

TOWN OF TROUTMAN

Water and Sewer Regulations/Service Policy Policy #29

SCOPE

The intent for these regulations is to provide uniform procedure, rates, and charges for utility service cut on, cut off, and other services provided to the customer.

APPLICATION FOR SERVICE:

New service connection – Any association, corporation, firm, partnership, or person(s) requesting utility service must come to the office in person with valid picture identification, execute an application of agreement for purchase of utility services (Attachment A) and pay a water/sewer deposit (see Schedule of Fees) prior to using any town supplied utility service.

- Any association, corporation, firm, partnership, or person(s) purchasing or receiving utility services from the Town of Troutman, by accepting such service, agrees to be bound by the applicable schedule of rates and fees, all pertinent regulations as may be amended from time to time.
- Failure on the part of the customer to comply with the Town ordinances or these utility regulations as adopted and amended from time to time shall subject the customer to discontinuances of service.

Renters must bring a renter's receipt or lease, signed by the owner of the rented property. (*Renter's receipt must clearly state the location and name of the renter.*)

A deposit is required for each connection whether it is for residential or business use. A deposit can be signed over to another member of a customer's immediate family if the customer moves out, and member of his/her immediate family continues to live in the residence.

Any current or past due bill will be due at the time any new water service or transferred of service is requested.

Deposits transfer when a customer has service transferred from one location to another within the system. A form to request transfer of service must be completed. (Attachment B)

Sewer will be charged at the current rate to every water meter connection inside town limits where the property is located within 150 feet of the Town's sewer line.

As of January 1, 2010, the town will not grant sewer only connections within town limits.

BILLING AND DUE DATES:

The Operations and Maintenance Department Employees complete meter readings by the 15th of the month.

The billing period is from the 15th of one month to the 15th of the next month. Due to weekends and holidays the date will at times vary.

Notices of accounts due are mailed by the 1st of each month, and due on or before the 10th of the month, a late fee of 10% will be added to the account if not paid by the 15th of each month. A disconnect notice will be sent on the 16th, if the bill is not paid in full by the 25th, then service will be disconnected on the 26th. Failure to receive such notice shall not excuse the customer from paying any bill when due. If service has been discontinued, the customer must pay the outstanding bill, plus a reconnect fee before service will be reinstated. (Late fee and reconnect fee are listed on the Schedule of Fees)

PAYMENTS:

Payments for utility services are payable at Town Hall.

Cash, checks, credit cards and debit cards are accepted as payment of the water/sewer bill. Accounts can be set up for automatic debit if desired. Payment can be made in person, by mail, or credit card payment can be processed over the telephone. In addition for payments, the Town offers a night drop box located by the drive up window at Town Hall. No third-party checks are accepted. Checks are to be payable to: Town of Troutman.

Payment on utility bills will be applied to outstanding balance in the following order: (1) Penalty on arrears; (2) required deposits; (3) sewer arrears; (4) water arrears; (5) sewer –current bill; (6) water –current bill.

Once the disconnection list has been generated and released to the Operations and Maintenance Department, the customer must pay the bill in full, plus the reconnect fee to have a service reconnected.

Payment Extensions: Extensions will only be granted under extreme circumstances. Extensions must be approved by the Town Manager and will not be granted in excess of two (2) months in a twelve month cycle. Once a customer is sent a disconnection notice, they are required to pay their bill in full. If they want to pay a portion of their bill, we will accept that portion; however, the customer will remain on the disconnection list and will have their service turned off unless the remainder of their bill is paid prior to the disconnection date. Extensions must be requested a minimum of three (3) days before the disconnection date of the 25th of the month. Holds must be requested between the 16th and the 22nd and will not be granted after the 22nd. Extensions will not extend more than five (5) days past the 25th of the month.

Returned Checks: When a check presented in payment for a water bill is returned from the bank on which the check is drawn the bill shall be deemed unpaid and the amount will be added back to the customer's account. In addition, a check fee of \$25 will be added to the account. If the returned check is payment for an account past due, utility services will be disconnected until account is paid in full.

