$2.42	St. Vincent/Grenadines	\$1.34
Montserrat	\$1.44	Sudan	\$1.48
Morocco	\$1.06	Suriname	\$2.35
Mozambique	\$1.58	Swaziland	\$0.94
Mustique	\$0.10	Sweden	\$0.36
Myanmar (Burma)	\$2.64	Switzerland	\$0.46
Nakhodka	\$1.34	Syria	\$1.96

Country	Rate – 24 hours	Country	Rate – 24 hours
Taiwan	\$1.06	United Kingdom	\$0.24
Tanzania	\$1.60	Uruguay	\$1.52
Thailand	\$1.48	Uzbekistan	\$1.62
Togo	\$2.00	Vanuatu	\$2.58
Tonga	\$2.07	Vatican City	\$0.60
Trinidad/Tobago	\$1.40	Venezuela	\$1.00
Tunisia	\$1.06	Vietnam	\$2.36
Turkey	\$0.98	Wallis/Futunia	\$1.34
Turkmenistan	\$2.06	West Samoa	\$1.82
Turks/Caico	\$1.24	Yemen Arab Republic	\$1.76
Tuvalu	\$1.94	Yemen Peoples Republic	\$0.10
Uganda	\$1.64	Yugoslavia	\$1.04
Ukraine	\$1.02	Zaire	\$1.44
Union Island	\$0.10	Zanbia	\$1.72
United Arab Emirates	\$1.34	Zimbabwe	\$1.06

4. Calling Features

- A. All Call Forwarding \$ 1.50
- B. Call Forwarding-No Answer \$ 1.50
- C. Call Forwarding-Busy \$ 1.50
- D. Call Waiting \$ 1.50
- E. Cancel Call Waiting \$ 1.50
- F. Selective Call Rejection \$ 1.50
- G. Speed Calling \$ 1.50
- H. Caller ID \$ 6.50
- I. Call Name & Number Block \$ 1.50
- J. Three-Way Calling \$ 1.50
- K. Serial Hunt \$ 5.00
- L. Voice Mail \$ 6.75

5. Calling Feature Packages

- A. Call Feature Package #1 - Voicemail or Caller ID and three other features for \$ 6.95
- B. Call Feature Package #2 - Voicemail and Caller ID and five other features for \$ 9.95

6. Telecommunications Surcharges

- A. Customer dialed/automated \$ 0.77
- B. Customer dialed calling card station \$ 0.77
- C. Customer dialed and operator assisted \$ 1.91
- D. Customer dialed/operator must assist \$ 0.77
- E. Operator Station \$ 1.91

F.	Operator dialed surcharge	\$ 0.98
G.	Person to Person.....	\$ 6.17
H.	Busy line verify	\$ 6.75
I.	Busy line intercept	\$ 6.50
J.	Information Service Access Blocking.....	\$ 5.00
K.	Pre-subscribed Interexchange Carrier Charge.....	\$ 5.00
L.	E911 Charge.....	\$ 0.50
M.	Universal Service Charge.....	\$ 0.30
7.	Miscellaneous Telecommunications Rates.	
A.	Additional or alternate listings, per listing.....	\$ 0.50
B.	Private service, per listing	\$ 1.50
C.	Foreign or nonsubscriber service, per listing.....	\$ 2.00
D.	Per DID Line	\$ 39.00
E.	Non-recurring DID charge, per line	\$ 65.00
F.	Block of 100 reserved numbers.....	\$ 265.00
G.	Toll Restriction Service (outgoing calls only)	\$ 3.00
H.	Non-recurring Toll Restriction charge	\$ 5.00
I.	Vacation/Suspended Service rate.....	50% of regular rate
J.	Customized Telephone Number Non-recurring charge, per line	\$ 25.00
	Information Service Access Blocking.....	\$ 5.00
K.	Telephone number change*	
	First number change	\$ 25.00
	Two or more number changes.....	\$ 50.00
L.	Reconnect from a disconnect for non-payment.....	\$ 15.00
M.	Returned Check/ Returned ACH Notice Fee	\$ 15.00
8.	Mileage Rates.	
	Between buildings on same premises Per two wire circuit	\$ 8.00
	Each additional ¼ mile or fraction thereof Per two wire circuit.....	\$ 2.00

* Fees may be waived with verification of a safety concern from proper law enforcement agency.

