

CHAPTER 90

WATER SERVICE SYSTEM

90.01 Definitions	90.11 Installation of Water Service Pipe
90.02 Superintendent's Duties	90.12 Responsibility for Water Service Pipe
90.03 Mandatory Connections	90.13 Failure to Maintain
90.04 Abandoned Connections	90.14 Curb Valve
90.05 Permit	90.15 Interior Valve
90.06 Fee for Permit and Connection Charge	90.16 Inspection and Approval
90.07 Compliance with Plumbing Code	90.17 Completion by the City
90.08 Plumber Required	90.18 Shutting Off Water Supply
90.09 Excavations	90.19 Operation of Curb Valve
90.10 Tapping Mains	90.20 Fire Hydrants

90.01 DEFINITIONS. The following terms are defined for use in the chapters in this Code of Ordinances pertaining to the Water Service System:

1. "Combined service account" means a customer service account for the provision of two or more utility services.
2. "Customer" means, in addition to any person receiving water service from the City, the owner of the property served, and as between such parties the duties, responsibilities, liabilities, and obligations hereinafter imposed shall be joint and several.
3. "Superintendent" means the Public Works Director, Superintendent of Water, Superintendent of Streets, or their duly authorized assistant, agent, or representative.
4. "Water main" means a water supply pipe provided for public or community use.
5. "Water service pipe" means the pipe from the water main to the building served.
6. "Water system" or "water works" means all public facilities for securing, collecting, storing, pumping, treating, and distributing water.

90.02 SUPERINTENDENT'S DUTIES. The Superintendent shall supervise the installation of water service pipes and their connection to the water main and enforce all regulations pertaining to water services in the City in accordance with this chapter. This chapter shall apply to all replacements of existing water service pipes as well as to new ones. The Superintendent shall make such rules, not in conflict with the provisions of this chapter, as may be needed for the detailed operation of the water system, subject to the approval of the Council. In the event of an emergency the Superintendent may make temporary rules for the protection of the system until due consideration by the Council may be had.

(Code of Iowa, Sec. 372.13[4])

90.03 MANDATORY CONNECTIONS. All residences and business establishments within the City limits intended or used for human habitation, occupancy or use shall be connected to the public water system, if it is reasonably available and if the building is not furnished with pure and wholesome water from some other source.

90.04 ABANDONED CONNECTIONS. When an existing water service is abandoned or a service is renewed with a new tap in the main, all abandoned connections with the mains shall be turned off at the corporation stop and made absolutely watertight.

90.05 PERMIT. Before any person makes a connection with the public water system, a written permit must be obtained from the Public Works Director. The application for the permit shall be filed with the Public Works Director on blanks furnished by them. The application shall include a legal description of the property, the name of the property owner, the name and address of the person who will do the work, and the general uses of the water. The Public Works Director shall issue the permit, bearing their signature and stating the time of issuance, if the proposed work meets all the requirements of this section and if all fees under this chapter have been paid. Work under any permit must be begun within six months after it is issued. The Public Works Director may at any time revoke the permit for any violation of this chapter and require that the work be stopped.

(Code of Iowa, Sec. 372.13[4])

90.06 FEE FOR PERMIT AND CONNECTION CHARGE. Before any permit is issued the person who makes the application shall pay a fee set by the Council each year, via resolution, to the Clerk to cover the cost of issuing the permit and supervising, regulating, and inspection of the work.

(Code of Iowa, Sec. 384.84[2a])

90.07 COMPLIANCE WITH PLUMBING CODE. The installation of any water service pipe and any connection with the water system shall comply with all pertinent and applicable provisions, whether regulatory, procedural, or enforcement provisions, of the *State Plumbing Code*.

90.08 PLUMBER REQUIRED. All installations of water service pipes and connections to the water system shall be made by a competent licensed plumber, to the extent made on City property.

90.09 EXCAVATIONS. All trench work, excavation, and backfilling required in making a connection shall be performed in accordance with the *State Plumbing Code* and the provisions of Chapter 135 of this Code of Ordinances.