After two returned checks an account will be set to a "cash only" payment status.

ADJUSTMENTS:

When meters are installed to measure the utility services used by the Town's customers, all charges for utilities used, except certain minimum charges, shall be calculated from the readings of such meters. However, if it should clearly appear that the meter has failed to perform its function and has not correctly registered the amount of utilities used, or if the meter has been bypassed, the amount of utilities used shall be estimated upon the average of the customer's preceding twelve (12) accurate bills, adjusted by known changes in amount of consumption of utilities.

Adjustments for high water/sewer bills only occur on the determination of a leak by the Troutman Public Works Department employees or private plumbing company. Adjustments are not given until leaks are repaired and proof of repair is determined. Adjustments are on the sewer only and are adjusted to the average sewer bill. A maximum of two months adjustments are allowed. All adjustments must be approved by the Town Manager or his designee.

REFUNDS FOR WATER/SEWER:

The Town of Troutman will adjust/refund up to a maximum of six (6) months payments on water and sewer fees that were paid in error, regardless of fault. The Town Manager must approve the adjustment/refund before the account is adjusted or the refund is issued. **This adjustment/refund will be made only after thorough review and a determination is made that an error did occur with the charges.*

TERMINATION OF SERVICE:

REQUESTED DISCONTINUANCE OF SERVICE:

To have service disconnected, customer must come to the office with valid identification and sign water disconnection form. (Attachment C) Deposit is refundable upon full payment of any current and/or past due balance. A customer moving and failing to notify the town officials shall forfeit his/her deposit until such time he/she requests service be discontinued and customer has no outstanding balances.

INVOLUNTARY DISCONTINUANCE OF SERVICE:

The Town may discontinue utility service for one (1) or more of the following reasons: On termination of service to a customer, his/her meter box shall be locked.

- The failure of a customer to pay bills for utility service within the time provided by the Town policy.
- Failure of a customer to make a deposit to guarantee payment of charges for utility services, or to increase deposit when required in accordance with Town policy.
- Whenever the Town, in its opinion, has reasonable cause to believe that the customer is receiving utility service without paying therefore, or that its meter or other apparatus have in any manner been tampered with or a customer is unable to pay the entire arrears amount at once, the Town may, at its option, enter into a contractual agreement with the customer, setting up a schedule of payments to eliminate the arrears. If, at any time, the customer fails to meet the provisions of the contract, it shall be considered null and void, and the customer shall be deemed in arrears and the service shall be discontinued, unless the entire amount of arrears is paid at once.
- Whenever, in the Town's opinion, the condition of the customer's equipment, plumbing, or appliances are either unsafe or unsuitable for receiving utility service or is potential safety or health hazard to the Town's property or personnel or to the public, or when the customer's use of utilities or equipment interferes with or may be detrimental to the Town's utility system or to the supply of utilities by the Town to any other customer.
- The failure of the customer to ensure that all electrical equipment and plumbing beyond the metering point is installed according to applicable codes and maintained in a safe condition.
- Where utility service is being furnished over or through a line which is not owned or leased by the Town, whenever in its opinion such line is either not in a safe and suitable condition or is inadequate to receive water or discharge water.
- Whenever the customer has denied an authorized Town representative access to the Town's meters or other apparatus installed on the customer's premises.
- Whenever in the opinion of the Town it is necessary to prevent fraud upon the Town.
- Whenever a customer is in violation of any provision of these regulations or Town ordinance relating to water and sewer services.

When a customer has discontinued utility services with the Town, either involuntary or voluntary, the deposit shall be applied to the final bill. After 30 days, any remaining balance is due to the Town Hall, with proper notification; the balance remaining will be subject to the Debt Set-off program and may be garnished from future NC state income tax refunds.

REINSTATEMENT OF SERVICES:

Whenever it becomes necessary for the Town to discontinue the utility service for any of the reasons listed in above paragraphs, reinstatement only after payment of: (1) all bills for service then due, except as provided by Town policy, (2) any deposit required by Town policy, (3) a reconnection fee (See Schedule of Fees).