9.	End User Common Line Charge (Subscriber Line Charge)		
	Residential	\$	6.50
	Single-Line Business	\$	6.50
	Multi-Line Business	\$	9.00
10.	ISDN Line Charges		
	Business.....	\$	90.00
	Residential	\$	90.00
	ISDN BRI Line Port	\$	7.00/arrangement
	ISDN PRI Line Port	\$	46.00/arrangement
11.	Switched Access Service		
	A. Non Recurring Charges		
	B. Local Transport - Installation Entrance Facility		
	Voice Grade Two Wire	\$	230.00
	Voice Grade Four Wire	\$	230.00
	High Capacity DS1	\$	251.00
	C. Interim NXX Translation Per Order		
	Per LATA or Market Area	\$	136.00
	D. FGC and FGD Conversion of Multi-Frequency		
	Address Signaling to SS7 Signaling or SS7 Signaling to		
	Multi-frequency Address Signaling		
	Per 24 Trunks Activated or Fraction Thereof		
	on a Per Order Basis.....	\$.321.00
	E. Direct Trunked Transport Activation		
	Per 24 Trunks Activated or Fraction		
	Thereof on a Per Order basis.....	\$	310.00
	F. Local Transport		
	G. Premium Access		
	Entrance Facility, Per Termination		
	Voice Grade Two Wire	\$	46.79
	Voice Grade Four Wire	\$	71.67
	High Capacity DS1	\$	191.82
	Direct Trunked Transport		
	Direct Trunked Facility, Per Mile		
	Voice Grade	\$	3.19
	High Capacity.....	\$	20.76
12.	Channel Signaling Network Connection		
	A. Signaling Network Access Link		
	Signaling Mileage Facility Per Mile	ICB	
	Signaling Mileage Termination, Per Termination.....	ICB	
	Signal Entrance Facility, Per Facility	ICB	
	B. STP Port, Per Port	ICB	
13.	Directory Assistance Service, Per Call.....	\$	2.00
14.	Operator Transfer Service, Per Call Transferred.....	\$	0.4588

15. Special Access Service

A. Voice Grade Service

Channel Termination Per Termination

Two Wire Service	\$...46.79
Two Wire Nonrecurring Charge	\$.230.00
Four Wire Service	\$...71.67
Four Wire Nonrecurring Charge	\$.230.00

Channel Mileage

Channel Mileage Facility	\$.....3.19/mile
Channel Mileage Termination, Per Termination.....	\$...32.07

Optional Features and Functions

Voice Bridging

Two Wire	\$ 6.50
Four Wire	\$ 6.50

Data Bridging Per Port

Two Wire	\$ 6.50
Four Wire	\$ 6.50

Telephoto Bridging Per Port

Two Wire	\$ 6.50
Four Wire	\$ 6.50

DATAPHONE Select-A-Station Bridging

Sequential Arrangement, Ports Per Channel Connected

Two Wire	\$ 22.19
Four Wire	\$ 117.70

Addressable Arrangement, Ports Per Channel Connected

Two Wire	\$ 23.75
Four Wire	\$ 102.80

Telemetry and Alarm Bridging

Active Bridging Channel Connections Per Channel Connected

Split Band.....	\$ 8.89
Summation	\$ 3.47

Passive Bridging Channel Connections Per Channel Connected.....

	\$ 0.24
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Conditioning Per Termination

C Type.....	\$ 7.20
Improved Attenuation Distortion	None
Improved Envelope Delay Distortion	None

Data Capability.....	\$ 6.105
Telephoto Capability.....	\$ 9.02
Sealing Current.....	None
Improved Return Loss For Effective Two Wire or Four Wire Transmission Per Termination	
Two Wire	\$ 12.80
Four Wire	\$ 12.80
Customer Specified Receive Level, Per Two Wire Termination	\$ 8.80
Multiplexing Per Arrangement Voice To Telegraph Grade	\$ 226.19
Signaling Capability, Per Termination.....	\$ 12.95
Selective Signaling Arrangement, Per Arrangement	\$ 6.50
Transfer Arrangement (key activated or dial up) Per four port arrangement, including control channel termination.....	
	\$ 3.13
Per five port arrangement including control channel termination.....	
	\$ 7.14
Public Packet Switching Network Interface Arrangement, Per Arrangement	
	ICB
B. High Capacity Service.	
Channel Termination, Per Termination, DS1, 1.544 Mbps	
Monthly Rate.....	\$ 191.82
Nonrecurring Charge.....	\$ 251.00
Channel Mileage Facility, Per Mile	\$ 20.76
Channel Mileage Termination, Per Termination.....	\$ 102.39
Optional Features and Functions	
DS1 to Voice	\$ 183.12
Automatic Loop Transfer, Per Arrangement.....	\$ 158.00
Transfer Arrangement (key activated or dial-up), Per Four Port Arrangement Including Control Channel Termination.....	
	\$ 172.20
Clear Channel Capability, Per 1.544 Mbps Transmission path	
	ICB
Network Channel Terminating Equipment, Per Termination	
1.544 Mbps.....	\$ 89.60
Automatic Loop Transfer	\$ 360.00

