

ORDINANCE NO. 1088

AN ORDINANCE AMENDING FAIRFIELD MUNICIPAL CODE CHAPTER 14.04.170 AND ORDINANCE 829; Section 2, 1992 AND ORDINANCE 822, 1991 TO ENABLE WATERWORKS CUSTOMERS TO VOLUNTARILY OPT-OUT OF INSTALLATION AND USE OF RADIO FREQUENCY SIGNAL REMOTE READING WATER METERS BY ELECTING FOR INSTALLATION AND USE OF AN ALTERNATIVE METERING DEVICE, SUBJECT TO CERTAIN REASONABLE INSTALLATION FEES AND CHARGES AND A MONTHLY SERVICE FEE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIRFIELD, IOWA THAT:

- I. SECTION I. PURPOSE: This ordinance amendment is intended to provide Fairfield City waterworks customers an alternative to metering of water use by radio frequency signal remote reading meter device and to establish procedures to opt-out, as well as fixing reasonable installation charges and monthly service fees.
- II. SECTION II: AMENDMENT: Chapter 14.04.170 is amended by addition to the existing language (underlined) to read hereafter as:
  - III. 14.04.170 Meters--Required.
  - IV. (a) All water supplied to consumers by the city waterworks shall be metered. The city waterworks will supply the current standard three-quarter-inch meter for normal household use at no charge, except for the standard tapping and installation fee. However, for any service requiring a larger meter, the difference in the cost between the standard meter and the meter required shall be charged to the user. The ownership of all meters shall remain in the city. The waterworks shall maintain all meters in good working order and shall replace those which can no longer be efficiently repaired.
  - V. (b) In addition to the requirements concerning meters in subsection (a) of this section, effective June 1, 2010, all customers shall be required to have a remote reading device installed and servicing their meter, or voluntarily opt-out of requirement as per Section 14.04.170, (4) and (5). The customer's charge for such installation shall be fifteen dollars and shall be added to their regular water use bill. During such interim

period until the ordinance codified in this chapter is fully applicable to all customers, radio frequency signal remote reading meters shall be installed by waterworks employees, as time permits, with the following priority:

VI. (1) Any new account shall have a radio frequency signal remote reading meter installed at the time of initial service commencement, or voluntarily opt-out of requirement as per Section 14.04.170, (4) and (5);

VII. (2) Customers not presently serviced by radio frequency signal remote reading meter, where the meter itself is not available to the meter reader, or voluntarily opt-out of requirement as per Section 14.04.170, (4) and (5);

VIII. (3) Any other customers not serviced by Read-O-Matic service registers, or voluntarily opt-out of requirement as per Section 14.04.170, (4) and (5). (Ord. 829 § 2, 1992; Ord. 822 (part), 1991).

(4) Customer opt-out requirements shall be as follows: Customers wishing to have their remote reading meter replaced by Read-O-Matic must pay seventy-five (\$75) dollars per hour installation fee with a minimum one half (1/2) hour charge for installation required. All opt-out customers must pay a monthly service fee of ten dollars (\$10) there after assessed to the customers billing. Monthly service fee will be itemized on customers billing statement.

IX. (5) If water service billing changes to a new customer at the billing address or existing customer at the billing address voluntarily requests installation of radio frequency signal

remote reading meter one will be installed at no charge to the customer and the monthly service fee shall be removed from customers billing. Property owners may join or leave the opt-out program one time per property for the duration of property ownership.

- X. SECTION III: SEVERABILITY: If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such an adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.
- XI. SECTION IV: WHEN EFFECTIVE: This ordinance shall be effective after final passage, approval signature and publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAIRFIELD ON THE 25<sup>TH</sup> DAY OF JUNE 2012.

The foregoing ordinance was adopted by the City Council of the City of Fairfield, Iowa at its regular meeting held on the 25<sup>TH</sup> day of June, AD, 2012 upon a motion by Councilperson Rasmussen and seconded by Councilperson Halley.

The vote on the foregoing ordinance was as follows:

|            | AYES         | NAYS         | ABSTAIN | ABSENT       |
|------------|--------------|--------------|---------|--------------|
| Boyer      | _____        | <u>  X  </u> | _____   | _____        |
| Hamilton   | <u>  X  </u> | _____        | _____   | _____        |
| Rasmussen  | <u>  X  </u> | _____        | _____   | _____        |
| Halley     | <u>  X  </u> | _____        | _____   | _____        |
| Revolinski | <u>  X  </u> | _____        | _____   | _____        |
| Hammes     | <u>  X  </u> | _____        | _____   | _____        |
| Silvers    | _____        | _____        | _____   | <u>  X  </u> |

ATTEST:  
  
 Kevin Flanagan, City Administrator

  
 Ed Malloy, Mayor