

AMENDMENT TO RULES AND REGULATIONS (1)

RESOLUTION TO AMEND PART A, SECTION 7, OF THE RULES AND
REGULATIONS OF THE SOUTHERN IOWA RURAL WATER
ASSOCIATION, STATE OF IOWA, BY AMENDING THE PROVISIONS
REGARDING DEPOSITS FROM TENANTS FOR WATER AND SEWER
SERVICE

WHEREAS, the Southern Iowa Rural Water Association (SIRWA or the “Association”), State of Iowa, provides sanitary sewer service to various customers of the Association under the terms and conditions set forth in the Association’s Rules and Regulations.

WHEREAS, SIRWA’s Rules and Regulations authorize the Association to amend the same, specifically stating, “These Rules and Regulations may be amended from time to time by a majority vote of the Board of Directors, in the manner provided in the By Laws of the Association.”

WHEREAS, it is deemed necessary and advisable that SIRWA amend its Rules and Regulations to require separate deposits from tenants for water and sewer service.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SOUTHERN IOWA RURAL WATER ASSOCIATION, STATE OF IOWA:

SECTION 1. RULES AND REGULATIONS AMENDED. Part A, Section 7, of the Rules and Regulations of SIRWA is hereby amended by the addition of the following sections:

Section 7. (DEPOSITS FROM TENANTS)

- a) A water service deposit of \$75.00 shall be required for each residential or commercial tenant separately metered and separately billed. The deposit shall be applied to the delinquent balance on the customer’s account upon customer moving from residence or when customer personally requests shutoff. Any unused deposit will be refunded to the person or entity that paid the deposit (landlord or tenant) within 30 days of the end of the last billing period of the tenant, provided the Association has received written notification from the tenant of his or her forwarding address.

b) A sewer service deposit of \$75.00 shall be required for each residential or commercial tenant separately metered and separately billed. The deposit shall be applied to the delinquent balance on the customer's account upon customer moving from residence or when customer personally requests shutoff. Any unused deposit will be refunded to the person or entity that paid the deposit (landlord or tenant) within 30 days of the end of the last billing period of the tenant, provided the Association has received written notification from the tenant of his or her forwarding address.

SECTION 2. SEVERABILITY CLAUSE. If any such part, section or provision of the Rules and Regulations of the Association shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Rules and Regulations as a whole or any part, section or provision thereof not adjudged invalid or unconstitutional.

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

PASSED AND APPROVED on this 11th day of May, 2011.

AMENDMENT TO RULES AND REGULATIONS (2)

RESOLUTION TO AMEND PART C, SECTION 4, OF THE RULES AND REGULATIONS OF THE SOUTHERN IOWA RURAL WATER ASSOCIATION, STATE OF IOWA, BY ADDING PROVISIONS PERTAINING TO THE DISCONTINUATION OF SEWER SERVICE BASED UPON DELINQUENCY OF THE CUSTOMER'S SEWER SERVICE ACCOUNT

WHEREAS, the Southern Iowa Rural Water Association (SIRWA or the "Association"), State of Iowa, provides sanitary sewer service to various customers of the Association under the terms and conditions set forth in the Association's Rules and Regulations.

WHEREAS, SIRWA's Rules and Regulations authorize the Association to amend the same, specifically stating, "These Rules and Regulations may be amended from time to time by a majority vote of the Board of Directors, in the manner provided in the By Laws of the Association."

WHEREAS, it is deemed necessary and advisable that SIRWA amend its Rules and Regulations to include a standard policy for the discontinuation of sewer service in the event the customer's sewer service account becomes delinquent.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SOUTHERN IOWA RURAL WATER ASSOCIATION, STATE OF IOWA:

SECTION 1. RULES AND REGULATIONS AMENDED. Part C, Section 4, of the Rules and Regulations of SIRWA is hereby amended by the addition of the following sections:

Section 4. (DISCONTINUANCE OF SERVICE FOR FAILURE TO PAY)

a) Payment of Bills. All water and/or sewer service charges are due and payable under the terms and conditions provided for payment of water and/or sewer accounts as contained in these Rules and Regulations. Water and/or sewer service may be discontinued in accordance with these Rules and Regulations if the member's water and/or sewer service account becomes delinquent.

b) Water Service Discontinued. SIRWA will issue a termination notice on or after the 20th day after the original billing date. Termination of water service will be on or after the 30th day after the original billing date.

Reconnection to the system may only be had upon payment of the outstanding delinquency, finance charges, a reconnection fee of \$100.00 during normal work hours and \$250.00 after hours.

c) Sewer Service Discontinued. Sewer service to delinquent customers shall be discontinued in accordance with the following:

1. Notice to Customer. SIRWA will issue a termination notice on or after the 20th day after the original billing date. Termination of sewer will be on or after the 30th day after the original billing date.