90.10 TAPPING MAINS. All taps into water mains shall be made by or under the direct supervision of the Superintendent and in accordance with the following:

(Code of Iowa, Sec. 372.13[4])

1. Independent Services. No more than one house, building, or premises shall be supplied from one tap unless special written permission is obtained from the Superintendent and unless provision is made so that each house, building, or premises may be shut off independently of the other.
2. Sizes and Location of Taps.
 - A. All Class 52 cast or ductile iron water mains six inches or less in diameter shall receive a direct tap no larger than a three-fourths inch. All Class 52 cast or ductile iron water mains of over six inches in diameter shall receive a direct tap no larger than one inch. Where a larger connection is desired, two or more small taps or a tap saddle or cutting-in tee shall be used, as the Water Department shall order. All taps in the water main shall be made

at or near the top of the pipe at least 18 inches apart. No water main shall be tapped nearer than one foot of a joint in the water main.

B. All Pressure Class 350 ductile iron and C900 polyvinyl chloride water main shall require the use of a service clamp or saddle when tapping. Service clamps and saddles up to two-inch tap size may be used for tapping six-inch and larger water main. Service clamps and saddles shall conform to the requirements of the Water Department.

3. Corporation Stop. A brass corporation stop, of the pattern and weight approved by the Superintendent, shall be inserted in every tap in the main. The corporation stop in the main shall be of the same size as the service pipe.

4. Location Record. An accurate and dimensional sketch showing the exact location of the tap shall be filed with the Superintendent in such form as the Superintendent shall require.

90.11 INSTALLATION OF WATER SERVICE PIPE. Water service pipes from the main to the curb stop shall be Type K Copper. Type K Copper or underground pex shall be used from curb stop to the meter, any other pipe material for the service line shall be approved by the Superintendent. Pipe must be laid sufficiently waving, and to such depth, as to prevent rupture from settlement or freezing. Tracer wire is required with all service lines.

90.12 RESPONSIBILITY FOR WATER SERVICE PIPE. All costs and expenses incident to the installation, connection, and maintenance of the water service pipe from the main to the building served shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of said water service pipe.

90.13 FAILURE TO MAINTAIN. When any portion of the water service pipe which is the responsibility of the property owner becomes defective or creates a nuisance and the owner fails to correct such nuisance, the City may do so and assess the costs thereof to the property.

(Code of Iowa, Sec. 364.12[3a and h])

90.14 CURB VALVE. There shall be installed a main shut-off valve of the inverted key type on the water service pipe at the outer sidewalk line with a suitable lock of the pattern approved by the Superintendent. The shut off valve shall be covered with a heavy metal cover having the letter "W" marked therein, visible, and even with the pavement or ground. Any curb stops not visibly present at the surface of the ground or pavement effective as of July 1, 2024, will be the owner(s) responsibility, at their expense, to bring their curb stop(s) into compliance.

90.15 INTERIOR VALVE. There shall be installed a shut-off valve on every service pipe inside the building as close to the entrance of the pipe within the building as possible and so located that the water can be shut off conveniently. Where one service pipe supplies more than one customer within the building, there shall be separate valves for each such customer so that service may be shut off for one without interfering with service to the others.

90.16 INSPECTION AND APPROVAL. All water service pipes and their connections to the water system must be inspected and approved in writing by the Superintendent before they are covered, and the Superintendent shall keep a record of such approvals. If the Superintendent refuses to approve the work, the plumber or property owner must proceed

immediately to correct the work so that it will meet with the Superintendent's approval. If any person, firm, residence, business, or corporation is refused approval of its water service connection by the Superintendent, and such person, firm, residence, business, or corporation feels that the connection is properly installed, such person, firm, residence, business, or corporation may appear before the Council at its next regular meeting after refusal by the Superintendent to request that the decision of the Superintendent be overruled by the Council. If the Council refuses to overrule the Superintendent, the person, firm, residence, business, or corporation may appeal to the New Hampton Board of Adjustment by paying a filing fee set by Council each year, via resolution, and by taking appeal on forms obtainable from the Clerk. Every person who uses or intends to use the municipal water system shall permit the Superintendent or their designee to enter the premises to inspect or make necessary alterations or repairs at all reasonable hours and on proof of authority.

90.17 COMPLETION BY THE CITY. Should any excavation be left open or only partly refilled for 24 hours after the water service pipe is installed and connected with the water system, or should the work be improperly done, the City shall have the right to finish or correct the work, and the Council shall assess the costs to the property owner or the plumber. If the plumber is assessed, the plumber must pay the costs before receiving another permit. If the property owner is assessed, such assessment may be collected with and in the same manner as general property taxes.

