

# UTILITY BILLING AND COLLECTIONS

## I. GENERAL PROVISIONS

The OPERATING CODE for the Village of Cleves, Ohio, Department of WATER WORKS SYSTEM was adopted by Ordinance No. 14-1956 of the Board of Trustees of Public Affairs. These regulations were amended by Resolution No. 1-2012 to adopt the City of Cincinnati, Supplement to the State of Ohio Department of Transportation (ODOT) Construction and Materials Specification latest revision and the Greater Cincinnati Water Works (GCWW) Chapter 401 of the Cincinnati Municipal Code.

The intent of this amendment was to update construction specification to agree with those of the GCWW and not to substantially change the Operating Code of the Cleves WATER WORKS SYSTEM. Billing and Payment Requirements specified in Chapter 401 of GCWW Regulation were specifically exempted.

The billing and collection policies outlined in the Village of Cleves OPERATING CODE and the GCWW exemption dated January 22, 2012 have proved to be ineffective. Division E of the OPERATING CODE for the Village of Cleves, Ohio, Department of WATER WORKS SYSTEM is being rewritten to address billing and payment of water charges and shall apply to all USERS.

The following rules, regulations and policies are established by order of the Village Administrator effective October 1, 2015 in order to provide for the safe, economical and efficient management and protection of the public utility system for the Village of Cleves.

## II. DEFINITIONS

For the purpose of this chapter the words and phrases defined in sections hereunder shall have the meanings therein respectively ascribed to them, unless a different meaning is clearly indicated by the context.

**ADMINISTRATOR:** Administrator shall mean the Village Administrator of the Village of Cleves.

**COUNCIL:** Wherever in these Rules and Regulations the word Council appears such word shall be taken to mean the elected Council of the Village of Cleves, Ohio or its authorized agent or representative.

**PAYMENT MODIFICATION AGREEMENT:** A written agreement to temporarily change the payment date and terms to allow utility USERS to catch-up delinquencies and grant forbearance on the disconnection of utility service.

**TENANT:** The word tenant, as used herein shall be anyone occupying property under lease from a lessor, which property is furnished water service.

**USER:** User as used herein shall be the property owner and customer, contracting with the VILLAGE for utility service for one (1) family or business unit on one premise. The property owner shall be the account holder. For each water supply service the owner shall state the

name and address to which statements of account shall be mailed for payment. The party to whom the statements are mailed shall be known as the customer.

**VILLAGE:** Wherever in these Rules and Regulations the word “VILLAGE” appears, such word shall be taken to mean the Council of the Village Cleves, Ohio, or its authorized agent or representative.

### **III. FIXING RATES AND CHARGES FOR MUNICIPAL UTILITIES**

- a. All rates and charges for municipal water including rates for service, application for utility service, permit fees, connection and meter reading, disconnection notice fees, and service reconnection fees shall be determined and amended by the COUNCIL and adopted by ordinance.
- b. Rate and fee ordinances containing the effective date thereof shall be kept on file and open to inspection in the village office and shall be uniformly enforced. No rate or fee charge involving an increase thereof shall become effective until approved by COUNCIL.

### **IV. ESTABLISHING SERVICE**

- a. A USER desiring a supply of water must complete an application for utility services. The VILLAGE at its discretion may establish an application / service fee for new customer connections. Applications for water service may be made in person at the village office.
- b. An application for utility service must be entered into by the property owner upon obtaining title to real estate. Failure to sign and return this contract to the VILLAGE within 30 days of transfer may be cause for refusal or termination of water service.
- c. The real estate owner must inform the VILLAGE when a property is going to be leased and complete the ownership Application for Utility Service Contract. Eligible TENANTS may thereafter request that utility service be opened in their name without any further action on behalf of the landlord.
- d. USERS with outstanding bills will not be approved for service at a new location until the existing balance owed is paid-in-full.

### **V. PAYMENT FOR USER CHARGES**

- a. PROPERTY OWNERS are ultimately responsible for all USER charges. Bills are mailed to the address on USER’s application for utility services.
- b. Water only customers will receive a monthly bill. Combined water and sewer customers are billed quarterly except for business customers who are required to pay monthly per an agreement for wastewater billing with the Greater Metropolitan Sewer District.

- c. The DUE DATE for USER charges will be specified on the bill. Failure to receive bills for utility service will not relieve the customer from responsibility for prompt payment.
- d. Payments are accepted as follows:
  - At the Utilities Office during regular business hours. Forms of payment accepted are cash, check, money order or credit card. Checks should be made payable to the Village of Cleves.
  - By mail sent to: Village of Cleves, 92 Cleves Avenue, Cleves, Ohio 45002. Payments received by mail MUST be postmarked on or before the DUE DATE to avoid late fees.
  - At the drop box located outside the Utilities Office. The VILLAGE is not responsible for the loss of cash payments deposited to the drop box.
- e. Checks returned for insufficient funds must be reimbursed in cash at the Utilities Office. A bad check fee in the amount of 2X the applicable bank fee plus any applicable late fees then in effect will be collected at the time of reimbursement.
- f. Bills remaining unpaid following the DUE DATE shall be declared delinquent and the USER will incur a 10% penalty which will be added to the charges due. The USER shall be notified by arrears notice of such delinquency. Arrearage notices shall be sent to both the customer and, if different, to the property owner.
- g. In the event that USER charges are not paid by the 15th day of the following month, the VILLAGE may shut-off water service. A 7-day SHUT-OFF NOTICE will be sent by regular mail to both the customer and property owner. The VILLAGE will assess a DISCONNECTION NOTICE FEE whenever SHUT-OFF NOTICES are delivered.
- h. A 24-HOUR SHUT-OFF NOTICE door hanger will be hand delivered to the property prior to the disconnection of utility service. Utility service will be disconnected once the waiting period has expired and a final meter reading is taken. This reading will be used to prepare the final customer bill.
- i. The restoration of utility service after SHUT-OFF for non-payment will require a RECONNECTION FEE. This fee along with all delinquent charges including rates, penalties and services MUST be PAID-IN-FULL before utility services will be restored. The reconnection fee shall be doubled when service must be restored after normal business hours or weekends.
- j. If the bill is not PAID-IN-FULL within 60 days of the original due date, the delinquency may be certified, together with the accumulated penalty, to the County Auditor for collection with real estate taxes and other assessments.

