

**ORDINANCE NO. 07-O-2016-2017 (CON'T.)**

Franchise fees shall be remitted on or before the last business day of the month following the close of the calendar quarter in which fees were charged.

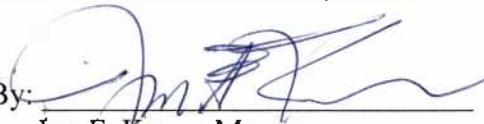
Section 15. This Ordinance and the rights and privileges herein granted shall not become effective or binding until this Ordinance has been approved in accordance with Iowa law. The cost and expense of any municipal election relating to the ordinance and franchise shall be paid by the Cooperative. Within thirty (30) days after the approval of this Ordinance, the Cooperative shall file in the office of the clerk of City its acceptance in writing of all the terms and provisions of this Ordinance.

Section 16. Upon the effective date of this Ordinance, all prior electric franchises granted to the Cooperative to furnish electric service to the City and its inhabitants are hereby repealed and all other ordinances or parts of ordinances in conflict herewith are also hereby repealed.

This Ordinance shall be effective once approved in accord with Iowa law.

PASSED AND APPROVED this 3<sup>rd</sup> day of April, 2017.

CITY OF STORM LAKE, IOWA

By:   
Jon F. Kruse, Mayor

ATTEST:

  
Mayra A. Martinez, City Clerk

**ORDINANCE NO. 08-R-2016-2017**

ORDINANCE AMENDING CHAPTER 3-5 OF TITLE III OF THE CITY CODE OF THE CITY OF STORM LAKE, IOWA, TITLED "WATER RATES," TO PROVIDE FOR NEW RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL WATER RATES AND NEW MINIMUM RATES; AND TO SUBSTITUTE THE PHRASE, "CITY MANAGER" FOR "CITY ADMINISTRATOR"

WHEREAS, the City's water rates, set out in Section 3-5-1 in Chapter 3-5 of the City Code, for annual periods from 2011 through the present, were set in 2011 and need to be adjusted to reflect current costs and expenses; and

WHEREAS, the name of the City Administrator's position has been changed to City Manager.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA:**

**SECTION 1: AMENDMENTS TO SECTION 3-5-1:** Chapter 3-5 of Title III of the City Code of the City of Storm Lake, Iowa, is hereby amended by striking Sections 3-5-1 of such Chapter and substituting in lieu thereof the following new Sections 3-5-1:

**Section 3-5-1 Water Rates**

a. Effective for billings made on or after July 1, 2016 water shall be furnished to consumers at the following monthly rates, per meter:

(A) Residential Rate:

A base rate of \$12.53 for the first 1,500 gallons

\$3.75 per 1,000 gallons for all water used in excess of 1,500 gallons

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**(B) Commercial and Industrial rates:**

- A base rate of \$12.53 for the first 1,500 gallons
- \$3.75 per 1,000 gallons for the next 8,500 gallons.
- \$2.71 per 1,000 gallons for the next 150,000 gallons.
- \$2.59 per 1,000 gallons for the next 840,000 gallons.
- \$3.07 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2017 water shall be furnished to consumers at the following monthly rates, per meter:

**(A) Residential Rate:**

- A base rate of \$12.91 for the first 1,500 gallons
- \$3.86 per 1,000 gallons for all water used in excess of 1,500 gallons

**(B) Commercial and Industrial rates:**

- A base rate of \$12.91 for the first 1,500 gallons
- \$3.86 per 1,000 gallons for the next 8,500 gallons.
- \$2.79 per 1,000 gallons for the next 150,000 gallons.
- \$2.67 per 1,000 gallons for the next 840,000 gallons.
- \$3.16 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2018 water shall be furnished to consumers at the following monthly rates, per meter:

**(A) Residential Rate:**

- A base rate of \$13.30 for the first 1,500 gallons
- \$3.98 per 1000 gallons for all water used in excess of 1,500 gallons

**(B) Commercial and Industrial rates:**

- A base rate of \$13.30 for the first 1,500 gallons
- \$3.98 per 1,000 gallons for the next 8,500 gallons.
- \$2.87 per 1,000 gallons for the next 150,000 gallons.
- \$2.75 in per 1,000 gallons for the next 840,000 gallons.
- \$3.25 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2019 water shall be furnished to consumers at the following monthly rates, per meter:

**(A) Residential Rate:**

- A base rate of \$13.70 for the first 1,500 gallons
- \$4.10 per 1,000 gallons for all water used in excess of 1,500 gallons

**(B) Commercial and Industrial rates:**

- A base rate of \$13.70 for the first 1,500 gallons
- \$4.10 per 1,000 gallons for the next 8,500 gallons.
- \$2.96 per 1,000 gallons for the next 150,000 gallons.
- \$2.83 per 1,000 gallons for the next 840,000 gallons.
- \$3.35 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2020 water shall be furnished to consumers at the following monthly rates, per meter:

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(A) Residential Rate:

- A base rate of \$14.11 for the first 1,500 gallons
- \$4.22 per 1,000 gallons for all water used in excess of 1,500 gallons

(B) Commercial and Industrial rates:

