

ORDINANCE 2016-18

AN ORDINANCE AMENDING UTILITY BILLING POLICY AND PROCEDURES

Whereas, This ordinance was originally introduced in a prior meeting, and;

Whereas, There was significant public interest in the subject matter of this ordinance,
and;

Whereas, Modifications have been made to the original proposal that are incorporated
in this revision of the original ordinance:

**NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN
OF CLOVERDALE, as follows:**

The Town of Cloverdale Utility Billing Policy and Procedures updated 10/28/2016,
attached to this Ordinance replaces any prior Billing Policy and Procedure.

The provisions herein, when approved and adopted, shall be effective immediately upon
the passing of this ordinance.

SO ADOPTED this 17 day of Nov, 2016.

Town Council

Cori Patton

ATTEST:

By

Clerk Treasurer

Cheryl Ballouway

Town of Cloverdale

Utility Billing Policy and Procedures

Section 1. Utility Billing Policy

The purpose of the following policy is to provide consistent customer rules and guidelines. Individuals who have questions regarding the service provided by the Town of Cloverdale are encouraged to contact the Town Clerk.

Section 2. Utility Billing Information

The Town of Cloverdale shall be responsible for the calculation and generation of all water, sewer, and storm water utility bills. The Town of Cloverdale shall maintain account records for each customer that includes the customer's legal name, billing address, account number, service address, current charges and account history including consumption, past due charges, penalties, fees and work orders (history of leaks, repairs, etc.)

Utility Billing Hours

Office hours: Monday, Tuesday, Thursday, Friday
8:00 a.m. - 4:30 p.m.

Utility Billing Contact Information

Mailing address: P.O. 222, Cloverdale, IN 46120
Phone number: 765-795-4093
Website address: www.cloverdalein.com

Section 3. Rate Calculation

All municipal utility charges shall be calculated in accordance with the specific rate established by ordinance, resolution, or policy as adopted by the Town Council and applicable to each municipal utility or service provided to a customer.

Section 4. Monthly Utility Bill

The Utility Billing Clerk shall provide each municipal utility customer a combined monthly municipal utility bill which shall include the charges incurred by the customer for regular monthly water, sewer, and storm water services or any combination thereof, plus any fees, taxes, penalties, or previous balances. Bills for municipal utility services shall be issued monthly and charges are required to be paid in full on a monthly basis. A billing statement is sent as a convenience to the customer; monthly charges are due and payable on a monthly basis regardless if a bill was received by a customer.

Section 5. Additional Charges

Billings for extra services, reconnection of water, installation charges, or other special charges shall be billed in accordance with the applicable utility or service rate resolution and shall be included on the appropriate monthly billing statement or as a separate bill.

Section 6. Billing Cycle

Meter Read Date

1. Meters are generally read between the 1st and 5th of each month by Utility Technicians.
2. In the event that a meter reading cannot be obtained, the consumption will be estimated by using the average of the previous three months.

Billing Period

1. Monthly billings shall be mailed within thirty (31) calendar days following the dates of service in which the municipal utility service in which the municipal utility service is provided.
2. The date the bill is created shall be known as the billing date.
3. The bill shall be due and payable in full by the 25th of the month following the billing date.
4. The 25th day of each month following the billing date shall be known as the due date.
5. If the due date falls on a holiday, Saturday, or Sunday, the due date shall be on the first business day following the holiday or weekend.

Delinquent Date

1. For each month the bill is not paid in full by the due date, a penalty will be added to the account. Penalty charges are 10% of the first \$3, 3% of balance and 10% of wastewater charge.
2. Late fee deferrals are available for customers on SSI or Disability.

Section 7. Municipal Utility Service Application

1. Any person, firm or corporation desiring to establish any municipal utility service must fill out a customer agreement form to the Utility Clerk. The agreement must be dropped off in person, or notarized if dropped off by another person. A copy of a driver's license or state ID must accompany the agreement.
2. Applicants must be at least eighteen (18) years of age.
3. The customer agreement form shall include the applicant's name, service address, mailing address, telephone number, landlord's name (if applicable), and signature of party responsible for payment.
4. Any customer who is the owner of the property must provide proof of ownership, proof of purchase, property deed, or some form of official paperwork that shows ownership of the property to avoid a \$200 dollar deposit.
5. Any customer who is not the property owner must provide the above information plus a photo ID. A \$200.00 dollar deposit will also be required for non property owners. This includes contract buyers.
6. Each service location shall be considered a separate account.

UPDATED 10/28/2016

7. The Town will not activate new accounts for a customer that has a delinquent account. All accounts must be paid in full prior to establishing a new account.

Section 8. Owner/Owner Representative-Tenant Policy

1. Notification of the establishment of utility service at a rental service address may be made by either the owner/owner representative or tenant to the Utility Billing Clerk. The owner tenant approval form must be on file before service can be turned on.
2. If an account holder fails to notify the Utility Billing Clerk of their request to discontinue service, due to moving, the owner of the property must do so. It is important for property owners to communicate when new renters are moving in or out. Failure to notify the utility office does not relieve tenant or property owner of bill.