16.	Other Services.		
	A.	Access Ordering	
		Access Order Charge Per Order	\$ 136.00
		Service Date Change Charge Per Order.....	\$ 53.00
		Design Change Charge.....	\$ 53.00
		Miscellaneous Service Order Charge, Per Occurrence	\$ 53.00
	B.	Additional Engineering Periods	
		Basic Time Per Engineer Normally Scheduled	
		Working Hours.....	\$ 25.35/half hour
		Overtime Per Engineer	\$ 38.02/half hour
		Premium Time Outside of Scheduled Work Day, Per Engineer	\$ 50.69/half hour
	C.	Additional Labor	
		Additional Labor Periods, Installation or Repair	
		Overtime Per Technician.....	\$ 33.03/half hour
		Premium Time Per Technician.....	\$ 46.04/half hour
		Stand By	
		Basic Time, Normally Scheduled Working Hours.....	\$ 22.92/half hour
		Overtime Per Technician.....	\$ 36.37/half hour
		Premium Time, Per Tech.	\$ 45.83/half hour
17.	Other Services.		
	A.	Additional Automatic Testing- Switched Access	
		To First Point of Switching	
		Additional Tests	
		Gain-Slope Tests	\$ 2.89/Test/Path
		C-Notched Noise Tests	\$ 2.89/Test/Path
		1004 Hz Loss	\$ 2.89/Test/Path
		C-Message Noise	\$ 2.89/Test/Path
		Balance (Return Loss).....	\$ 2.89/Test/Path
		Telecommunications Service Priority	
		Per Service Arranged, Nonrecurring Charge	\$ 56.63
		Controller Arrangement	
		Per Month, Per Arrangement	\$ 100.00
		Presubscription	
		Per Telephone Exchange Service Line or Trunk	\$ 5.00
		Blocking Service	
		Per Exchange Service Line or Trunk and/or Per Feature Group A Switched Access Line.....	\$ 11.20
		Billing Name and Address Service	
		Per BNA Order.....	\$ 50.94

	Per BNA Record.....	\$0.33
	Optional Magnetic Tape, Per Magnetic Tape.....	\$ 91.44
	Optional Format Programming Charge, Per Half Hour or Fraction.....	\$ 37.20
	Originating Line Screening Service Per Exchange Service Line.....	\$ 7.95
	Coin Supervision Additive Service Per Exchange Service Line.....	\$ 2.21/month
18.	Special Federal Government Access Services	
	A. Voice Grade Secure Communications	
	Type I, each T-3 Conditioning	ICB & Charges
	Additional Conditioning, Per Service Termination	ICB & Charges
	Type II, each G-1 Conditioning	ICB & Charges
	Type III, each G-2 Conditioning	ICB & Charges
	Additional Conditioning, Per Service Termination	ICB & Charges
	Type IV, each G-3 Conditioning.....	ICB & Charges
	Additional Conditioning, Per Service Termination	ICB & Charges
	B. Wideband Digital Special Access Service	
	Type I, each	ICB & Charges
	Type II, each.....	ICB & Charges
	Type III, each	ICB & Charges
19.	Special Facilities Routing of Access Services	
	A. Diversity	ICB
	B. Avoidance.....	ICB
	C. Diversity and Avoidance Combined	ICB
	D. Cable-Only Facilities.....	ICB
20.	Specialized Service or Arrangements.....	ICB

113.11 MISCELLANEOUS FEES AND CHARGES. Fees and charges for miscellaneous services not elsewhere listed are as follows:

1.	Late fee (\$5.00 minimum).....	\$ 1.5%
2.	Two-day posting fee.....	\$ 25.00
3.	Disconnection fee for nonpayment.....	\$ 25.00
4.	Connection/reconnection fee	\$ 25.00
5.	Service calls (for customer equipment).....	\$ 25.00
6.	After hours service calls (\$25.00 minimum).....	time and materials
7.	Returned checks	maximum lawful amount

- 8. Advance deposits:
 - Electric, Water, Sewer and Gas..... highest monthly bill past year, plus 10%
 - Cable..... first month's bill
 - Basic Phone..... first month's bill
 - Phone Long Distance \$50.00
- 9. Meter testing/reading\$ 100.00
- 10. Referee meter test.....\$ 100.00
- 11. Estimate meter reading.....\$ 5.00
- 12. Water tapping fee\$100.00 plus materials
- 13. Sewer tapping fee.....\$100.00 plus materials
- 14. Electric tapping fee:
 - Residential (less than 200 amp)\$0.00
 - Residential upgrade (over 200 amp)time and materials
 - Commercial/Industrialtime and materials
- 15. Gas tapping fee:
 - Residential\$0.00
 - Commercial/Industrialtime and materials
- 16. New temporary service installation.....\$ 50.00
- 17. Relocation of facilities at customer requesttime and materials
- 18. Repair for non-concrete street.....time and materials
- 19. Material pricing on all calls.....cost plus 25%
- 20. Bulk water rate \$25.00 per 100 gallons
- 21. Septic dumping at City sewer plant..... \$25.00 per 1,000 gallons

113.12 WHOLESALE INTERNET ACCESS CHARGES.

- 1. Monthly Service Charges.

