

## Ordinance 339

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NASHUA, IOWA, 2019, BY ADDING TWO NEW SECTIONS TO CHAPTER 92 WATER RATES PERTAINING TO AN ANNUAL RATE ADJUSTMENTS and REVIEW OF RATES SECTION 11 and NOTIFICATION OF RATE CHANGE SECTION 12.

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

**ADDING SECTION (11) and (12)** The Code of Ordinances of the City of Nashua, Iowa 2019, is amended by adding two new sections, numbered 92.11 Entitled Annual Rate Adjustment and Review of Rates and numbered 92.12 Entitled Notification of Rate Change.

92.11 ANNUAL RATE ADJUSTMENT AND REVIEW OF RATES. Effective the 1st day of July each year, beginning in 2021, the minimum monthly charge and user charge rate as set forth in Section 92.03 of this chapter shall be increased by 3.5% from the minimum monthly charge and user charge rate for the prior year. The City shall review the user charge system at least every 2 years to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance, including replacement costs among users and user classes.

92.12 NOTIFICATION OF RATE CHANGE. The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance including replacement of the treatment works.

### 7. SEVERABILITY

If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this document, which are separable from the unlawful provision, shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

### 8. REPEALER

All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

### 9. EFFECTIVE

This ordinance shall become effective upon its passage, approval and publication as provided by law.

PASSED AND APPROVED this 3<sup>rd</sup> day of May, 2021

  
\_\_\_\_\_  
Mayor,

\_\_\_\_\_  
Attest, City Clerk *J. Holt*

Roll Call:

Ayes 4

Nays 0

Absent 1. Shelby

Abstain 0