

GREENTOWN, INDIANA
UTILITY BILLING POLICIES & PROCEDURES
UNIFORM MUNICIPAL UTILITY BILLING POLICIES

Section 1. Definitions.

For purposes of this internal policy, the following words and phrases shall have the meaning as defined by this section.

1. Bill means the statement of account for municipal utility services rendered by the Town to a customer and due and payable to the Town by the customer.
2. Town means the municipal corporation known as the Town of Greentown, and any municipal subdivision or department of the Town or any designated agent authorized to act on behalf of the Town.
3. Customer means the deeded owner of the property receiving sanitary sewer and/or water service and/or storm water service.
4. Delinquent customer means any person, firm, corporation or entity who fails to pay any current charges or portion thereof for any municipal utility by the due date of the bill.
5. Municipal utility means the water, sewer or storm water departments or system of the Town of Greentown.
6. Past due amount means any current charges or portion thereof for any municipal utility which remain unpaid past the due date of the bill on which such current charges first appear.
7. Disconnect means the sewer services shall not be made available to any person, firm, corporation or entity due to non-payment.
8. Promissory agreement means a contract between customer and the Town allowing the customer to make payments to the Town to pay any current or past due charges or portion thereof for any municipal utility by a determined date.

Section 2. Utility billing policies and procedures.

The following policies and procedure shall govern the provision of municipal utilities of the Town of Greentown.

Section 3. Utility billing.

There is hereby created a utility billing section within such department as may be designated by the Town Council. The billing section shall be responsible for the calculation and

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rendering of all municipal utility bills. The utility billing section shall maintain account records for each customer that include the customer's name, billing address, service address, current charges and account history including past due charges, penalties and fees.

Section 4. Rate ordinances.

The Town shall establish, maintain, and periodically revise a Water and a Sewer and a Storm Water Rate Ordinance and a Trash Rate Ordinance. Said ordinances shall contain all the various fees, rates and charges that the Municipal Utility will charge to its customers. All municipal utility charges shall be calculated in accordance with the current Water and Sewer and Storm Water and Trash Rate Ordinances applicable to the municipal utilities or services rendered to a customer.

Section 5. Monthly utility bill.

The utility billing section of the Town shall provide each municipal utility customer with a monthly water bill, a monthly sewer bill, a monthly storm water bill, and a monthly trash bill which shall include the charge incurred by the customer for each monthly water, sewer, storm water, and trash services charges. The customer is responsible for paying each monthly bill in a timely manner. Bills for municipal utility services shall be rendered and paid monthly.

Section 5a. The monthly utility billing rate is determined by the customer's use characteristics.

The Town's Water, Sewer, and Storm Water Rate Ordinances may contain the provision for both monthly flat rates and monthly metered rates.

All residential use customers will be billed a monthly rate for water service, sanitary sewer service and storm water service in accordance with the Water, Sewer and Storm Water Rate Ordinances.

All non-residential use customers will be billed a monthly rate for water service, sanitary sewer service and storm water service in accordance with the Water, Sewer and Storm Water Rate Ordinances. These rate charges will be determined by the water use characteristics of the non-residential customer or in another manner approved by the Town.

The Town and its agents have the power, right and ability to investigate the water, sewer and storm water use characteristics of any customer at any time and modify the customer's billing rate based on that investigation, in accordance with the Water, Sewer and Storm Water Rate Ordinances.

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Section 6. Extra service bills.

Billings for any extra services, installation charges, penalties, collection fees or other special charges shall be rendered in accordance with the applicable utility or service rate resolution and shall be sent as a separate bill.

Section 7. Billing cycle.

- a. Usage Period. The usage period is the month or any part of the month during which water and/or sanitary sewer service is provided or is available to be provided to a customer of the utility or the month or part of the month that a customer's property is physically connected to the Town's water and/or sanitary sewer and/or storm water system. The usage period shall be from the last business day of the previous month to the last business day of the current month.
- b. Bill date. The Bill Date is the date by which the Town will send out the monthly billing. The Town has one billing cycle, Cycle 1. The Bill Date shall be the tenth (10th) day of the month.
- c. Billing period. The Billing Period is the time between the Bill Date and the Delinquent Date. Billings will be distributed by the Town to each customer of the Town on a monthly basis through the issuance of a monthly bill. Each monthly bill will state the date the bill is due and the date after which the bill is considered delinquent and delinquent fees will be added.