(Code of Iowa, Sec. 364.12[3a and h])

90.18 SHUTTING OFF WATER SUPPLY. After giving reasonable notice, the Superintendent may shut off the supply of water to any customer because of any substantial violation of this chapter, or valid regulation under Section 90.02 that is not being contested in good faith. The supply shall not be turned on again until all violations have been corrected and the Superintendent has ordered the water to be turned on.

90.19 OPERATION OF CURB VALVE. It shall be unlawful for any person except the Superintendent or their designee to turn water on at the curb or stop initially or after it is shut off pursuant to Section 90.18.

90.20 FIRE HYDRANTS. No person, unless specifically authorized by the City, shall open or attempt to draw water from any fire hydrant for any purpose whatsoever. It shall also be the responsibility of the abutting property owner or tenant of such property to remove snow from around the fire hydrant area, during each snow event. Per the NFPA 1 18.5.7.1, a three foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved by the City.

[The next page is 719]

CHAPTER 91

WATER METERS

91.01 Purpose

91.02 Water Use Metered

91.03 Fire Sprinkler Systems; Exception

91.04 Location of Meters

91.05 Meter Setting

91.06 Meter Costs

91.07 Meter Repairs

91.08 Right of Entry

91.09 Meter Installation Fee

91.10 Accuracy Test

91.11 Privately Owned Meters

91.12 Irrigation Meters

91.13 Rates for Irrigation Meter

91.01 PURPOSE. The purpose of this chapter is to encourage the conservation of water and facilitate the equitable distribution of charges for water service among customers.

91.02 WATER USE METERED. For all new installations where City water service is provided, the City will furnish and install meters that are less than one inch in diameter water line meters. Property owners shall own, install, repair, and replace all water meters that are one inch or greater in diameter water line meters, but all such installation and repair shall be approved by the City. If a water meter is installed by anyone other than the Water Superintendent, an inspection by the City is required. There shall be a fee charged to the property owner for each new installation of a water meter in accordance with the schedule of such fees approved by resolution of the Council.

(Code of Iowa, Sec. 384.84[2])

91.03 FIRE SPRINKLER SYSTEMS; EXCEPTION. Fire sprinkler systems may be connected to water mains by direct connection without meters under the direct supervision of the Superintendent. No other open, unmetered connection shall be incorporated in the system, and there shall be no valves except a main control valve at the entrance to the building which must be sealed open.

91.04 LOCATION OF METERS. Subject to the other provisions of this chapter, at the time that water lines are tapped for any new constructions, City owned meters shall be installed by the Superintendent and at the time of the completion of construction, the City may replace the previously installed meter with an outside read water meter. All meters shall be so located that they are easily accessible to meter readers and repairment and so that they are protected from any damage. In all cases where possible, such meters shall be equipped so that they can be read by a meter reader without entering the building.

91.05 METER SETTING. The property owner shall provide all necessary piping and fittings for proper setting of the meter including a valve on the discharge side of the meter. Meter pits may be used only upon approval of the Superintendent and shall be of a design and construction approved by the Superintendent. It is illegal for any property owner to tamper or bypass with any meters installed.

91.06 METER COSTS. The full cost of any meter larger than that required for a single-family residence shall be paid to the City by the property owner or customer prior to the installation of any such meter by the City, or, at the sole option of the City, the property owner or customer may be required to purchase and install such meter in accordance with requirements established by the City.

91.07 METER REPAIRS. Whenever a water meter for a water line of up to a one inch diameter is found to be out of order, the Superintendent shall have it replaced or repaired and they shall have it sealed. If it is found that damage to the meter has occurred due to any freezing or due to the carelessness or negligence of the consumer or property owner, the property owner shall be liable for the costs of such repair or replacement. The repair or replacement of water meters of a size greater than one and one-half inch water line diameter shall be subject to the rules set forth in Section 91.02.

91.08 RIGHT OF ENTRY. The Superintendent shall be permitted to enter the premises of any customer at any reasonable time to read, remove, or change a meter.

91.09 METER INSTALLATION FEE. There shall be a fee charged to the property owner for each new installation of a water meter in accordance with the schedule of such fees approved by resolution of the Council.