	Per Month	Per Day
A. Bronze Level	\$23.50	\$0.79
B. Silver Level	\$28.50	\$0.95
C. Gold Level	\$33.50	\$1.12
D. Platinum Level	\$44.50	\$1.49
E. Hitec Fiber 3x3 Service	\$160.00	\$5.34
F. Hitec Fiber 4x4 Service	\$210.00	\$7.00
G. Hitec Fiber 8x8 Service	\$260.00	\$8.67
H. Hitec Fiber 10x10 Service	\$510.00	\$17.00
- 2. Installation Charges.
 - A. Cable Modem Install Charge \$85.00

B.	Fiber Installation Charge	\$510.00
		<i>(Ord. 692 – Aug. 15 Supp.)</i>

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CHAPTER 115

ELECTRIC SERVICE POLICIES

115.01 Service Characteristics

115.02 Engineering Practices

115.03 Special Condition of Service

115.04 Requirements of Electric Motors

115.05 Corrective Equipment

115.06 Arc Welding Installations

115.07 Security Lighting

115.08 Large Power Contracts

115.01 SERVICE CHARACTERISTICS. The electric utilities shall make available throughout its service area electric service of a character determined by the utility to meet the needs of the customer. The standard service available to meet this obligation is 120/240 nominal voltage, 60Hz alternation current, single phase, 200 amps or less, supplies via either overhead conductor or underground conductor as the utility chooses. In supplying this service, the utilities shall construct, own, and maintain all facilities up to the premises. Where the utility chooses to install underground conductor in supplying standard electric service, the utility shall construct, own, and maintain all facilities up to and including the meter socket and meter. In all standard service extensions the utilities shall furnish, own, and maintain the meter socket and meter. Other service connections, including three phase service and service at primary voltages, are available at the option of the Utility and may require a contribution in aid of construction or an advance for construction cost. Terms and conditions of customers' participation may be established by the Council. The Council may waive the costs if in the public interest. Such waivers, when entered in the minutes of the City Council, shall not be considered a discriminatory practice.

115.02 ENGINEERING PRACTICES. Facilities of the Utility shall be constructed, installed, maintained, and operated in accordance with acceptable good engineering practices in the electric industry to assure, as far as reasonably possible, continuity of service and safety of persons and property. However, the utility shall not be held liable in actions arising from interruption or filtration in service. The utility shall use and shall require compliance with applicable provisions of the publications listed below as standards of accepted good practice, unless otherwise ordered by the utility division.

1. *Iowa Electric Safety Code*, as defined in 199 IAC, Chapter 25 (476, 476A, 478).
2. *National Electric Code*, NFPA No. 70.
3. *American Standard Code of Electric Metering*, ANSI C12.
4. *National Electric Safety Code*, NESC
5. *Power Piping* - ANSI Standard B31.1 1998.
6. *U.S.A. Standard Requirements for Instrument Transformers*, ANSI C57.13.
7. *American National Standard Requirements For Electrical Analog Indicating Instruments*, ANSI C39.1.
8. *American National Standard Requirements For Direct-Acting Electrical Recording Instruments* (switchboard and portable types), ANSI C39.2.
9. *American National Standard Voltage Ratings For Electric Power Systems And Equipment* (60 Hz), ANSI C84.1.

10. *Grounding of Industrial and Commercial Power Systems, ANSI C114.1.*

Reference to the publications listed above shall be deemed to be the latest addition or revision as the accepted version of the utility division as a standard of good practice.

115.03 SPECIAL CONDITION OF SERVICE. Except for facilities defined in Section 112.03 of this Code of Ordinances as a responsibility of the utility, the customer shall be responsible for all wiring and electrical equipment on his or her premises. The installation and maintenance of the customer's facilities shall be consistent with the standards imposed by Chapter 112 of this Code of Ordinances, the special conditions of this section, and any other applicable statute and administrative law. Beginning March 1, 2009, the State of Iowa requires electrical permits and inspections for all new electrical installations including residential, commercial, and industrial. For more information contact State Electrical Inspection Office at 515-290-0629. No inspection or approval of the customer's compliance with this section by the Utility or other agents of the municipal government shall be construed to impose any duty or liability on the Utility but shall be considered solely for the purpose of insuring protection of the Utilities' property and continuity of service to the customers of the Utility.

115.04 REQUIREMENTS OF ELECTRIC MOTORS. All installation of power loads on Utility systems shall conform to the safety rules set forth in the *Iowa Electric Safety Code* and *National Electric Code*. It is the customer's responsibility to follow these rules.

