

ORDINANCE 2020-267

AN ORDINANCE TO AMEND THE ORIENTAL CODE OF GENERAL ORDINANCES.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ORIENTAL,

**SECTION 1.** That **Chapter K WATER SERVICE, ARTICLE X – BILL COLLECTION**, following sections be suspended as follows:

**Section 5 – Disconnection for Nonpayment**

If any bill is not paid by close of business on the fifth (5<sup>th</sup>) day of the month following the due date printed on the bill, water service will be discontinued without further notice for nonpayment and a reconnection fee will be charged to the consumer if water service is restored. (Revised May 1, 2018) (RECOMMEND TO SUSPEND UNTIL MAY 7 or JUNE 10)

**Section 6 – Late Fees**

A \$5.00 late fee will be added to any account that has a balance not paid by the close of business of the 25<sup>th</sup> day of the month. (Revised May 1, 2018) (RECOMMEND TO SUSPEND UNTIL MAY 7 or JUNE 10)

**SECTION 2.** That **Chapter K WATER SERVICE, ARTICLE XI – METHOD OF PAYMENT**, following section be suspended as follows:

**Section 2 – Overdue Payment Contract**

A contractual overdue water bill payment agreement can be arranged between the customer and the Town Manager at the Town Hall by the 25<sup>th</sup> day of the month. This meeting must be arranged during normal working hours. The utility customer may be subject to immediate discontinuance of service if payment of this contractual agreement on or before the dates agreed upon is not met. (RECOMMEND TO SUSPEND UNTIL MAY 7 or JUNE 10 )

**SECTION 3.** That **Chapter K WATER SERVICE, ARTICLE XIII – INVOLUNTARY SUSPENSION OF SERVICE**, following sections be suspended as follows:

**Section 1 – Reason for Discontinuance**

The Town sometimes finds it necessary to discontinue water service to customers because of the following reasons:

- a) Failure of a customer to pay any bill for service within the time allowed by these rules.
- b) Refusal of legitimate access to premises or for damage to or loss of property owned by the Town on the customer's premises for which the customer is liable. (RECOMMEND TO SUSPEND UNTIL MAY 7 or JUNE 10)

**Section 2 – Collection of Debt**

Upon discontinuance of service for nonpayment of bills, the deposit will be applied by the Town toward settlement of the account. Any balance will be refunded to the

Customer, but if the deposit is not sufficient to cover the bill, the Town may proceed to collect the balance in the usual way provided by law for the collection of debts.

(RECOMMEND TO SUSPEND UNTIL MAY 7 or JUNE 10)

**Section 3 – Reconnect Fee**

Service discontinued for nonpayment of bills will be restored only after bills are paid in full, a redeposit is made, and a reconnect fee is paid for each meter, as set out in the Town Rate Schedule. (RECOMMEND TO SUSPEND UNTIL MAY 7 or JUNE 10 )

**SECTION 4.** That **Chapter K WATER SERVICE, ARTICLE XIV – COMPLAINTS AND ADJUSTMENTS**, following section be suspended as follows:

**Section 2 – No Waivers**

Requests for delays or waiver of payment will not be entertained. Only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified. The customer may pay a bill under protest and said payment shall not prejudice his claim. (RECOMMEND TO SUSPEND UNTIL MAY 7 or JUNE 10)

**SECTION 5.** That these changes become effective immediately following adoption and are in effect until \_\_\_\_\_ .

**ADOPTED THIS 19th DAY OF MARCH, 2019.**

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Sally Belangia, Mayor

\_\_\_\_\_  
Diane H. Miller, Town Manager

Ordinance # 2020-267\_\_\_\_\_



## CHAPTER K

### ARTICLE X – BILL COLLECTION

#### **Section 1 – Rate Schedule**

All charges for water usage and meter installation will be figured in accordance with the Town's published Rate Schedule then in effect. Water billing payments received will be applied to the account in the following order: Trash, recycling, water, and sewer. Any residence or business receiving trash service will also be required to have recycling service.

#### **Section 2 – Multiple Meters**

Readings from different meters will not be combined for billing, irrespective of the fact that said meters may be for the same or different premises, or for the same or different consumers, or for the same or different services.

#### **Section 3 – Delinquent Bills**

Failure to receive bills or notices shall not prevent such bills from becoming delinquent or relieve the Consumer from payment.

#### **Section 4 – Bills Due**

Bills are mailed on the fifth of the month, and are due and payable upon receipt, and are considered past due after the 25<sup>th</sup> day of the month rendered.