(Code of Iowa, Sec. 384.84[2])

91.10 ACCURACY TEST. The Superintendent shall make a test of the accuracy of any water meter at any time when requested in writing, but not more often than once in 18 months. Such request shall be accompanied by a refundable deposit of \$20.00 or a fee set by resolution of the Council, guaranteeing payment of costs if found due. If the meter is found to overrun to the extent of two percent or more, the cost of the test shall be paid by the City and a refund shall be made of the meter test deposit. If the meter is found to be accurate or slow, or less than two percent fast, the consumer deposit shall be forfeited as the reasonable cost of the test.

(Code of Iowa, Sec. 384.84[1])

91.11 PRIVATELY OWNED METERS. All privately owned meters in service as of February 20, 1978, shall be subject to the following regulations:

1. Maintenance Test. Every privately owned meter shall be removed from service at least once every five years and thoroughly tested for accuracy. Any such meter found inaccurate beyond a tolerance of one and one-half percent shall not be returned to service, until properly adjusted and repaired.
2. Costs of Testing and Repair. All costs of testing and repair or adjustment of privately owned meters shall be borne by the owners thereof. Any such costs not paid when due shall constitute a lien upon the property served and shall be certified to the County Auditor for collection in the manner or other property taxes, provided, however, that the City reserves the right to take other available legal action to collect such costs other than certification for payment with taxes. The cost of testing or repair of City owned meters shall be borne by the City, unless the damage causing such repair or replacement shall be due to the freezing or due to the carelessness or negligence of the consumer or property owner.
3. Replacement. Any privately owned water meter up to one and one-half inch water line diameter which, in the sole judgment of the City, is no longer serviceable shall be removed from service and replaced with a sealed meter furnished and owned by the City. Nothing contained herein shall prevent the City, through its Superintendent, from sealing privately owned water meters.
4. City Ownership of Meters. The City shall have the right every five years after February 20, 1978, to install City owned water meters on all water lines up to one and one-half inch diameter unless the existing water meter on such lines shall already have been transferred to City ownership by the property owner.

91.12 IRRIGATION METERS. In addition to a prime meter, an irrigation meter may additionally be installed to a residential water system. The water measured by an irrigation meter may include water for above ground swimming pools, yards, gardens, and other approved uses where sanitary sewer charges are not applicable. The property owner shall bear the expense of installing an irrigation meter, which shall be installed not more than four feet from the prime meter unless the property owner receives special permission. Shut-off valves are required ahead and after the irrigation meter and must be within one foot of the meter. A back flow preventer to protect against contamination of the water system must be installed after the irrigation meter and shall be purchased from a plumber. The irrigation meter must be installed horizontal to the floor with the arrow on the meter being in the direction of the flow of water to the outside. No underground irrigation system is allowed in the public right-of-way. Irrigation meters and outside reader shall be purchased from the City. The property owner shall install the back flow preventer and provide the meter setting and all plumbing is to be inspected and approved by the City. The City will install the outside reader after inspection.

91.13 RATES FOR IRRIGATION METER. Sewer charges shall not apply to the volume of water measured by an irrigation meter. The water rate to be charged for an irrigation meter shall be equal to the rate that the City charges for a prime meter, including the minimum monthly charges.

[The next page is 727]

CHAPTER 92

WATER RATES

92.01 Service Charges
92.02 Rates For Service
92.03 Infrastructure Maintenance
92.04 Rates Outside the City
92.05 Billing for Water Service
92.06 Service Discontinued

92.07 Lien for Nonpayment
92.08 Lien Exemption
92.09 Lien Notice
92.10 Customer Deposits
92.11 Temporary Vacancy
92.12 Bad Checks

92.01 SERVICE CHARGES. Each customer shall pay for water service provided by the City based upon use of water as determined by meters provided for in Chapter 91. Each location, building, premises, or connection shall be considered a separate and distinct customer whether owned or controlled by the same person or not.