1. Customers are required to provide suitable protective devices so that the motors and equipment will be protected from damage and from improper or dangerous operation in case of overload, loss of voltage, low voltage, single phasing of poly-phase motors, or re-establishment of nominal service after any of the above. The utility is not responsible for motor damage caused by any of the above conditions.
2. No motor in excess of 7½ horsepower shall be installed without application by the customer and the express approval of the utility. All motors 10 horsepower or larger must have capacitors installed. All motors 50 horsepower or larger must have low voltage or split-wound motor starters.

115.05 CORRECTIVE EQUIPMENT. Welders, hoists, corn dryers and other equipment that use electricity intermittently or which cause rapid load fluctuations shall be installed and used in such a manner as to not adversely affect voltage regulation or impair the Utility service to other customers. When such equipment creates diminution to the service of other customers or to the Utilities' use of its own equipment, the customer shall be required to install and maintain, at his or her own expense, suitable corrective equipment to eliminate the diminution effects.

115.06 ARC WELDING INSTALLATIONS. In 60-amp meter loops, the Utility shall approve for use on its lines only the welders meeting N.E.M.A. standards, with power factor correction, operating at 230 volts, and a nominal of 180 output current. On meter loops with capacity in excess of 60 amps, higher rated welders may be installed by obtaining special permission from the Utility.

115.07 SECURITY LIGHTING. Security lighting is available to all customers receiving normal electric service at a cost established under Section 113.11. The rate shall include materials, installation, maintenance, and electricity.

115.08 LARGE POWER CONTRACTS. The Utility may supply large power service users, greater than 1500kWh, pursuant to provisions of a written contract.

Editor's Note:

For definitions of terms used in this chapter, see Chapter 110.

For Customer Service Policies, see Chapter 111.

For additional General Service Policies, see Chapter 112.

For Electric Service Rates, see Chapter 113.

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CHAPTER 116

GAS SERVICE POLICIES

116.01 Service Characteristics
116.02 Engineering Practices
116.03 Special Condition of Service
116.04 Gas Appliances

116.05 Gas Contract Service
116.06 Interruptible Gas Service
116.07 Gas Transportation Services

116.01 SERVICE CHARACTERISTICS. The Utility shall make available, throughout its service area, gas service of a character determined by the Utility to meet the needs of the customer and subject to limits of the Utility's gas supply. Standard gas service is gas having an approximate heating value of 1,000 British thermal units (BTU) per cubic foot at a pressure approximately 4 oz./sq. inch at customer's piping. In supplying this service, the Utility shall construct, own, and maintain all facilities up to and including the meter and meter outlet. Other service connections, including service at higher pressures, are available at the option of the Utility and shall require the customer to be responsible for the total cost of construction.

116.02 ENGINEERING PRACTICES. Facilities of the utility shall be constructed, installed, maintained and operated in accordance with accepted good engineering practice in the gas industry to assure, as far as reasonably possible, continuity of service and safety of persons and property. However, the Utility shall not be held liable in actions arising from interruptions or fluctuations in service. The utility shall use and shall require compliance with applicable provisions of the publications listed below as standards of accepted good practice, unless otherwise ordered by the Commission.

1. *Code Of Federal Regulations, Title 49, Part 191 – Transportation of Natural and Other Gas by Pipeline: Reports of Leaks, Part 192 – Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards, insofar as the same may be applicable, and as said regulations may be hereafter amended or modified by the Department of Transportation, United States of America.*
2. *NFPA 501 Standards On Manufactured Housing.*
3. *GNFPA 54 - National Fuel Gas Code Book.*
4. *NFPA 501A Standards for Fire Safety, Criteria for Manufactured Home installations, Sites and Communities.*

References to publications listed above shall be deemed to be the latest edition or revision accepted by the Utility Division as a standard of good practice. Additional guidelines of good practice are located in IAC section 19.5 (2) as other standards, which are not formally adopted herein as Hawarden standards.

116.03 SPECIAL CONDITIONS OF SERVICE. Except for facilities defined in Section 112.03 of this Code of Ordinances as a responsibility of the Utility, the customer shall be responsible for all gas piping and appliances on his or her premises. The installation and maintenance of customer facilities shall be consistent with standards imposed by Chapter 112 of this Code of Ordinances and other applicable statutory or administrative law. No inspection or approval of a customer's compliance with this section by the Utility or other agent of the municipal government shall be construed to impose any duty or liability on the Utility but

shall be considered solely for the purpose of ensuring protection of the utility's property and continuity of service to customers of the Utility.

116.04 GAS APPLIANCES. Each gas appliance shall bear a nameplate showing the manufacturer's name and the seal of approval of either American Gas Association or Underwriters Laboratories.

