Administrative Rule

Utility Services Delinquent Account Practices and Procedures

Rule No. 12.01.080-02-01
Effective

City requires timely payment for all utility services. Customers who fail to keep utility service account in good standing will be assessed fees and charges related to collection of delinquent bill and may result in termination of water service. The following action will be taken with regard to unpaid utility service accounts:

I. Single Family Dwelling & Metered Business Accounts

A. Urgent Notice
   1. If the bill is not paid by the due date, an urgent notice will be mailed to the customer within 14 days of the original due date on the bill.
   2. The urgent notice will specify a new due date for payment before termination of service.

B. Final Notice
   1. If payment is not made by due date specified in the urgent notice, a Final Notice will be mailed out five days before water service is shut-off. ~~a final notice is posted on the front door of the residence or business at least 36 hours before water service is terminated.~~
   2. The five days shall ~~not~~ include City holidays or weekends.
   3. The final notice will detail types and amounts of past due charges and the date and time charges must be paid to avoid termination of water service.
   4. Per city fees and charges schedule, a final notification process fee will be added to the account to recover costs imposed on the city in issuing urgent and final notices.

C. Termination of Water Service
   1. Accounts remaining unpaid 36 hours after issuance of final notice will be scheduled for shut-off.
   2. Accounts will be reviewed at 10 a.m. on shut-off day to determine if payment has been received.
   3. Unpaid account balances will have water service terminated and water meter locked.
   4. Per city fees and charges schedule, a water disconnection charge will be added to the account to recover city costs in terminating service. Notification charges shall apply even if actual water service termination is not performed.

D. Reinstatement of Water Service
   1. Water service will be reinstated on the day the bill is paid in full providing payment is received before 5 p.m. Charges may include, but are not limited to:
      a. Outstanding bill
      b. Fees and charges related to outstanding bill
      c. Deposit, if required
      d. Meter damage charges, if applicable
   2. If payment is made after 5 p.m., water service will be reinstated on next regular business day. Service will not be reinstated outside normal city business hours or on city holidays or weekends.

E. Payment on Past Due Accounts
   1. City does not recommend past due accounts be paid through on-line banking. Such payments are not credited to an account until processing is completed and can take up to two weeks.
   2. If payment is made by check and bank returns check unpaid for any reason:
      a. Any fees and charges avoided by this payment will be assessed.
      b. Per city fees and charges schedule, a returned check fee will be added to the account to recover any bank fees along with city costs in collecting payment.

F. Deposit Required for Recurring Past Due Accounts

1. If a customer has been issued three Final Notices within a 12 month period, a proportional deposit will be required.
2. Total deposit will equal average of the two most recent billing cycles.
3. Deposit will be credited back to the account once two full years have elapsed since issuance of customer's last final notice or date the deposit was received, whichever occurs later.
4. If a final bill is issued and deposit is greater than final bill, the deposit will be applied to customer's account and a refund will be issued. If final bill is greater than deposit, the deposit will be credited to final bill and customer will be responsible for paying remaining balance.

II. Multi-Family and Commercial Accounts

The City defines a multi-family unit as property having more than two single-family dwellings with common water meter. A commercial unit is property having multiple businesses with common water meter. The City will take the following action with regard to unpaid utility service accounts:

A. Urgent Notice
   1. If bill is not paid by due date, an urgent notice is mailed to customer within 14 days of due date on original bill.
   2. The urgent notice will specify a new due date.

B. Final Notice
   1. If payment is not made by due date specified in urgent notice, a final notice is posted on is mailed to the customer notifying them that water service will be terminated in 30 calendar days.
   2. To the extent possible, tenants of the property will be notified **20** ~~30~~ calendar days prior to water service termination. Notification shall be placed on doors of each dwelling or place of business.
   3. Per city fees and charges schedule, a final notification process fee will be added to the account to recover city costs in issuing urgent and final notices.

C. Termination of Water Service
   1. Accounts remaining unpaid **20** ~~30~~ days after issuance of final notice will be scheduled for shut-off.
   2. Accounts will be reviewed at 10 a.m. on shut-off day to determine if payment has been received.
   3. Unpaid account balances will have water service terminated and water meter locked.
   4. Per city fees and charges schedule, a water disconnection charge will be added to the account to recover city costs in terminating service. Charges shall apply even if actual water service termination is not performed.

D. Reinstatement of Water Service
   1. Water service will be reinstated on the day the bill is paid in full providing payment is received before 5 p.m. Charges may include, but are not limited to:
      a. Outstanding bill
      b. Fees and charges related to outstanding bill
      c. Deposit, if required
      d. Meter damage charges, if applicable (See city's Water Meter Practices and Procedures)
   2. If payment is made after 5 p.m., water service will be reinstated on next regular business day. Water service will not be reinstated outside normal city business hours or on city holidays or weekends.

E. Payment on Past Due Accounts
   1. City does not recommend past due accounts be paid through on-line banking. Such payments are not credited to an account until processing is completed and can take up to two weeks.
   2. If payment is made by check and bank returns the check unpaid for any reason:
      a. Any fees and charges avoided by this payment will be assessed.
      b. Per city fees and charges schedule, a returned check fee will be added to the account

~~F. Deposit Required for Recurring Past Due Accounts~~

~~1. If a customer has been issued three final notices within a 12 month period, a proportional deposit will be required.~~
~~2. Total deposit will equal average of the two most recent billing cycles.~~
~~3. Deposit will be credited back to the account once two full years have elapsed since issuance of customer's last final notice or date the deposit was received, whichever occurs later.~~
~~4. If a final bill is issued and deposit is greater than final bill, the deposit will be applied to customer's account and a refund will be issued. If final bill is greater than deposit, the deposit will be credited to final bill and customer will be responsible for paying remaining balance.~~

III. Sewer Service Accounts Only

Unpaid utility bills can result in termination of service. Utility charges on accounts without water service having delinquent amounts may be collected using the following collection methods instead of the notification and shutoff procedure:

A. Delinquency Collection Procedures – Sewer Only Customers
   1. City manager or designee shall have authority to select a collection agent to recover delinquent utility accounts.
   2. Delinquent utility charges may be collected by filing a claim in the appropriate court. City manager or designee shall have the authority to request pursuit of such claims by the city attorney and shall have authority to sign and file necessary documents.
   3. Delinquent utility charges may be collected by turning uncollected balance over to Washington County Tax Assessor for inclusion on tax bills. This method of collection shall only be used if user of services is also owner of premises connected to billed system. Owner's approval must be received in writing allowing the turnover. Accounts being collected in this manner shall be charged a turnover fee and shall be turned over to assessor each year by July 15.
   4. Delinquent utility charges may also be collected by disconnecting utility services. Disconnection may involve physical disconnection of incoming or outgoing utility service pipes and facilities. Disconnection shall be pursued with approval of city manager or designee. Actual disconnection costs shall be calculated and must be paid by utility user before reconnection is established.

VI. Damage or Tampering with Disconnected Water Meter

A. Customers will be charged actual cost to repair damaged water meter or meter lock caused by willful act of customer or other party.

VII. Appeal Process

A. Customer may appeal billing decision to the assistant finance director.
B. Appeal must be in writing and detail reason for appealing decision. Supporting documentation must be included and delivered within 30 days of original billing decision to:

Assistant Finance Director
City of Tigard
13125 SW Hall Blvd.
Tigard OR 97223

Approved by:

_____ _____

Martha L. Wine, City Manager Date