

**ORDINANCE NO. 2024-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF INDEPENDENCE, IOWA, BY AMENDING PROVISIONS PERTAINING TO FINES AND FEES SCHEDULES**

Be It Enacted by the City Council of the City of Independence, Iowa:

**SECTION 1. SECTION MODIFIED.** Section 1.15 of the Code of Ordinances of the City of Independence, Iowa, is repealed and the following adopted in lieu thereof:

**1.15 FINES AND FEES SCHEDULE.**

<b>Code Section</b>	<b>Code Title</b>	<b>Penalty</b>
1.14	Standard Penalty	At least \$65.00 but not to exceed \$625.00
4.03	Penalties	<ul style="list-style-type: none"> <li>• Standard Civil Penalties: First offense - not to exceed \$750.00 Each repeat offense - not to exceed \$1,000.00</li> <li>• Special Civil Penalties: Noncompliance with a pretreatment standard or requirement - not to exceed \$1,000.00 per day a violation exists or continues Environmental violation - not more than \$1,000.00 for each occurrence</li> </ul>
40.06	Excessive Noise from Motor Vehicle	First offense - \$25.00 Second offense - \$50.00 Third offense or more - \$100.00
40.07	Disorderly House	First Offense - \$750.00 Second and Subsequent Offenses - \$1,000.00
41.14(5)	Fireworks Use	At least \$250.00
55.06	Animals at Large	First offense - \$25.00 Second offense - \$75.00 Third offense - \$125.00 Offenses thereafter - \$175.00
55.12	Quarantine Requirements	Vicious Animal Impound Fee \$150
55.13	At Large: Impoundment	Animal Impound Fee \$79.00
70.02	Scheduled Traffic Violations – Automated Traffic Enforcement System	Speeding Violation 11-20 miles per hour over the posted speed limit - \$75.00 21-25 miles per hour over the posted speed limit - \$100.00 26-30 miles per hour over the posted speed limit - \$250.00 More than 31 miles per hour over the posted speed limit - \$500.00  Speed Violation (School Zone) 11-20 miles per hour over the posted speed limit - \$75.00 21-25 miles per hour over the posted speed limit - \$100.00 26-30 miles per hour over the posted speed limit - \$250.00 More than 31 miles per hour over the posted speed limit - \$500.00

<b>Code Section</b>	<b>Code Title</b>	<b>Penalty</b>																																		
70.03	Parking Violations: Alternative	<ul style="list-style-type: none"> <li>• Improper use of a persons with disabilities parking permit - \$200.00</li> <li>• Other Parking Violations - \$15.00, increased by \$10.00 if not paid within 30 days</li> </ul>																																		
80.05	Fees for Impoundment	\$20.00 for each day within the reclaiming period																																		
90.06	Fee for Permit and Connection Charge	<p>Schedule of Connection Charges:</p> <table> <thead> <tr> <th><u>Service Line Size</u></th> <th><u>Connection Charges</u></th> </tr> </thead> <tbody> <tr> <td>1¼ inch or less .....</td> <td>\$ 250.00</td> </tr> <tr> <td>1½ inch .....</td> <td>\$ 265.00</td> </tr> <tr> <td>2 inch.....</td> <td>\$ 475.00</td> </tr> <tr> <td>3 inch.....</td> <td>\$1,000.00</td> </tr> <tr> <td>4 inch and over.....</td> <td>\$1,500.00</td> </tr> </tbody> </table>	<u>Service Line Size</u>	<u>Connection Charges</u>	1¼ inch or less .....	\$ 250.00	1½ inch .....	\$ 265.00	2 inch.....	\$ 475.00	3 inch.....	\$1,000.00	4 inch and over.....	\$1,500.00																						
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91.06	Remote Meter Readers	Replacement prior to scheduled replacement - \$25.00 Monthly administrative fee for non-compliance \$50.00																																		
91.09	Service Calls and Tests	\$25.00 deposit for all water meter service calls and/or water meter calibration checks																																		
92.01	Service Charge	Surcharge of \$4.00 for every hookup																																		
92.02	Rates for Service	<p>\$3.79 per 1,000 gallons used per month, following the annual increase schedule per year Unit charge:</p> <table> <thead> <tr> <th></th> <th><u>Base</u></th> <th><u>Unit</u></th> </tr> </thead> <tbody> <tr> <td>October 1, 2024</td> <td>\$11.33 .....</td> <td>\$3.91</td> </tr> <tr> <td>October 1, 2025</td> <td>\$11.67 .....</td> <td>\$4.03</td> </tr> <tr> <td>October 1, 2026</td> <td>\$12.03 .....</td> <td>\$4.16</td> </tr> <tr> <td>October 1, 2027</td> <td>\$12.40 .....</td> <td>\$4.29</td> </tr> <tr> <td>October 1, 2028</td> <td>\$12.78 .....</td> <td>\$4.42</td> </tr> </tbody> </table> <p>These rates, both Base and Unit, will then continue to increase at 3% per year, effective every October 1<sup>st</sup> beginning Oct. 1, 2029.</p> <p>Plus the following additional charges:</p> <table> <thead> <tr> <th><u>Water Meter Tap Size</u></th> <th><u>Additional Charges</u></th> </tr> </thead> <tbody> <tr> <td>¾ inch -5/8 inch .....</td> <td>\$ 1.00</td> </tr> <tr> <td>1 inch.....</td> <td>\$ 4.00</td> </tr> <tr> <td>1½ inch .....</td> <td>\$ 5.00</td> </tr> <tr> <td>2 inch.....</td> <td>\$ 7.50</td> </tr> <tr> <td>3 inch.....</td> <td>\$12.00</td> </tr> <tr> <td>4 inch.....</td> <td>\$15.00</td> </tr> <tr> <td>6 inch.....</td> <td>\$25.00</td> </tr> </tbody> </table>		<u>Base</u>	<u>Unit</u>	October 1, 2024	\$11.33 .....	\$3.91	October 1, 2025	\$11.67 .....	\$4.03	October 1, 2026	\$12.03 .....	\$4.16	October 1, 2027	\$12.40 .....	\$4.29	October 1, 2028	\$12.78 .....	\$4.42	<u>Water Meter Tap Size</u>	<u>Additional Charges</u>	¾ inch -5/8 inch .....	\$ 1.00	1 inch.....	\$ 4.00	1½ inch .....	\$ 5.00	2 inch.....	\$ 7.50	3 inch.....	\$12.00	4 inch.....	\$15.00	6 inch.....	\$25.00
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92.02	Bulk Water Rates	Usage charge of \$10.00 per thousand gallons. Water Excise Tax of six percent (6%) will also be applied.																																		
92.08	Temporary Vacancy	\$30.00 disconnect fee at the time vacancy begins \$30.00 reconnect fee at the time vacancy ends.																																		
96.02	Connection Charge	\$250.00 to cover the cover the cost of supervising, regulating, and inspecting the sewer connection work, and a Romac saddle and sleeve plus the labor cost to install and connect																																		

