SPECIAL MEETING OF THE BOARD OF TRUSTEES OF
THE IOWA GREAT LAKES SANITARY DISTRICT, SEPT. 23,1953.

The Board of Trustees of The Iowa Great Lakes Sanitary District met in special session at 8:00 o'clock a. m. September 23, 1953 at the offices of their attorney, K.B. Welty, within the District, pursuant to regulations and provisions of last adjournment, those present being H. B. Dyson, President, presiding, and trustees Fred K. Thomas and Ralph Gregerson; absent, none.

The President announced the purpose of this meeting was to give further consideration to the proposed Sewer Rental Ordinance.

Trustee Ralph Gregerson introduced and caused to be read in full the proposed Sewer Rental Ordinance entitled, "AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS FOR THE MANAGEMENT, OPERATION, AND FINANCING OF THE IOWA GREAT LAKES SANITARY DISTRICT, IN DICKINSON COUNTY, IOWA, ESTABLISHING AND IMPOSING SEWER RENTAL RATES, FEES, AND CHARGES FOR THE USE OF THE FACILITIES OF SAID DISTRICT AND ESTABLISHING RULES AND REGULATIONS FOR THE COLLECTION THEREOF AND A LIEN UPON REAL PROPERTY FOR NON-PAYMENT, AND PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE," as following these Minutes appears at length.

It was moved by trustee Thomas and seconded by trustee Gregerson that said Ordinance be placed on file with the clerk pending further consideration and final adoption. Whereupon the president put the question upon the motion and upon roll call the following trustees voted:

Aye: Thomas, Gregerson, Dyson.
Nay: None.

Whereupon the president declared the motion carried and the proposed Ordinance as next follows these minutes was filed with the clerk.

It was next moved by trustee Thomas, seconded by trustee Gregerson, that any rules or statutes which might otherwise require Ordinances to be read in full on several different days be suspended and waived and that the proposed Ordinance establishing rules and regulations for operation and financing of the Sanitary District and establishing sewer rentals and providing for collection thereof be now placed on its final adoption. The president put the question on the motion and the roll being called the trustees voted as follows:

Aye: Gregerson, Thomas, Dyson.
Nay: None.

Whereupon the president declared the motion carried and said Ordinance was placed on its final adoption.

Trustee Gregerson then moved that said Ordinance, as next follows these minutes, being an Ordinance establishing rules and

regulations for the management and financing of The Iowa Great Lakes Sanitary District, imposing and establishing sewer rentals and providing for collection thereof, be enacted, passed, and adopted. This motion was seconded by trustee Thomas, and after thorough consideration thereof by the board, the president put the question on the motion for the enactment, passage and adoption of said Ordinance, and the roll being called, the trustees voted as follows:

Aye: Gregerson, Thomas, Dyson.
Nay: None.

Whereupon the president declared the motion carried and the Ordinance duly passed, enacted, and adopted and signed his approval thereto and the clerk attested the same by his signature thereto.

There being no further business, upon motion made, seconded, and carried, the meeting was adjourned subject to the call of the President.

W B Dyson
President, Board of Trustees

ATTEST:
Fred K. Thomas
Clerk, Board of Trustees

ORDINANCE NO._____

AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS FOR THE MANAGEMENT, OPERATION, AND FINANCING OF THE IOWA GREAT LAKES SANITARY DISTRICT, IN DICKINSON COUNTY, IOWA, ESTABLISHING AND IMPOSING SEWER RENTAL RATES, FEES, AND CHARGES FOR THE USE OF THE FACILITIES OF SAID DISTRICT AND ESTABLISHING RULES AND REGULATIONS FOR THE COLLECTION THEREOF AND A LIEN UPON REAL PROPERTY FOR NON-PAYMENT, AND PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

WHEREAS, The estimated cost of operating the facilities of the district for each of the next two years, including the administration of this Ordinance, in addition to a two mill tax levy, is $40,000, of which total cost one-half being allocated in proportion to the water metered, and one-half being allocated in proportion to the number of residences and cabin units to be served (3242), provides a basis for distribution of said costs: seventeen cents ($0.17) per thousand gallons of metered water and approximately Six Dollars ($6.00) per year or fifty cents ($0.50) per month per unit to be served, and the collection of sewer rental rates, fees, and charges for the use of said facilities is determined by the Board of Trustees of said Sanitary District to be absolutely necessary;

THEREFORE, BE IT ORDAINED, ESTABLISHED, AND ENACTED by the Board

of Trustees of The Iowa Great Lakes Sanitary District, in Dickinson County, Iowa, as follows:

## ARTICLE I
## DEFINITIONS

The following definitions of terms to be used in this Ordinance shall obtain:

Section 1.01. "District" shall mean that area or territory located within the boundaries of The Iowa Great Lakes Sanitary District.