2. Notice to Landlords. If the customer is a tenant, and if the owner or landlord of the property has filed a "Authorization for Release of Account Information and for

Redisclosure” request at the SIRWA office, the notice of delinquency shall also be given to the owner or landlord.

3. Hearing. If a hearing is requested by noon of the last business day preceding the shut off, SIRWA’s management staff shall conduct an informal hearing and shall make a determination as to whether the disconnection is justified. The customer has the right to appeal the management staff’s decision to the Board of Directors, and if the Board finds that disconnection is justified, then such disconnection shall be made, unless payment has been received.

4. Fees. A fee of One Hundred Dollars (\$100.00) shall be charged at the time service is discontinued to a delinquent customer. The customer shall be responsible for cleanup of the site after disconnection and/or reconnection. In the alternative, the customer may employ SIRWA personnel for clean up at a cost of \$100.00 per hour.

c) Lien for Nonpayment. The owner of the premises served and any lessee or tenant thereof shall be jointly and severally liable for water and/or sewer service charges to the premises. Water and/or sewer service charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by SIRWA to the county treasurer for collection in the same manner as property taxes.

SECTION 2. SEVERABILITY CLAUSE. If any such part, section or provision of the Rules and Regulations of the Association shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Rules and Regulations as a whole or any part, section or provision thereof not adjudged invalid or unconstitutional.

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

PASSED AND APPROVED on this 11th day of May, 2011.

AMENDMENT TO RULES AND REGULATIONS (3)

RESOLUTION TO AMEND THE RULES AND REGULATIONS OF THE
SOUTHERN IOWA RURAL WATER ASSOCIATION, STATE OF IOWA, BY
ADDING PROVISIONS PERTAINING TO SANITARY SEWER SERVICE
CONNECTIONS

WHEREAS, the Southern Iowa Rural Water Association (SIRWA or the “Association”), State of Iowa, provides sanitary sewer service to various customers of the Association under the terms and conditions set forth in the Association’s Rules and Regulations.

WHEREAS, SIRWA’s Rules and Regulations authorize the Association to amend the same, specifically stating, “These Rules and Regulations may be amended from time to time by a majority vote of the Board of Directors, in the manner provided in the By Laws of the Association.”

WHEREAS, it is deemed necessary and advisable that SIRWA amend its Rules and Regulations to include standard policies for billing of sanitary sewer service connections, disclosure of changes in property ownership and abandonment of sanitary sewer service connections.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SOUTHERN IOWA RURAL WATER ASSOCIATION, STATE OF IOWA:

SECTION 1. RULES AND REGULATIONS AMENDED. The Rules and Regulations of SIRWA are hereby amended by the addition of the following in relation to sanitary sewer service connections:

a) Year-Round Billing. Regardless of use, all properties which are subject to a sanitary sewer franchise ordinance and/or a 28E intergovernmental agreement which calls for sanitary sewer services to be provided by SIRWA shall be charged the applicable minimum monthly sanitary sewer service fee all twelve months of the year. In addition, all such properties shall be charged the applicable monthly usage fees for any and all amounts use in excess of the established minimum use amount, if any.

b) Subsequent Property Owner(s) - Duty to Inform. It shall be the sole responsibility of any subsequent owner(s) of property upon which a sanitary sewer service connection to SIRWA’s wastewater treatment system is located to promptly inform SIRWA of the change in ownership and to provide

SIRWA with updated property owner information for the purpose of ensuring accurate billing for sanitary sewer services provided by SIRWA.

c) Request for Abandonment of Conventional Gravity Sewer Connection. To abandon a sanitary sewer connection due to the demolition or permanent abandonment of the structure being served by said connection, permission must be requested to do so from SIRWA by the property owner. The request must be in writing and must state the reason for the requested abandonment and provide detailed information on the location of the connection which the property owner requests be abandoned. Upon receipt of such request, SIRWA shall, in its sole discretion, determine whether the request for abandonment is approved or denied. If the request is approved, there shall be a disconnection fee of \$50 inspection fee to be paid to SIRWA by the property owner. In addition, the property owner shall be responsible for ensuring and for any and all costs associated with proper disconnection of the sanitary sewer connection from SIRWA's wastewater treatment system in compliance with all federal, state and local laws, rules and regulations.

SECTION 2. SEVERABILITY CLAUSE. If any such part, section or provision of the Rules and Regulations of the Association shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Rules and Regulations as a whole or any part, section or provision thereof not adjudged invalid or unconstitutional.

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

PASSED AND APPROVED on this 11th day of May, 2011.