

## ORDINANCE NUMBER 121

AN ORDINANCE ESTABLISHING RATES OF CHARGES  
FOR THE USE OF AND SERVICE RENDERED BY THE  
SEWER SYSTEM OF THE TOWN OF BUFFALO, IOWA,  
AND PROVIDING FOR THE COLLECTION THEREOF.

NOW, THEREFORE, be it and it is hereby ordained by the Town Council of the Town of Buffalo, Iowa, as follows:

Section 1. That effective upon completion of construction of the municipal sewage disposal works and facilities referred to in the preamble hereof, but in any event not later than January 1, 1962, there shall be and there are hereby established monthly rates of charges for the use of and the service rendered by the municipal sewer system of the Town of Buffalo, Iowa, as follows:

1. The owner of each and every residential lot, parcel of real estate or building that is connected with and uses the municipal sewer system and is also connected with and uses exclusively a metered supply of municipal water, or uses the municipal sewer system but is not connected with and does not use exclusively a metered supply of municipal water, shall be charged for sewer service a minimum of Four (\$4.00) Dollars per month.

2. The owner of each and every commercial or industrial lot, parcel of real estate or building that is connected with and uses the municipal sewer system and is also connected with and uses exclusively a metered supply of municipal water, shall be charged for sewer service Forty (40%) per cent of the franchise rate of the municipal water bill, or Four (\$4.00) Dollars per month, whichever is the greater. It is

hereby provided, however, that the Forty (40%) per cent shall not be applied to deposit fees, service fees, sales tax, or any item other than water sales. The owner of each and every commercial or industrial lot, parcel or real estate or building that is connected with and uses the municipal sewer system but is not connected with the supply of municipal water, shall have installed at his expense, a meter totaling the amount of water contributed to the municipal sewer system and be charged for sewer service Forty (40%) per cent of the franchise rate of the municipal water supply, or Four (\$4.00) Dollars per month, whichever is the greater.

Section 2. The rates of charges as aforesaid are hereby declared to be just and equitable and shall apply to all residential, commercial and industrial establishments in any manner directly or indirectly connected with the municipal sewer system of said Town, and any person, firm or corporation charged with the foregoing rates being dissatisfied therewith by reason of peculiar or unusual use or occupancy of any premises and consequently alleging peculiar or unusual uses of said sewer system may file application with the Town Council for special classification and said Town Council may at any time consider a revision or readjustment of said rates by reason of peculiar or unusual use and occupancy of premises as a class and revise rates of charges accordingly.

Section 3. That all such charges shall be billed and collected

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at the same time as rates and charges for water and water service furnished by and through the municipal waterworks of said Town. If any such service charges are not paid within sixty (60) days from the date they are due, the same shall constitute a lien upon the premises served by said municipal sewer system, which said lien shall be collected in the same manner as taxes.

Section 4. That the charges aforesaid shall be billed to the owners of the premises, provided that with the written consent of any such owner and the application by the tenant of any premises who is not the owner, filed with the Town Clerk accompanied by appropriate security or indemnity in amount and of a kind approved by the Town Clerk, the bills for such use and service of the sewer system may be rendered to the tenant, but same shall not be a waiver or release of the obligation of such owner to pay such charges in the event they are not paid by the tenant.

Section 5. That the foregoing rates of charges shall be revised from time to time as may be necessary in order that the Town may comply with the covenants and undertakings securing the Sewer Revenue Bonds of said Town referred to in the preamble hereof and that this ordinance shall become effective immediately upon its adoption and posting as provided by law.

Section 6. There being no newspaper published within the corporate limits of the Town of Buffalo, the Town Clerk is hereby authorized and directed to post copies of this ordinance

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in at least three public places within the corporate limits of said Town.

Section 7. That all ordinances, resolutions or parts thereof in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Passed by the Council of the Town of Buffalo, Iowa, this 20th day of March, 1961.

Approved by the Mayor of the Town of Buffalo, Iowa, this 20th day of March, 1961.

Jens H. Madsen, Mayor

Attest: Lelia H. Pangel, Clerk