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99.05	Charges Based on Usage	<p>• Residential Contributors:  Minimum charge of \$15.00 per month, and  A user/flow charge of \$7.82 per 1,000 gallons of metered water following the annual increase schedule:</p> <table border="0"> <thead> <tr> <th></th> <th style="text-align: center;"><u>Base</u></th> <th style="text-align: center;"><u>Unit</u></th> </tr> </thead> <tbody> <tr> <td>October 1, 2024</td> <td>\$16.50</td> <td>\$8.61</td> </tr> <tr> <td>October 1, 2025</td> <td>\$18.98</td> <td>\$9.91</td> </tr> <tr> <td>October 1, 2026</td> <td>\$21.83</td> <td>\$11.40</td> </tr> <tr> <td>October 1, 2027</td> <td>\$25.33</td> <td>\$13.23</td> </tr> <tr> <td>October 1, 2028</td> <td>\$25.84</td> <td>\$13.50</td> </tr> </tbody> </table> <p>• Industrial Contributors:  Minimum charge of \$15.00 per month, and  \$2.88 per 1,000 gallons of metered wastewater, plus  The annual increase for Industrial Contributors is as follows:</p> <table border="0"> <thead> <tr> <th></th> <th style="text-align: center;"><u>Base</u></th> <th style="text-align: center;"><u>Unit</u></th> </tr> </thead> <tbody> <tr> <td>October 1, 2024</td> <td>\$16.50</td> <td>\$3.17</td> </tr> <tr> <td>October 1, 2025</td> <td>\$18.98</td> <td>\$3.65</td> </tr> <tr> <td>October 1, 2026</td> <td>\$21.83</td> <td>\$4.20</td> </tr> <tr> <td>October 1, 2027</td> <td>\$25.33</td> <td>\$4.88</td> </tr> <tr> <td>October 1, 2028</td> <td>\$25.84</td> <td>\$4.98</td> </tr> </tbody> </table> <p>\$0.281 per pound BOD discharged  The annual increase for BOD discharged is as follows:  October 1, 2024 \$0.310  October 1, 2025 \$0.357  October 1, 2026 \$0.411  October 1, 2027 \$0.477  October 1, 2028 \$0.487</p> <p>\$0.523 per pound TSS unit discharge  The annual increase for TSS unit discharge is as follows:  October 1, 2024 \$0.573  October 1, 2025 \$0.663  October 1, 2026 \$0.763  October 1, 2027 \$0.886  October 1, 2028 \$0.904</p> <p>\$2.81 per pound ammonia - with a threshold of 25 mg/l  The annual increase per pound ammonia is as follows:  October 1, 2024 \$3.10  October 1, 2025 \$3.57  October 1, 2026 \$4.11  October 1, 2027 \$4.77  October 1, 2028 \$4.87</p> <p>The above rates include costs for operation and maintenance, including replacement, and the sum of \$3.25 per contributor for debt retirement.</p> <p>The above rates will then continue to increase at 2% per year, effective every October 1<sup>st</sup> beginning Oct. 1, 2029.</p>		<u>Base</u>	<u>Unit</u>	October 1, 2024	\$16.50	\$8.61	October 1, 2025	\$18.98	\$9.91	October 1, 2026	\$21.83	\$11.40	October 1, 2027	\$25.33	\$13.23	October 1, 2028	\$25.84	\$13.50		<u>Base</u>	<u>Unit</u>	October 1, 2024	\$16.50	\$3.17	October 1, 2025	\$18.98	\$3.65	October 1, 2026	\$21.83	\$4.20	October 1, 2027	\$25.33	\$4.88	October 1, 2028	\$25.84	\$4.98
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106.07	Collector's License	\$30.00 license fee																																				