(Code of Iowa, Sec. 384.84)

92.02 RATES FOR SERVICE. The City shall provide water service to each user at the following monthly rates:

1. Each contributor shall pay a minimum of \$5.00 per month regardless of usage. The minimum overall water bill will increase as follows:
 - A. Commencing July 10, 2023, a minimum of \$12.00 per contributor.
2. Each contributor shall pay a fee per month as follows:
 - A. Commencing July 1, 2023, \$7.00 per month basic service fee, and \$2.89 per 1,000 gallons used;
 - B. Commencing July 1, 2024, \$7.00 per month basic service fee, and \$2.96 per 1,000 gallons used;
 - C. Commencing July 1, 2025, \$7.00 per month basic service fee, and \$3.03 per 1,000 gallons used; and
 - D. Commencing July 1, 2026, \$7.00 per month basic service fee, and \$3.11 per 1,000 gallons used.
3. The rate per 1,000 gallons used will increase two and a half percent per year annually thereafter, unless changed by resolution of the Council.

92.03 INFRASTRUCTURE MAINTENANCE. In addition to the rates for water and sewer services provided for elsewhere in the City Code, each residential and commercial user shall pay a monthly fee per meter for the maintenance, improvement, and operation of the City's infrastructure. Effective July 1, 2021, the infrastructure maintenance and operation fee shall be as follows:

- A. Stormwater Infrastructure - \$2.50 per residential user and \$5.00 per commercial user.
- B. Water and Sewer Infrastructure - \$5.00 per user.
- C. Road Maintenance and Equipment - \$5.00 per user.

92.04 RATES OUTSIDE THE CITY. Water service shall be provided to any customer located outside the corporate limits of the City which the City has agreed to serve at rates 150 percent of the rates provided in Section 92.02. No such customer, however, will be served unless the customer shall have signed a service contract agreeing to be bound by the ordinances, rules, and regulations applying to water service established by the Council.

(Code of Iowa, Sec. 364.4 and 384.84)

92.05 BILLING FOR WATER SERVICE. Water service shall be billed as part of a combined service account, payable in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Bills Issued. Meters read by the fifth day of the month shall be billed by the 10th and due and payable on or before the 30th day of the month in which billed. Meters read by the 20th day of the month shall be billed by the 25th and shall be due and payable on or before the 15th day of the following month.
2. Late Payment Penalty. Bills not paid when due shall be considered delinquent. A one-time late payment penalty of one and one half percent of the amount due shall be added to each delinquent bill.

92.06 SERVICE DISCONTINUED. Water service to delinquent customers shall be discontinued or disconnected in accordance with the following:

(Code of Iowa, Sec. 384.84)

1. Notice. The Clerk shall notify each delinquent customer that service will be discontinued or disconnected if payment of the combined service account, including late payment charges, is not received by 5:00 p.m. on the date specified in the notice of delinquency. Such notice shall be sent by ordinary mail to the customer in whose name the delinquent charges were incurred and shall inform the customer of the nature of the delinquency and afford the customer the opportunity for a hearing prior to the discontinuance or disconnection.
2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property or premises has made a written request for notice, the notice of delinquency shall also be given to the owner or landlord. If the customer is a tenant and requests a change of name for service under the account, such request shall be sent to the owner or landlord of the property if the owner or landlord has made a written request for notice of any change of name for service under the account to the rental property.
3. Hearing. If a hearing is requested by 4:30 p.m. on the last day of the month in which the Notice of Discontinuance of Service is mailed, the Clerk shall conduct an informal hearing and shall make a determination as to whether the discontinuance or disconnection is justified. The customer has the right to appeal the Clerk's decision to the Council, and if the Council finds that discontinuance or disconnection is justified, then such discontinuance or disconnection shall be made, unless payment has been received.
4. Fees. The Council shall set, by resolution, a fee which shall be charged before service is restored to a delinquent customer. No fee shall be charged for the usual or customary trips in the regular changes in occupancies of property.

92.07 LIEN FOR NONPAYMENT. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for water service charges to the premises.

Water service charges remaining unpaid and delinquent shall constitute a lien upon the property or premises served and shall be certified by the Clerk to the County Treasurer for collection in the same manner as property taxes.