- A base rate of \$14.11 for the first 1,500 gallons
- \$4.22 per 1,000 gallons for the next 8,500 gallons.
- \$3.05 per 1,000 gallons for the next 150,000 gallons.
- \$2.91 per 1,000 gallons for the next 840,000 gallons.
- \$3.45 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

Effective for billings made on or after July 1, 2021 water shall be furnished to consumers at the following monthly rates, per meter:

(A) Residential Rate:

- A base rate of \$14.53 for the first 1,500 gallons
- \$4.35 per 1,000 gallons for all water used in excess of 1,500 gallons

(B) Commercial and Industrial rates:

- A base rate of \$14.53 for the first 1,500 gallons
- \$4.35 per 1,000 gallons for the next 8,500 gallons.
- \$3.14 per 1,000 gallons for the next 150,000 gallons.
- \$3.00 per 1,000 gallons for the next 840,000 gallons.
- \$3.55 per 1,000 gallons for all water used in excess of 1,000,000 gallons.

b. The City Council may, by written contract, provide for commercial and industrial rates that are at variance with those set forth above if those same contracts provide long term guarantees that minimum payments will be made to the city to cover future bonded indebtedness during the term of the contract.

c. If a single meter serves a property or area containing one or more multiple dwellings, or an area or property with several residential dwellings, the residential rate shall apply.

d. If a single meter serves an area or property that is used for both residential purposes and for commercial and industrial purposes, the rate for the use that constitutes the majority of the consumption of water shall be used; or, the City Council may order that separate meters be installed to measure the water consumed by each such use.

e. Effective July 1, 2016 the minimum rate for each user of 1,500 gallons or less shall be twelve dollars and fifty-three cents (\$12.53) per month, per meter; effective July 1, 2017 the minimum rate for each user of 1,500 gallons or less shall be \$12.91 per month, per meter; effective July 1, 2018, the minimum rate for each user of 1,500 gallons or less shall be \$13.29 per month, per meter; effective July 1, 2019, the minimum rate for each user of 1,500 gallons or less shall be \$13.69 per month, per meter; effective July 1, 2020, the minimum rate for each user of 1,500 gallons or less shall be \$14.10 per month, per user; and effective July 1, 2021, the minimum rate for each user of 1,500 gallons or less shall be \$14.53 per month, per user. If a single meter shall serve more than one dwelling unit, commercial user, or industrial user, the minimum rate shall be increased by a factor equal to the total number of such units or users being served. As used herein, a dwelling includes separate apartments, condominiums, mobile homes or distinct portions of a duplex or multi-family dwelling, but it does not include dormitory rooms, hotel rooms, motel rooms or boarding rooms without separate kitchen and bath facilities.

f. A Residential Consumer shall be charged the Residential Rates specified above. A Commercial Consumer and an Industrial Consumer shall each be charged the Commercial and

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Industrial Rates specified above. For purposed of this Section 3-5-1, the following definitions apply:

1. "RESIDENTIAL CONSUMER": A consumer purchasing water for single or multi-family dwelling units whether or not such units are used exclusively for family living purposes.
2. "COMMERCIAL CONSUMER": A consumer purchasing water who does not qualify as a residential consumer and whose average monthly consumption, computed on an annual basis, is less than one hundred sixty thousand (160,000) gallons per month.
3. "INDUSTRIAL CONSUMERS": A consumer purchasing water who does not qualify as a residential consumer and whose average monthly consumption, computed on an annual basis, is more than one hundred sixty thousand (160,000) gallons per month.

**SECTION 2. AMENDMENTS TO SECTIONS 3-5-2, 3-5-4, 3-5-5, 3-5-6, AND 3-5-8:** Chapter 3-5 of Title III of the City Code of the City of Storm Lake, Iowa, is hereby amended by striking the phrase, "City Administrator," wherever it appears in Sections 3-5-2, 3-5-4, 3-5-5, 3-5-6, and 3-5-8, and substituting for each the phrase, "City Manager."

**SECTION 3. REPEALER:** All ordinances or parts of ordinances of the City of Storm Lake, Iowa in conflict with the provisions of this Ordinance are hereby repealed.

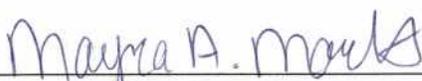
**SECTION 4. SAVINGS CLAUSE:** If any section, provision, sentence, clause, phrase, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase, or part thereof not adjudged invalid or unconstitutional.

**SECTION 5. EFFECTIVE DATE:** This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

**PASSED AND APPROVED** this 15<sup>th</sup> day of May, 2017.

  
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Jon F. Kruse, Mayor

ATTEST:

  
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Mayra A. Martinez, City Clerk

09-O-2016-2017 Not Passed

**ORDINANCE NO. 10-O-2016-2017**

**ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF STORM LAKE, IOWA BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN REAL ESTATE**

WHEREAS, after due notice of intended action as provided by law, the City Council of the City of Storm Lake, Iowa, has determined that the zoning ordinance of this City should be amended as set forth below; and

WHEREAS, said action has been recommended by the Planning and Zoning Commission of the City of Storm Lake, Iowa;