

TOWN OF CLOVERDALE

**ORDINANCE SETTING OUT APPEAL RIGHTS FOR
DISCONNECT AND LATE FEES**

WHEREAS The Town Council of the Town of Cloverdale, Indiana has determined that it needs to establish a formal appeals process for utility disconnects and late fees.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLOVERDALE, INDIANA THAT THE FOLLOWING ACTION BE TAKEN:

Section 1. Modifying Section 9-15

Section 9-15 shall be modified to read as follows:

The billing cycle ends at the end of each month. Bills will be sent by the tenth day of each month are due immediately.

Section 2. Modifying Section 9-16

Section 9-16 shall be modified by reducing the current grace period for payment from Seventeen (17) days to Ten (10) days.

Section 2. Modifying Section 9-17

Section 9-17 shall be modified by adding the following language at the end of the present wording. "The delinquency notice shall advise the customer of appeal rights as set out in Section 9-20 below."

Section 3. Section 9-20 shall be added to the existing ordinance to read as follows:

Section 9-10 Right to Appeal

A customer may appeal a disconnect notice or the application of a late fee by filing a written notice with the Clerk-Treasurer within Seven (7) days of the date of the delinquency notice set out in Section 9-17 above. The written notice must contain any reason why the customer believes that the bill had been paid within the time frame set out in Section 9-16.

The Clerk-Treasurer shall as soon as practical review the town records and rule upon the appeal in writing. In the event that the customer disagrees with the ruling of the Clerk-Treasurer an appeal of that ruling may be made to the Town Council in writing within Seven (7) days of the ruling made by the Clerk-Treasurer.

A disconnect will not be done during the pendency of any appeal taken under the provisions of this subsection until a ruling has been made by the Clerk-Treasurer or the Town Council.

Section 3. This ordinance is effective upon passage.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CLOVERDALE ON THE 10 TH/ST/RD/ND DAY OF July, 2012.

TOWN COUNCIL OF THE TOWN OF CLOVERDALE, INDIANA

BY: 

President

ATTEST:



Clerk-Treasurer
Town of Cloverdale, Indiana

July 10th, 2012

Policy and or Procedure for paying Utility Bills for the
Town Of Cloverdale

Bills are mailed out on the 10th of every month. The bills are due immediately.

If paid after the 25th of the month, there is a late fee penalty added to the bill

(If you're on a fixed income I.E. Social Security or Disability and your check comes out the first of every month and you can show proof. You can set up a late fee deferral with the Utility Clerk).

And then a disconnect notice, which includes a notice of the right to appeal, is mailed out to the customer.

The customer has until 9 a.m. of the date on the disconnect notice to pay their delinquent 30-day balance.

If not able to make the payment, the customer has the ability to appeal the disconnection that will occur on the specified date, if the delinquent bill is not paid in full.

This appeal is to be in writing and given to the Clerk/Treasurer.

A payment plan will be arranged with the customer and if one missed payment from the customers. The bill shall be collected in full.

If the customer does not make the payment, does not appeal, or the appeal is not approved, services will be disconnected. In order to have service reconnected the customer must pay the delinquent bill in full plus a \$75.00 reconnect fee.