## VI. PAYMENT EXTENSIONS & ADJUSTMENTS

- a. USERS can submit a written request for payment modification or extensions during the grace period between the payment due date and disconnection of utility service. **No**

**payment modifications will be approved once utility service has been**

**disconnected**. Payment extensions in excess of 45 days must be approved by the ADMINISTRATOR.

- b. A PAYMENT MODIFICATION AGREEMENT with payment of the first agreed upon installment must be executed by the USER in person at the Village Office by the USER when payment terms are extended beyond 45 days. The property owner must concur in the terms of this agreement for rental properties.
- c. A copy of the payment agreement will be kept on file and documented in the USER'S account history. All subsequent payments under terms of a PAYMENT MODIFICATION AGREEMENT must be made at the Village Office during regular business hours.
- d. Non-payment under terms of the PAYMENT MODIFICATION AGREEMENT shall result in the disconnection of utility service with delivery of a (7-day and 24-hour) SHUT-OFF NOTICE. No grace period will be provided for USERS making installments under the terms of a PAYMENT MODIFICATION AGREEMENT.
- e. The property owner or his authorized representative may dispute charges through a formal dispute resolution process. Disputed charges may go unpaid without penalty until the dispute is resolved. All disputes will be heard by the ADMINISTRATOR within 30 days of receiving a written request.
- f. Adjustments to USER account must be approved by the VILLAGE in writing. Decisions of the ADMINISTRATOR will be final. All adjustments will be documented in the USER account history. No reduction in water charges shall be made for leakage.

**VII. FINAL BILLS**

- a. Final bills are due 15 days from the date of mailing. Any unpaid balance on the final bill after 60 days, if larger than \$10.00, will be referred to the ADMINISTRATOR for further action.
- b. Credit balances shall first be applied to any other utility service account with an unpaid balance in the USER's name. If a credit larger than \$5.00 remains following such application, the credit will be repaid by check to the USER. Credits of less than \$5.00 will not be refunded.
- c. In the event a USER moves and fails to notify the VILLAGE, a final bill will be estimated based on historical usage.
- d. PROPERTY OWNERS are responsible for the final bill of their TENANTS.

**VIII. MULTIPLE DWELLING/RENTAL USER'S CHARGE**

- a. PROPERTY OWNERS of individually metered rental units are responsible for USER charges incurred by each unit. If desired by the PROPERTY OWNER, the VILLAGE can acknowledge the TENANT as a USER and will bill the TENANT directly.

- b. It is the responsibility of the PROPERTY OWNER to keep the VILLAGE informed regarding the current mailing address of their TENANTS. Failure of the USER to receive a bill for USER charges shall not excuse the USER from responsibility to pay utility bills.

**IX. TEMPORARY SHUT-OFF FOR VACATIONS AND OTHER TEMPORARY VACANCIES**

- a. In the event the USER desires to have services suspended for an extended period of time, the USER may request that the VILLAGE shut off utility service. The restoration of utility service will require a RECONNECTION FEE.
- b. No billing adjustments will be made for usage delivered PRIOR to SHUT-OFF. A base rate for utility access will continue to be charged according to the current rate schedule.

**X. METER POLICY**

- a. Meters are supplied by the VILLAGE and remain the property of the VILLAGE.
- b. Each residential, commercial, or industrial structure shall have a separate service branch and meter pit. Properties not so equipped will be required to install additional service lines and meter pits at the property owner's expense upon request of the VILLAGE.
- c. The ADMINISTRATOR may temporarily waive the requirement to provide separate service branch and meter pits when the cost of the necessary plumbing improvement is shown to be unreasonable. Instead the account can be billed multiple base or minimum bills for the number of units served.
- d. Authorized employees of the department shall have the right, at any reasonable time, to enter the premises for the purpose of inspecting the water or fire protection service. The ADMINISTRATOR shall be authorized to discontinue service for failure to comply with any portion of these regulations.
- e. Meters must be installed in such a manner and place that will make them readily accessible for reading. No obstruction or landscaping shall be placed on the meter pit.
- f. If a meter reader is unable to obtain a reading because the meter is out of order or is inaccessible for any reason, an estimated charge will be made based on historical usage. In the event of two consecutive estimated bills, water service to the property will be shut off until the PROPERTY OWNER provides access to the meter. USER will be charged a RECONNECTION FEE.
- g. The VILLAGE will test and correct any meter which the owner believes is registering incorrectly and will guarantee its accuracy against any overcharge within two percent (2%) for usage recorded during the previous 30 days. In order to protect the VILLAGE against unreasonable demands for this service, a METER TESTING FEE will be assessed if the meter is shown to be registering properly.

- h. **PROPERTY OWNERS** are responsible for **ANY** meter damage and will incur the cost of repair or replacement. **USERS** will not be responsible for defects caused by normal wear and tear.