#### **Section 5 – Disconnection for Nonpayment**

If any bill is not paid by close of business on the fifth (5<sup>th</sup>) day of the month following the due date printed on the bill, water service will be discontinued without further notice for nonpayment and a reconnection fee will be charged to the consumer if water service is restored. (Revised May 1, 2018) (RECOMMEND TO SUSPEND 30/60 DAYS)

#### **Section 6 – Late Fees**

A \$5.00 late fee will be added to any account that has a balance not paid by the close of business of the 25<sup>th</sup> day of the month. (Revised May 1, 2018) (RECOMMEND TO SUSPEND 30-60 DAYS)

## ARTICLE XI – METHOD OF PAYMENT

#### **Section 1 – Acceptable Types of Payment**

Customers may make payment for service, deposits, connection and reconnection fees, penalties and related charges to the Town office in person or by mail. Payment may be made by cash, check, or money order. Checks which are returned to the Town dishonored shall be subject to a service fee as set out in the Rate Schedule, which may be added to the customer's bill until paid.

#### **Section 2 – Overdue Payment Contract**

A contractual overdue water bill payment agreement can be arranged between the customer and the Town Manager at the Town Hall by the 25<sup>th</sup> day of the month. This meeting must be arranged during normal working hours. The utility customer may be subject to immediate discontinuance of service if payment of this contractual agreement on or before the dates agreed upon is not met. (RECOMMEND SUSPEND 30-60 DAYS)

## **ARTICLE XII – VOLUNTARY SUSPENSION OF SERVICE**

### **Section 1 – Notice to be Given**

In order to assure discontinuance of service at a time requested by a customer, notice to the Town in advance of the proposed time of discontinuance shall be required. Notice shall be given at least three (3) days in advance and the customer will be responsible for all service consumed within the three days following the time of his notice to the Town. The time of discontinuance must take place during normal working hours.

### **Section 2 – Temporary Discontinuance**

Seasonal residents of Oriental, or residents leaving their homes unattended for an extended period of time, may request a temporary discontinuation of water service with a water shutoff at the meter. A monthly service charge continues to apply, and will appear on the monthly water bills. It is the customer's responsibility to call and request that service be restored or terminated. (amended June 2, 2015, effective July 1, 2015)

## **ARTICLE XIII – INVOLUNTARY SUSPENSION OF SERVICE**

### **Section 1 – Reason for Discontinuance**

The Town sometimes finds it necessary to discontinue water service to customers because of the following reasons:

- a) Failure of a customer to pay any bill for service within the time allowed by these rules.
- b) Refusal of legitimate access to premises or for damage to or loss of property owned by the Town on the customer's premises for which the customer is liable. (RECOMMEND TO SUSPEND 30-60 DAYS)



## **Section 2 – Collection of Debt**

Upon discontinuance of service for nonpayment of bills, the deposit will be applied by the Town toward settlement of the account. Any balance will be refunded to the Customer, but if the deposit is not sufficient to cover the bill, the Town may proceed to collect the balance in the usual way provided by law for the collection of debts.

**(RECOMMEND TO SUSPEND 30-60 DAYS)**

## **Section 3 – Reconnect Fee**

Service discontinued for nonpayment of bills will be restored only after bills are paid in full, a redeposit is made, and a reconnect fee is paid for each meter, as set out in the Town Rate Schedule. **(RECOMMEND TO SUSPEND 30-60 DAYS)**

## **Section 4 – Reasons for Discontinuing Service**

The Town reserves the right to discontinue its service without notice for the following additional reasons:

- a) To prevent fraud or abuse.
- b) Consumers willful disregard of the town's rules.
- c) Emergency repairs.
- d) Insufficiency of supply due to circumstances beyond the Town's control
- e) Legal processes.
- f) Direction of public authorities.
- g) Strike, riot, fire, flood, accident or any unavoidable cause.

# **ARTICLE XIV – COMPLAINTS AND ADJUSTMENTS**

## **Section 1 – Appeal of Bill**

If any customer disputes the correctness of his bill he shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing, and may present orally or in writing his complaint and contentions to the Town Manager who shall be authorized to order that the customer's service not be discontinued and has the authority to make a final determination of the customer's complaint. All appeals must be submitted to the Town on or before the 25<sup>th</sup> day of the month for which the bill is due.

**Section 2 – No Waivers**

Requests for delays or waiver of payment will not be entertained. Only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified. The customer may pay a bill under protest and said payment shall not prejudice his claim. (RECOMMEND TO SUSPEND 30-60 DAYS)

**FOR REFERENCE:****ARTICLE XVI – ABRIDGMENT OR MODIFICATION OF RULES****Section 1 – No Promises by Employees**

No promise, agreement or representation of any employee or representative of the Town shall be binding upon the Town except as it shall have been agreed upon in writing, signed and accepted by the Town Manager.

**Section 2 – Modification of Rates or Rules**

No modification of rates or any of the rules and regulations shall be made by any agent of the Town.