116.05 GAS CONTRACT SERVICE. Gas service for large volume users above 50mcf monthly may be supplied under terms and conditions of a written contract.

116.06 INTERRUPTIBLE GAS SERVICE. Interruptible gas service is not available.

116.07 GAS TRANSPORTATION SERVICES.

1. The customer shall have the following responsibilities:
 - A. The customer shall inform the Utility of the type of utilization the transported gas shall be used for and if their requirements will be met fully by the transportation gas.
 - B. The customer shall furnish the Utility with a statement guarantee that the gas being transported is of pipeline quality.
 - C. The customer shall furnish to the Utility and Superintendent of Public Works the name of a contact person, if the need for communication arises.
 - D. The customer shall notify the Superintendent of Public Works of the volumes to be purchased 24 hours before delivery. The customer will be requested to limit volumes received under this service to the quantity nominated the previous day. The Hawarden Municipal Gas System shall be notified immediately if any changes occur in the transportation volumes.
 - E. If the customer does not use all of the transported volumes from 9:00 a.m. to 9:00 a.m. (24 hours), the amount of unused gas becomes the property of the Utility. This is due to the fact that the Utility needs to serve its customers on a 24-hour basis and does not have storage facilities.
 - F. If the customer transports any of his requirements for certain utilization, the Hawarden Municipal Utilities has no obligation to reinstate said person as a customer. However, upon written request, the City Council may reinstate the customer, if and when the gas supply is secured.
 - G. If the customer serves his needs by transported gas, it is said customer's responsibility to secure an alternate supply agreement.
 - H. Customer is responsible for transportation, delivery, and system charge for gas transported through the system.
2. The Utility shall have the following responsibilities:
 - A. The Utility will furnish the customer with a method of contact for inquiries.
 - B. The Utility will maintain all distribution equipment, including metering.
 - C. The charges for additional capacity or new installations utilizing this service shall be billed to the customer.

D. Should the customer experience an emergency supply situation and notifies the Utility of such, the Utility will endeavor to assist the customer. The cost associated with such cases will be determined at that time.

Editor's Note:

For definitions of terms used in this chapter, see Chapter 110.

For Customer Service Policies, see Chapter 111.

For additional General Service Policies, see Chapter 112.

For Gas Service Rates, see Chapter 113.

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CHAPTER 117

TELEPHONE, CABLE TV AND INTERNET SERVICE POLICIES

117.01 Service Characteristics

117.02 Telecommunications and Cable Television Service
Availability

117.03 Types of Service

117.04 Engineering Practices

117.05 Ownership of Inside Wiring and Plant Installed in
Customer's Facilities

117.06 Right to Own Equipment

117.07 Prohibition Against Rebroadcast or
Retransmitted Signals

117.08 Digital Cable Television Services

117.01 SERVICE CHARACTERISTICS. The Communications Utility includes a 750-Megahertz broadband communications system that uses a hybrid fiber optic and coaxial cable distribution plant to provide fully interactive communications services.

117.02 TELECOMMUNICATIONS AND CABLE TELEVISION SERVICE AVAILABILITY. These services will be made available to all prospective customers within the exchange boundaries and corporate limits of Hawarden, subject to the provisions governing line extension costs as noted in Chapter 112 of this Code of Ordinances. Within the corporate limits of the City, the Utility will construct, own, and maintain all facilities up to the delivery point at the subscriber's property, which is the remote subscriber unit (RSU). Telecommunications services provided to customers located outside of the City limits, but within the Hawarden Telephone Exchange boundaries, will be done so through a resale agreement with the Hawarden Exchange incumbent. In areas in which service is provided through the resale agreement, all questions regarding service outages, service prices, account status, payment history, and all other service-related issues will be directed to HITEC. Special Telecommunications Services will only be available at locations that meet operational criteria deemed appropriate by HITEC.

117.03 TYPES OF SERVICES.

1. Telecommunications Services. Telecommunications Services include basic and long distance telephone services for residential and business customers, as well as calling features and other miscellaneous services. Calling features include, but are not limited to, call forwarding, call forwarding – no answer, call forwarding – busy, call waiting, cancel call waiting, selective call rejection, speed calling, caller ID, call name and number block, 3-way calling, serial hunt, and voice mail. Miscellaneous services include, but are not limited to, non-published listing, additional directory listing, and telephone number change.
2. Cable Television Services. Cable Television services include basic and local analog service, digital base service, premium analog and digital channels, digital pay per-view, commercial, and bulk analog and digital services.
3. High Speed Internet. High-speed internet services are offered through an agreement with ACS Networks and/or Long Lines. Utility is responsible only for the portion of installation occurring outside of the customer's home or business. All questions regarding initiation of service, quality of service, billing, account status,

pricing, or personal computer-related information should be directed to ACS Networks and/or Long Lines.