Section 1.02. "Trustees" shall mean the duly elected Board of Trustees representing and administrating the District.

Section 1.03. "Sewerage Works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage and other wastes.

Section 1.04. "Superintendent" shall mean the Superintendent of the Sewerage Works of the District, or his authorized deputy, agent or representative.

Section 1.05. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

Section 1.06. "Sewer" shall mean a pipe or conduit for carrying sewage.

Section 1.07. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 1.08. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

Section 1.09. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Section 1.10. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Section 1.11. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

Section 1.12. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 1.13. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning 5 feet outside the inner face of the building wall.

Section 1.14. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Section 1.15. "Person" shall mean any individual, firm, company, association, organization, society, corporation, municipality, government agency, or group.

Section 1.16. "Shall" is mandatory; "May" is permissive.

Section 1.17. "Contributor" shall mean any person, firm, organization, society, association, municipality, government agency, or corporation responsible for the production of domestic, commercial or industrial waste which is directly or indirectly discharged to the District sewerage works.

Section 1.18. "Sewer Rental" shall mean any and all rates, charges, fees or rentals levied against and payable by contributors.

## ARTICLE II
## SEWER RENTALS

Section 2.01. Every person, firm or corporation whose premises are served by a connection with the District Sewerage Works, either directly or indirectly, shall pay to the District sewer rentals as hereinafter described for the purpose of contributing toward the cost of maintenance, operation, administration, repair and construction of said sewerage works, and same shall become due and payable as hereinafter provided.

Section 2.02. Each and every premises served shall be considered as a contributor and every contributor shall pay to the District at the time and place designated by the Trustees certain sewer rental charges based on the following rate schedule:

(a) The minimum monthly demand rental of fifty cents ($0.50) for each and every residence, cottage, commercial establishment, cabin, trailer, motel unit and rental apartment unit; plus

(b) A service charge of seventeen cents ($0.17) per thousand gallons or fraction thereof of sewage discharged into the sanitary sewer connecting with the District sewerage works, said quantity to be determined (except as hereinafter provided) by the quantity of water metered or consumed.

Section 2.03. Where, in the judgment of the Superintendent, special conditions exist for a certain contributor to the extent that the rates and charges stated above would be inequitable or unfair to either the District or the Contributor, a special rate may be established by the Superintendent. Such rates shall be subject to the approval by resolution of the Trustees. Such special conditions and rates may include among others the following cases:

(a) Where the nature of the use of water is such in the opinion of the Superintendent that resulting sewage or industrial waste has characteristics making it more

or less difficult to treat than ordinary sewage.

(b) Where a major proportion of the water used is not polluted and/or is not discharged into or does not reach the sanitary sewer system and sewerage works, or where such wastes may be diverted to a storm sewer.

(c) Special rates shall be made in all cases where privately produced water supplies are discharged directly or indirectly into the sewerage works. It shall be the duty of every person responsible for the production of such private water supply to report forthwith to the Superintendent and further to cooperate with the Superintendent in determining the quantity and character of the waste originating from each such respective private water supply. The Superintendent may designate in each of these special cases any necessary means of measurement of such private water supply and resulting sewage flow, which meter or other means of measurement shall be installed by and at the expense of the Contributor upon written order of the Superintendent.

Section 2.04. No sewage or industrial waste having characteristics tending, in the opinion of the Superintendent, to jeopardize the successful and/or continued operation of the sewer system and sewage treatment plant shall be discharged into said works. Such wastes may be pretreated by the Contributor at his own expense and discharged into said works, but said Contributor shall demonstrate to the satisfaction of the Superintendent that said pretreatment is adequate and dependable to the extent that the sewage and waste discharge does not jeopardize the successful or continued operation of the sewerage works.

