

ORDINANCE NO. 15,061

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, by amending Section 118-159, relating to delegating authority to correct sewer, solid waste and/or stormwater liens and assessment schedules.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, as heretofore amended, is hereby amended by amending Section 118-159 relating to delegating authority to correct liens and assessment schedules, as follows:

Sec. 118-159. Collection procedures; discontinuance of water service; tax lien.

- (g) If full payment of all charges billed in a combined service active account billing statement, including late payment charges, is not received within 117 days after the billing date, the water works shall prepare an assessment schedule, as the city's billing and collection agent, listing such unpaid charges therein. If full payment of all charges billed in a combined service final account billing statement, including late payment charges, is not received within 90 days after the billing date, the water works shall prepare an assessment schedule, as the city's billing and collection agent, listing such unpaid charges therein. A \$5.00 administrative processing fee shall be charged to each delinquent account at the time it is included in the assessment schedule, which amount shall be separately identified on the assessment schedule and included in the amount being assessed. The water works shall prepare an assessment schedule at least once each month, listing all delinquent sewer, solid waste collection, and stormwater management service charges, and late payment charges, which accrued in the prior month or since the last assessment schedule was certified. Each such assessment schedule shall also identify each delinquent charge by name of the account holder in whose name the delinquent rates or charges were incurred, shall identify each property for which the sewer, solid waste collection, and/or stormwater management service

charge is delinquent, and shall show the delinquent charges and the administrative processing fee to be assessed against each such property owned or rented by the delinquent account holder, unless said property is exempt as a residential rental property as described above. The treasurer of water works is hereby delegated the authority, on behalf of the city, to certify and file each such assessment schedule with the county treasurer for filing of liens against the properties in the amounts shown thereon as provided in I.C. § 384.84. The treasurer of water works is hereby delegated the authority to correct sewer, solid waste and/or stormwater liens placed in error, to make corrections required by Polk County due to district or parcel identification issues and to correct assessment schedules when liens are not authorized by statute to be placed or where payment has been made. The water works treasurer will provide a monthly report to the city finance director of any assessment schedule corrections made to the Polk County treasurer.

Section 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Kathleen Vanderpool, Assistant City Attorney

T. M. Franklin Cownie, Mayor

Attest:

I, Diane Rauh, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an ordinance (Roll Call No. 11-1893), passed by the City Council of said City at a meeting held November 7, 2011 signed by the Mayor on November 7, 2011 and published as provided by law in the Business Record on November 25, 2011. Authorized by Publication Order No. 7771.

Diane Rauh, City Clerk