Section 9. Delinquent Accounts and Disconnection of Service

1. Any customer whose utility bill becomes delinquent will be issued a disconnect notice. Customer must pay the delinquent amounts by the disconnection date on the notice to avoid disconnection of service. Accounts become delinquent the next business day following the monthly due date. Notice of delinquency and disconnection will be provided to the customer, contract buyer, and/or property owners.
2. Failure to make payments will result in disconnection of the customer's utility service. If the customer is unable to make full payment, they must make payment arrangements with the utility clerk to pay the past due amount prior to the shut off date. If the customer does not make the necessary payment arrangement, utility service will be disconnected and full payment will be required for reconnection. A \$75 reconnect fee will be added to the customer's account. Please note: Upon Property Owners written request, NO payment arrangements will be made and the bill will be due in full by the assigned shut off date.
3. Disconnection of service will occur after 9:00 a.m. on the date listed on the disconnect notice. Failure to keep any payment arrangements will result in immediate disconnection of services.
4. Any customer who is disconnected for non-payment shall not be reconnected or reinstated until payment is received for all delinquent charges and fees.
5. Reconnection will only occur between the hours of 8:00 a.m. and 3:00 p.m., excluding Town observed holidays.
6. Payment must be received by the Town of Cloverdale before 3:00 p.m. for same-day reconnection. If payment for reconnection is made after 3:00 p.m., reconnection will occur on the next business day.
7. The Town of Cloverdale reserves the right to assess the delinquent wastewater charges incurred by the property owner and/or tenant and/or against the property with the county through the approved legal process for assessment, according to all state and local laws.

Section 10. Payments

The Town provides several options for customers to make payment on their utility bill:

1. In person - Payment can be made at the Town Hall, 154 S Main, Cloverdale, IN 46120
2. By phone - Debit or credit card payments are accepted over the phone.
3. Drop Box – A Drop Box is located in the parking lot for customer use.
4. Please note all returned checks will generate a \$25.00 NSF fee. (amends Ordinance 1995-2 \$20.00 fee

Section 11. Payment Plans

1. Customers who are unable to pay their utility bill by the due date are encouraged to contact the Utility Billing Clerk to arrange a mutually agreed-upon payment plan, with the goal of the payment plan being to bring a customer's account current. The Utility Billing Clerk has a right to reject a proposed payment plan if it is determined it does not achieve the goal of bringing a customer's account current within a reasonable amount of time. . Please note: Upon Property Owners written request, NO payment arrangements will be made and the bill will be due in full by the assigned shut off date.
2. Customers that have been sent a shut off notice due to non-payment must make payment arrangements within 24 hours of receiving notice.
3. If a customer fails to comply with any term and/or condition contained within the agreed upon payment plan, the customer shall be subject to disconnection of their water service. Water service will not be reestablished until the bill has been paid in full. A reconnect fee of \$75 will also be added.

Section 12. Disputed Utility Bills

Any dispute regarding a customer's utility bill shall be directed to the Utility Billing Clerk, within thirty (30) calendar days of the mailing date of the bill in question. The customer waives the right to dispute/appeal the bill after thirty (30) days. When disputing a bill the customer must provide a written request for appeal, along with supporting documentation to the Utility Billing Clerk. The Utility Clerk will investigate the dispute and provide the customer with the decision within 14 days of receipt of the dispute. If the customer still believes the bill is incorrect, the customer must submit his or her request for further review in writing to the Town Clerk Treasurer no later than 7 days after the decision of the Utility Clerk. The Town Clerk Treasurer will review the initial appeal, any supporting documentation, and the Utility Clerk's written decision. Upon completion of this review, a written decision from the Town Clerk Treasurer will be mailed to the customer at the mailing address on record with the utility office.

Section 13. Disconnection 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 Ordinance No. 2012-4 Section 9-17. 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 this event that the customer disagrees with the ruling the Clerk-Treasurer, an appeal of that ruling may be made to the Town Council President 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 the subsection until a ruling has been made by the Clerk-Treasurer or the Town Council.

Section 14. Renter Deposit Refunding, Applying to the customer's account/final bill, or Transferring to a new account.

Upon final move out and/or final disconnection of services, the \$200 dollar deposit paid to have the service connected can either be refunded, applied to the final balance, or transferred to a new account.

Refunding

1. In order for the customer to receive the full \$200 dollar deposit refund, the account balance must be paid in full, including the final bill for the account.
2. Contract buyers will be refunded the full \$200 dollar deposit upon final purchase / fulfillment of contract.

Applying

1. If the customer chooses to apply their deposit to their final balance, then our office will do so. If the final balance is more than the \$200 dollar deposit, the customer will still owe the remaining final balance.
2. If the customer agrees to apply their deposit to their final balance and the final balance is less than the total \$200 dollar deposit, the remaining amount can be refunded to the customer.
3. Renter Deposits will be applied first to the water portion of the balance owed with the remainder being applied to the wastewater /storm water portion of the bill.

Transferring

1. A deposit can only be transferred from a finalized account to a current account. If a renting customer already has paid a deposit on one account and is opening another, another deposit must be paid for the "new" account.
2. If the customer is finalizing one account and opening another and would like to transfer their deposit from their old account to the new account, this can be done as long as their "first" account (if finalized) is paid in full.

UPDATED 10/28/2016

Leaks / Adjustments

In the event a customer has a reported water leak, Cloverdale Utilities will provide an adjustment to the sewer portion of the utility bill. ALL adjustments will follow guidelines stated within town Ordinance 2015-4. Owners and/or tenants must provide documentation of the location and repair of the leak. Absolutely NO adjustments will be made to the water portion of the utility bill. Customers have the right to appeal to the Town Council at the monthly town council meeting. Customers must provide a written statement 7 days prior to the meeting.

UPDATED 10/28/2016