Section 2.05. No person shall discharge or cause to be discharged into the Sanitary Sewer any storm water, roof water, ground water, or surface water.

## ARTICLE III
## RATES APPLIED

The sewer rentals provided by Article II hereof shall be applied and computed upon each contributors water service bill from and after the 1st day of October, 1953, and said sewer rentals shall thereafter be paid and collected as provided in this Ordinance.

## ARTICLE IV
## RATES PAYABLE

All sewer rentals imposed by this Ordinance shall become due and be billed to the person obligated to pay therefor, depending upon the subdivision or sewer district in which the property served is located, in accordance with the following schedule:

(a) In Sewer District #II, on the 1st day of each calendar month, first billing to be November 1, 1953.

(b) In Sewer District #III, on the 1st day of June of each year, first billing to be June 1, 1954.

(c) In Sewer District #IV, on the 1st days of January, April, July, and October of each year, first billing to be January 1, 1954.

(d) In all other areas as may hereafter be determined by Ordinance as the facilities are extended thereto.

ARTICLE V.
FAILURE TO PAY SEWER RENTAL AND LIEN

All sewer rental billings shall be paid within fifteen (15) days after the date of the billing and all sewer rentals not paid within fifteen (15) days after a bill therefor is rendered shall be delinquent, and to avoid discrimination and cover the added costs of collection all delinquent bills shall be increased by ten per cent (10%) thereof. The District shall have a lien upon the property served by the sewerage works for all delinquent sewer rentals in accordance with Section 393.3, Code of Iowa 1950. All sewer rental billings delinquent on July 30 of each year shall be certified by the Trustees to the County Auditor of Dickinson County, Iowa, as provided by law, for purposes of taxation and establishment of a lien on the property served by such sewerage works, and shall be collected in the same manner as taxes.

ARTICLE VI

POWERS AND AUTHORITY OF DISTRICT REPRESENTATIVES

The Superintendent and other duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing, such equipment and facilities as may be necessary for the proper operation, maintenance and supervision of the sewerage works in accordance with the provisions of this Ordinance.

ARTICLE VII
DUTIES OF SUPERINTENDENT

The Superintendent shall have complete charge of the operation of the sewerage works under the general supervision of the Board of Trustees of the District and subject to such rules and regulations as the Board may from time to time prescribe. Subject to rules and regulations adopted by the trustees and their approval, the Superintendent shall:

1. determine and keep an accurate record of the number of units served by the District facilities, the location and description thereof, and the name and address of the contributor, as prescribed in sec-

tion 2.02(a) hereof;

2. determine the quantity and quality of sewerage discharged by each contributor into the sanitary sewer connection with the District sewerage works, prescribed by section 2.02(b) hereof;

3. collect all sewer rentals in accordance with rates provided in section 2.02 hereof;

4. keep an accurate and complete record of all collections and account therefor to the District Treasurer by delivering all funds thus collected to that officer at least once each calendar month.

## ARTICLE VIII
## PENALTIES

Any person found to be violating any provisions of this Ordinance shall be served by the District with written notice by registered mail stating the nature of the violation and providing a reasonable time of not less than fifteen (15) days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. Any person who shall continue any violation beyond the time limit stated above may be enjoined from so doing in a court of equity both temporarily and permanently, as provided by law, and shall pay all costs thereof which shall become a lien upon the property served by the connection to the sewerage works provided the notices herein referred to and the Original Notice of Injunction are also addressed to and served upon the owner of said property. Any person violating any of the provisions of this Ordinance shall become liable to the District for any and all expense, loss or damage occasioned the District by reason of such violation.

## ARTICLE IX
## VALIDITY

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

## ARTICLE X
## ORDINANCE IN FORCE

This Ordinance shall be in full force and effect five (5) days after its passage, approval, enactment, recording, and publication as provided by law.

Passed, enacted and adopted by the Board of Trustees of The Iowa Great Lakes Sanitary District, County of Dickinson, Iowa, on

the 23rd day of September, 1953, by the following vote:

Ayes: Thomas, Gregerson, Dyson.
Nays: None.

Approved this 23rd day of September, 1953.

N B Dyson

President of the Board of Trustees

Attest:

Fred K Thomas

Clerk of the Board of Trustees