For Cycle 1, the consumption period will be from the last business day of the previous month to the last business day of the current month and the total bill shall be due and payable by the close of business no later than the twenty-fifth (25th) day of the month. The twenty-fifth day (25th) of the month shall be known as the due date. 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.

- d. Delinquent date. If a bill is not paid on or before the close of business of the due date, a late charge equal to ten percent (10%) of the current water bill amount shall be added to water bills and a late charge equal to ten percent (10%) of the current sewer bill amount shall be added to the charges. The first (1st) business day following the due date shall be known as the delinquent date. If the delinquent date falls on a holiday, Saturday or Sunday the bill shall then become delinquent at 8:00 a.m. on the first business day following the holiday or weekend.
- e. Lien notification date. If a sewer, storm water or trash bill is not paid on or before the close of business on the sixtieth (60th) business day following the due date, the Town will send an "Intention to File Lien" letter to the property address. If an owner of a non-owner occupied property has provided its name and address to the Town with a

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request to be notified of billing delinquencies, a copy of the “Intention to File Lien” letter will also be sent to this address. If the lien notification date falls on a holiday, Saturday or Sunday the “Intention to File Lien” letter shall then be distributed on the first business day following the holiday or weekend.

- f. Lien File Date. If a sewer or storm water bill is not paid on or before ten (10) business days following the Lien Notification Date, the Town or the Town’s attorney shall file a lien on the property at its earliest convenience. The date ten (10) business days following the Lien Notification Date shall be known as the Lien File Date. If the Lien File Date falls on a holiday, Saturday or Sunday then first date that liens will be filed shall then occur on the first business day following the holiday or weekend.
- g. Water Service Disconnection Date. If a water bill is not paid on or before the close of business on the tenth (10th) day of the month following the Due Date, the water service of the customer is subject to disconnection without additional notice. All water bills subject to disconnection shall be disconnected by the Town utility personnel on the same day in the order determined by the Town utility personnel to be most practicable and efficient and without discrimination or prejudice.

Disconnection of water service will occur on the date stated unless 1) payment is made in full before the disconnection date, or 2) arrangements for payment of the full amount have been made before the disconnection date, or 3) a request has been made for a due process hearing on the disconnection.

If arrangements are made to make payment on a delinquent bill the following will apply:

1. The date payment is to be made will not be extended for longer than seven (7) days from the disconnect date.
 2. Only one extension will be given in a twelve (12) month period (12 months from the last extension).
 3. If payment is not made on the date agreed upon, service will be disconnected the following day without additional notice.
 4. If payment is made by check and the bank, for any reason, returns the check unpaid, this will be considered as no payment and service will be terminated immediately without additional notice.
 5. If payment of the delinquent amount is not received in the office before the date given for disconnection of service, service will be terminated without additional notice.
 6. If service is terminated, for any reason, service will only be reinstated once the entire amount owed is paid together with the reconnect charge. Both of these sums must be paid before service will be reinstated.
- h. Clerk Treasurer as Hearing Officer on Application for Extension on Disconnection of Service. A person owing an unpaid water bill may appeal in writing to the Clerk Treasurer for an extension of the date when water service would be subject to

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discontinuation, setting forth in detail the extraordinary hardship or other unavoidable circumstances whereby the delinquent bill cannot be paid within the allowed period. The Clerk Treasurer, acting as the Hearing Officer for the extension request, may grant or deny such request, in whole or in part. The Hearing Officer may require partial payment of the delinquent bill in return for granting an extension.