SERVICE DISCONTINUED AT ALL LOCATIONS – EXCEPTION

If a customer is receiving service at more than one location, service at any or all locations may be discontinued if bills for service at any one or more locations are not paid within the time as specified by Town policy herein; provided, however, that the residential services shall not be discontinued for nonpayment of bills for other classes of service.

CUSTOMER RIGHTS PRIOR TO DISCONTINUANCE OF SERVICE

It is the policy of the Town to discontinue utility service to customers by reason of nonpayment of bills only after notice and meaningful opportunity to be heard on disputed bills.

If any customer disputes the accuracy of his/her bill, they have the right to a hearing in which they may be represented in person in or by any other person of his/her choosing and may present, orally or in writing, his/her complaint and intentions.

Any customer desiring a hearing may contact the Town Manager at Town Hall, Troutman, North Carolina, telephone 704-528-7600. The Town Manager, or his designee, has the authority to make final determination of a customer's complaint and the authority to order that customer's service not be discontinued.

TAMPERING:

If meters are tampered with in any way, the Troutman Police Department will be notified immediately, Operations & Maintenance Department will then remove the meter and lock off utility services to the location and a tampering fee of \$100 will be charged to the customer plus any utility usage. Utility Services will not be reinstated until tampering fee and the account is paid in full.

Any one found guilty of tampering with a water meter can be prosecuted under General Statute 14-151.1- Tampering with Utility Services. It states: (a) Any person violating any of the provisions of this section shall be guilty of a Class 1 misdemeanor.

(b) Whoever is found in a civil action to have violated any provision hereof shall be liable to the electric, gas or water supplier in triple the amount of losses and damages sustained or five hundred dollars (\$500.00), whichever is greater.

DIVERSON OF USE

Customers shall not divert water from the premises to which it is delivered, nor shall any customer allow another to divert sewage so as to allow sewage other than the customer’s to enter the Town’s system from the customer’s premises.

DISCLAIMIER OF LIABILITY: CUSTOMER RESPONSIBILITY

For the purpose of liability, the point of delivery shall be the point where the Town’s lines cross the boundary of the customer’s property. The Town shall not be liable to the customer or any of his agents, or employees or to any person whomsoever for any loss, damage, or injury to person or property resulting from said utility service or its use after it leaves said point of delivery, all risk thereof being assumed by the customer, except when caused by exclusive negligence or willful acts of employees of the Town.

SECOND METERS/SPRINKLERS:

A customer may have a second meter for non-sewer use. To be eligible for a second, the customer must have a meter for their household/business use that would include all sewer use. The second meter would be strictly for non-sewer use.

- *Examples: Sprinkler/Irrigation Systems, Businesses using water as a product to be sold.*

WATER SOLD FOR SWIMMING POOLS:

Property owners with permanent* swimming pools and are on the Town of Troutman water system will be eligible for an annual fill-up adjustment when filled with water through the meter. Adjustments will not be made for continuous refilling after initial fill-up. Residents are required to call prior to filling swimming pools or no adjustment will be made. An Operations and Maintenance personnel will be sent to read the meter prior to filling and the again after completion. The billing clerk will adjust the sewer charge for the water used to fill the pool. Water will be charged at the regular water rate.

No swimming pools can be filled from hydrants without prior approval by the Town Manager.

**Permanent can be either above ground or below ground swimming pools. Above ground pool must be permanent with a minimum depth of three feet and include a filtration system.*

As of August 6, 1998 a policy is set forth for the Town of Troutman that all residents, homeowners and/or renters, that have paid a double amount of water deposit before the annexation takes effect on July 1, 1999, will be refunded half of their water deposit, if their water/sewer bills are current.

Adoption of this policy repeals Town of Troutman polices #4, #12, #14 and #26.

Adopted this the ____ day of _____, 2010.

Kimberly H. Davis, Town Clerk

Elbert H. Richardson, Mayor