4. Special Telecommunications Services. Special Telecommunications Services include, but are not limited to, T1 point-to-point, Ethernet private point-to-point, private point-to-multi-point, public point-to-multi-point, point-to-point via fiber, and other serial interfaces for dedicated voice, video and data services. Prices for special telecommunications services are established by the Council, and the latest edition of approved price schedules are considered part of this document.

117.04 ENGINEERING PRACTICES. Facilities of HITEC shall be constructed, installed, maintained and operated in accordance with accepted good engineering practices in the telecommunications industry to assure, as far as reasonably possible, continuity of service, uniformity in the quality of service furnished, and the safety of persons and property. However, HITEC shall not be held liable in actions arising from interruptions or fluctuations in service. Also, HITEC shall not be held liable for damage to any customer or third party equipment resulting from use of its service or from the presence of HITEC equipment on customer's premises.

117.05 OWNERSHIP OF INSIDE WIRING AND PLANT INSTALLED IN CUSTOMER'S FACILITIES. All inside wiring is the property of the customer or property owner, regardless of who may have installed it. Customer or property owner will be responsible for the repair and maintenance of the inside wiring. All equipment including fiber optic cable, termination cabinets and all other equipment installed by the Utility in providing special telecommunication services shall remain the property of the Utility.

117.06 RIGHT TO OWN EQUIPMENT. Per Iowa law, customers have the right to provide and own terminal equipment and new inside station wiring; however, the service rate is the same whether or not terminal equipment is provided by the customer.

117.07 PROHIBITION AGAINST REBROADCAST OR RETRANSMITTED SIGNALS. Cable television services (including all pay-per-view services) shall not be rebroadcast or retransmitted, nor shall admission be charged for viewing without written consent, in advance, from the Utility and the programming supplier. This consent may be withheld at the sole discretion of either the Utility or the programming supplier.

117.08 DIGITAL CABLE TELEVISION SERVICES.

1. Digital cable television services include a base package, as well as premium and Pay-Per-View services. All digital cable television customers will be required to first subscribe to a Basic cable television package before receiving digital service. Those customers wanting to subscribe to the Spanish base package will need to subscribe to a minimum of the Local cable television package as their base package. All other digital customers will be required to subscribe to the Basic cable television package. Should a subscriber to the Spanish digital base package and the Local package wish to subscribe to an additional digital base package or change the basic package subscribed to, subscriber will be required to upgrade his/her base package to the Basic analog package.

2. Premium digital cable television services will be available to all digital service customers on an a la carte basis. Digital cable television subscribers must first subscribe to the digital base pack prior to subscribing to any digital premium services.

3. Pay-Per-View services will be available to all digital cable television customers. These services may only be ordered through the use of the remote control. Customers may order individual movies and/or events. By ordering a movie/event, customer acknowledges and agrees to pay the applicable charge which is in addition to the basic monthly charge for digital, base, and premium cable television services.
4. Digital cable television customers will be subject to a \$100.00 credit limit on Pay-Per-View orders. When this limit is reached, Pay-Per-View access will be discontinued and the customer will be notified of the amount of orders on his or her account. Customer will be required to pay the full amount of all Pay-Per-View orders (including all taxes and applicable fees) on the account before his or her Pay-Per-View access will be restored.
5. All digital cable television customers must rent one digital set top box for each television on which he or she wishes to receive digital services.
6. All digital cable television customers must enter into an agreement with the Utility obligating the customer to maintain a subscription to at least one digital base package and rental of at least one digital set top box for an initial period of six months. The agreement will also obligate the customer to pay specified replacement costs for his or her set top box(es) and remote control(s) should irreparable damage be caused to the equipment while in the customer's possession.

Editor's Note:

For definitions of terms used in this chapter, see Chapter 110.

For Customer Service Policies, see Chapter 111.

For additional General Service Policies, see Chapter 112.

For Service Rates, see Chapter 113.

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CHAPTER 118

CEMETERY

118.01 Definition

118.02 Trusteeship

118.03 Records

118.04 Sale of Interment Rights

118.05 Rules and Regulations

118.06 Perpetual Care

118.07 Interments Subject to Law; Interment in Places
Other Than Cemeteries

118.01 DEFINITION. The term “cemetery” means the Grace Hill Cemetery, to include the St. Mary’s Catholic Cemetery (accepted in 1984), which is a municipal cemetery under the provisions of Chapter 523I of the *Code of Iowa* and which shall be operated under the provisions of Chapter 523I of the *Code of Iowa* and this chapter.

(Code of Iowa, Sec. 523I.501)

118.02 TRUSTEESHIP. Pursuant to Section 523I.502 of the *Code of Iowa*, the City Council hereby states its willingness and intention to act as the trustee for the perpetual maintenance of the cemetery property.