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110.14	Franchise Fee	Franchise fee upon the following revenue classes for the length of the agreement: <ul style="list-style-type: none"> <li>• Residential Customers - 5%</li> <li>• Nonresidential Customers - 5%</li> </ul>										
121.04	Fees: Retail Cigarette or Tobacco Permit	<table border="0" style="width: 100%;"> <tr> <td style="text-align: left;"><u>For Permits Granted During</u></td> <td style="text-align: right;"><u>Fee</u></td> </tr> <tr> <td>July, August or September .....</td> <td style="text-align: right;">\$75.00</td> </tr> <tr> <td>October, November or December .....</td> <td style="text-align: right;">\$56.25</td> </tr> <tr> <td>January, February or March .....</td> <td style="text-align: right;">\$37.50</td> </tr> <tr> <td>April, May or June .....</td> <td style="text-align: right;">\$18.75</td> </tr> </table>	<u>For Permits Granted During</u>	<u>Fee</u>	July, August or September .....	\$75.00	October, November or December .....	\$56.25	January, February or March .....	\$37.50	April, May or June .....	\$18.75
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April, May or June .....	\$18.75											
121.07	Persons Under Legal Age	First violation - \$300.00 Second violation - \$1,500.00 or permit suspension for 30 days Third violation - \$1,500.00 and permit suspension for 30 days Fourth violation - \$1,500.00 and permit suspension for 60 days										
122.04	Application for License	\$25.00 application fee										
122.05	License Fees	Fees for the issuance of a peddler or solicitor license:  For one day .....\$ 25.00 For seven consecutive days .....\$ 50.00 For up to 30 consecutive days .....\$ 100.00 For six months .....\$ 200.00 For one year \$ 300.00										
123.03	Application and Fee for Permit	\$100.00 for a house movers permit fee										
125.12	License Fees	Electrical Contractor - \$75.00 annually Journeyman Electrician - \$20.00 annually										
126.08	License Fees	First taxicab license to any one owner, \$50.00 Each additional license to the same owner, \$25.00										
126.10	Driver's License Fee	\$25.00 for the issuance or renewal of a driver's license										
136.03	Removal of Snow, Ice and Accumulations	Minimum charge of \$50.00 per occurrence for removal by the City										
147.40	Occupancy Permit	\$50.00 application fee for the occupancy permit										
175.11	Submission, Referral and Review of Preliminary Plat	\$10.00 fee per lot										
175.17	Submission and Referral of Final Plat	\$10.00 fee per lot										
175.49	Enforcement, Violations and Penalties	\$50.00 for each lot and part of lot sold or disposed of, leased or offered for sale.										

**SECTION 2. SEVERABILITY CLAUSE.** If any section, provision, 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 section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 3. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

**PASSED AND APPROVED** by the City Council of Independence, Iowa, on this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Brad Bleichner, Mayor of the City of Independence, IA

ATTEST:

\_\_\_\_\_  
Susi Lampe, IaCMC, IaCFO, Assistant City Manager/City Clerk/Treasurer of the City of Independence, IA

First Reading: August 26, 2024

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

I certify that the foregoing was published as Ordinance No. 2024-\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Susi Lampe, IaCMC, IaCFO, Assistant City Manager/City Clerk/Treasurer of the City of Independence, IA

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