(Code of Iowa, Sec. 384.84)

92.08 LIEN EXEMPTION.

(Code of Iowa, Sec. 384.84)

1. **Water Service Exemption.** The lien for nonpayment shall not apply to charges for water service to a residential or commercial rental property where water service is separately metered and the rates or charges for the water service are paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential or commercial rental property and that the tenant is liable for the rates or charges. The City may require a deposit not exceeding the usual cost of 90 days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.
2. **Other Service Exemption.** The lien for nonpayment shall also not apply to the charges for any of the services of sewer systems, stormwater drainage systems, sewage treatment, solid waste collection, and solid waste disposal for a residential rental property where the charge is paid directly to the City by the tenant, if the landlord gives written notice to the City that the property is residential rental property and that the tenant is liable for the rates or charges for such service. The City may require a deposit not exceeding the usual cost of 90 days of such services to be paid to the City. When the tenant moves from the rental property, the City shall refund the deposit if all service charges are paid in full. The lien exemption does not apply to delinquent charges for repairs related to any of the services.
3. **Written Notice.** The landlord's written notice shall contain the name of the tenant responsible for charges, the address of the residential or commercial rental property that the tenant is to occupy, and the date that the occupancy begins. Upon receipt, the City shall acknowledge the notice and deposit. A change in tenant for a residential rental property shall require a new written notice to be given to the City within 30 business days of the change in tenant. A change in tenant for a commercial rental property shall require a new written notice to be given to the City within 10 business days of the change in tenant. A change in the ownership of the residential rental property shall require written notice of such change to be given to the City within 30 business days of the completion of the change of ownership. A change in the ownership of the commercial rental property shall require written notice of such change to be given to the City within 10 business days of the completion of the change of ownership.
4. **Mobile Homes, Modular Homes, and Manufactured Homes.** A lien for nonpayment of utility services described in Subsections 1 and 2 of this section shall not be placed upon a premises that is a mobile home, modular home, or manufactured home if the mobile home, modular home, or manufactured home is owned by a tenant of and located in a mobile home park or manufactured home community and the mobile home park or manufactured home community owner or manager is the account holder, unless the lease agreement specifies that the tenant is responsible for payment of a portion of the rates or charges billed to the account holder.

92.09 LIEN NOTICE. A lien for delinquent water service charges shall not be certified to the County Treasurer unless prior written notice of intent to certify a lien is given to the customer in whose name the delinquent charges were incurred. If the customer is a tenant and if the owner or landlord of the property or premises has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than 30 days prior to certification of the lien to the County Treasurer.

(Code of Iowa, Sec. 384.84)

92.10 CUSTOMER DEPOSITS. A deposit intended to guarantee payment of bills for service will be required of all applicants for service unless the applicant has a credit history with the City indicating that prior billings have been timely paid, or unless the applicant produces a letter of credit satisfactory to the Clerk. Deposits paid will be refunded if the customer subsequently presents a satisfactory letter of credit. The total deposit for any customer for a place which has previously received service shall not be greater than the highest billing of service for the place in the previous 12-month period. The deposit for a customer for a place that has not previously received service shall be the customer's projected one month usage as determined by the City for electrical service and 90 days projected usage for water and sewer as determined by the City. A deposit shall be refunded after 12 consecutive months of prompt payment, which may be 11 timely payments and one automatic forgiveness of late payment. A new or additional deposit may be required of a current customer who has not made a deposit or whose deposit has been refunded or is found to be inadequate. The new or additional deposit shall insure a total deposit equal to the highest monthly billing for service during the previous 12-month period and shall apply to customers who make two late payments in a 12-month period, not including one automatic forgiveness of late payment.

92.11 TEMPORARY VACANCY. A property owner may request water service be temporarily discontinued and shut off at the curb valve when the property is expected to be vacant for an extended period of time. There shall be a \$25.00 fee collected for shutting the water off at the curb valve and a \$25.00 fee for restoring service. During a period when service is temporarily discontinued as provided herein there shall be no minimum service charge. The City will not drain pipes or pull meters for temporary vacancies.

92.12 BAD CHECKS. If a consumer's check or EFT is dishonored (returned unpaid) by the bank upon which it was drawn, the consumer shall receive a notice informing said consumer that this check has been dishonored by the bank upon which it was drawn and that a service charge is assessed for handling in a stated amount equal to the maximum allowed by State law. If the check has not been made good by 8:00 a.m. on the fifth day after the notice was sent or delivered, the service may be terminated. In the event more than two checks of a consumer are dishonored by the bank upon which they were drawn, within a six-month period, the Clerk shall demand that future payments for service rendered must be made by cash, debit card, credit card, bank draft, or certified check.