(Code of Iowa, Sec. 523I.502)

118.03 RECORDS. It is the duty of the Clerk to make and keep complete records identifying the owners of all interment rights sold by the cemetery and historical information regarding any transfers of ownership. The records shall include all of the following:

(Code of Iowa, Sec. 523I.311)

1. Sales or Transfers of Interment Rights.
 - A. The name and last known address of each owner or previous owner of interment rights.
 - B. The date of each purchase or transfer of interment rights.
 - C. A unique numeric or alphanumeric identifier that identifies the location of each interment space sold by the cemetery.
2. Interments.
 - A. The date the remains are interred.
 - B. The name, date of birth and date of death of the decedent interred, if those facts can be conveniently obtained.
 - C. A unique numeric or alphanumeric identifier that identifies the location of each interment space where the remains are interred.

118.04 SALE OF INTERMENT RIGHTS. The sale or transfer of interment rights in the cemetery shall be evidenced by a certificate of interment rights or other instrument evidencing the conveyance of exclusive rights of interment upon payment in full of the purchase price. The agreement for interment rights shall disclose all information required by Chapter 523I of the *Code of Iowa*. The payment of all fees and charges shall be made at the office of the Clerk where receipts will be issued for all amounts paid. Said fees and charges shall be based upon the charges as established by the Council.

(Code of Iowa, Sec. 523I.310)

118.05 RULES AND REGULATIONS. Rules and regulations for the cemetery may be adopted, and may be amended from time to time, by resolution of the Council and may cover such things as the use, care, control, management, restrictions and protection of the cemetery as necessary for the proper conduct of the business of the cemetery. The rules shall specify the cemetery's obligations in the event that interment spaces, memorials, or memorializations are damaged or defaced by acts of vandalism. Any veteran, as defined in Section 35.1 of the *Code of Iowa*, who is a landowner or who lives within the City shall be allowed to purchase an interment space and to be interred within the cemetery. In addition, any veteran who purchases an interment space within the cemetery shall be allowed to purchase an interment space for interment of the spouse of the veteran if such a space is available, and the surviving spouse of a veteran interred within the cemetery shall be allowed to purchase an interment space and be interred within the cemetery if such a space is available. *(Ord. 677 – Aug. 13 Supp.)*
(Code of Iowa, Sec. 523I.304)

118.06 PERPETUAL CARE. The Council, by resolution, shall accept, receive and expend all moneys and property donated or left to them by bequest for perpetual care, and that portion of interment space sales or permanent charges made against interment spaces which has been set aside in a perpetual care fund. The assets of the perpetual care fund shall be invested in accordance with State law. The Council, by resolution, shall provide for the payment of interest annually to the appropriate fund, or to the cemetery, or to the person in charge of the cemetery to be used in caring for or maintaining the individual property of the donor in the cemetery, or interment spaces which have been sold with provisions for perpetual care, all in accordance with the terms of the donation or bequest, or the terms of the sale or purchase of an interment space and Chapter 523I of the *Code of Iowa*.
(Code of Iowa, Sec. 523I.503, 523I.507 & 523I.508)

118.07 INTERMENTS SUBJECT TO LAW; INTERMENT IN PLACES OTHER THAN CEMETERIES. All interments, disinterments, and removals shall be made subject to the orders and laws of the properly constituted authorities of the City, County and State and to the provisions of this chapter and all cemetery rules and regulations. No interment shall be made anywhere other than in cemeteries established in accordance with City ordinances or State laws.

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CHAPTER 119

TELEPHONE TARIFFS

119.01 Local Telephone Tariff
119.02 Intrastate Telephone Tariff
119.03 Interstate Telephone Tariff

119.04 Domestic Telephone Tariff
119.05 International Telephone Tariff

119.01 LOCAL TELEPHONE TARIFF. The local telephone tariff now on file with the Iowa Utilities Board is adopted by the City and provides rules, procedures and rates under and within which the City intends to operate.

119.02 INTRASTATE TELEPHONE TARIFF. The Intrastate Telephone Tariff now on file with the Iowa Utilities Board is adopted by the City and provides rules, procedures and rates under and within which the City intends to operate.

119.03 INTERSTATE TELEPHONE TARIFF. The Interstate Telephone Tariff now on file with the Federal Communications Commission is adopted by the City and provides rules, procedures and rates under and within which the City intends to operate.

119.04 DOMESTIC TELEPHONE TARIFF. The Domestic Telephone Tariff now on file with the Federal Communications Commission is adopted by the City and provides rules, procedures and rates under and within which the City intends to operate.

119.05 INTERNATIONAL TELEPHONE TARIFF. The International Telephone Tariff now on file with the Federal Communications Commission is adopted by the City and provides rules, procedures and rates under and within which the City intends to operate.

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