

CHAPTER 1085

PUBLIC UTILITIES — DELINQUENT CUSTOMER ACCOUNTS

H.F. 2183

AN ACT related to customers with delinquent accounts for the provision of wastewater, sewer system, storm water drainage system, or sewage treatment services by a city utility or city enterprise.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 384.84, Code 2014, is amended by adding the following new subsection:

NEW SUBSECTION. 5A. The governing body of a city utility or city enterprise providing wastewater, sewer system, storm water drainage, or sewage treatment services may file suit in the appropriate court against a customer if the customer's account for such services becomes delinquent pursuant to subsection 3. The governing body may recover the costs for providing such services to the customer's property or premises and reasonable attorney fees actually incurred.

Sec. 2. Section 476.20, subsection 1, Code 2014, is amended to read as follows:

1. a. A utility shall not, except in cases of emergency, discontinue, reduce, or impair service to a community, or a part of a community, except for nonpayment of account or violation of rules and regulations, unless and until permission to do so is obtained from the board.

b. (1) A public utility described in section 476.1, subsection 3, paragraph "c", may enter into an agreement with the governing body of a city utility, combined city utility, city enterprise, or combined city enterprise to discontinue water service to a property or premises if an account owed the city utility, city enterprise, or combined city utility or city enterprise for wastewater service or services of sewer systems, storm water drainage systems, or sewage treatment provided to that customer's property or premises becomes delinquent pursuant to section 384.84, subsection 3. An agreement entered into under this paragraph shall not negate any obligations of a city utility, combined city utility, city enterprise, or combined city enterprise under section 384.84.

(2) A public utility that has entered into an agreement under this paragraph shall not be liable for damages related to the discontinuance of water service under this paragraph. The customer shall be responsible for all costs associated with discontinuing and reestablishing water service disconnected pursuant to this paragraph.

(3) The board shall adopt rules for the discontinuance of water service under this paragraph. A public utility shall only discontinue water service under this paragraph in accordance with the rules adopted pursuant to this subparagraph.

Approved April 10, 2014