- i. *Appeal of Hearing Officers Denial of Disconnection Extension.* A person owing an unpaid water bill may appeal the determination of the Clerk Treasurer acting as Hearing Officer in Section 7h. The appeal will be in writing to the Town Council which shall act on the appeal in its capacity as the Governing Board of the Municipal Water Corporation. The written appeal request shall set forth in detail 1) the extraordinary hardship or other unavoidable circumstances whereby the delinquent bill cannot be fully paid within the allowed period, 2) the specific relief requested, and 3) the reason(s) that the person owing an unpaid water bill believes that the adverse determination of the Clerk Treasurer acting as Hearing Officer was arbitrary or capricious. The Town Council shall consider such appeal at its next scheduled Town Council meeting. Any contemplated discontinuation of water service shall be deferred pending the determination of the appeal by the Town Council. The Town Council in its appeal determination may 1) deny the appeal, or 2) grant the appeal in whole or in part, and 3) may require partial payment of the delinquent bill in return for granting the extension. Upon denial of the appeal the delinquent user shall be given 48 hours notice of the appeal denial prior to the discontinuation of service.

Section 8. Application of Payments When Payment is Less Than Total Billing

When a utility payment is received by the Town from a customer and that payment is less than the amount billed, the customer's payments shall be applied as follows. First, the payment shall be applied to payment on the Trash account until that account is fully paid. Second, any funds remaining in the customer's payment, after the Trash payments have been applied, shall next be applied towards the Water billing until that account is paid in full. Third, any funds remaining in the customer's payment, after the Trash and Water payments have been applied, shall be applied toward the customer's storm water billing. Fourth, any funds remaining in the customer's payment, after the Trash, Water and Storm Water payments have been applied, shall be applied toward the customer's wastewater billing. In all cases, the payment shall be applied first to the oldest billings outstanding for each service category (Trash, Water, Storm Water, Wastewater) with remaining funds then being applied to the current bill for that service category.

This application of payments shall continue in all cases except the case where the customer has entered into a payment plan and/or promissory agreement with the Town. In the case of a payment plan or promissory agreement, each payment is first applied to the most recent month's billing. Funds remaining after the most recent month's billing is paid shall be applied as described in the previous paragraph or per the specific terms of the payment plan or promissory agreement.

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Section 9. Delinquent customers.

Any customer whose bill remains unpaid at the start of business on the first business day following the twenty-fifth (25th) day of the month (the “delinquent” date) shall be considered delinquent. Any customer who is delinquent may be contacted by the Town in an attempt to collect payment for the delinquent bill. The Town may also refer delinquent customers to a collection agency or attorney for collection on a case-by-case basis. Delinquent accounts are also subject to the filing of liens in accordance with the Town’s billing procedure. Delinquent accounts referred to an attorney shall also include costs of collection and reasonable attorney fees.

Delinquent accounts that have been filed as liens can no longer be paid in the normal manner but must be paid to the County in the manner prescribed by the County for lien payments. Lien filings will include reasonable collection and attorney fees.

Section 10. Municipal utility service application.

Any person, firm or corporation desiring to establish any municipal utility service or combination thereof shall make application for said service. The application shall be on such form(s) as may now or hereinafter be prescribed by the Town. The application shall include the applicant’s name, spouse’s name, service address, mailing address, landlord’s name, telephone number and personal identification number (e.g., social security number, drivers license number and date of birth) or federal identification number (businesses) and signature of the party responsible for payment. Persons applying on behalf of others or acting as an agent for others may provide the required information provided such agent agrees to assume responsibility for the person, firm or corporation upon whose behalf they are applying. Each service location shall be considered a separate account. The Town may request to make a copy of the Applicant’s drivers license or other government issued identification in order to confirm identity.

Section 11. Disputed utility bills.

A customer may request a face-to-face conference regarding any dispute over a disputed utility bill or other service matter before the Town Council, or its designee, to hear such matters.

All such matters will be resolved in accordance with IC 8-1-2-103, IC 8-1.5-3.5, the written policies of the Town, and the judgement of the Town Council.

Only the Town Council has the ability to modify, change or mitigate a utility bill.

Section 12. Promissory agreement.

Any customer may request a face-to-face conference before the Town Council to consider entering into a payment plan or promissory agreement that identifies certain terms and conditions of a payment plan that would cause a utility account to be made current. If a customer fails to make good on any term and/or condition contained within the promissory agreement, other collection procedures may be implemented immediately.

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If arrangements are made to make payment on a delinquent bill the following will apply:

1. The date that payment will be made will not be extended for longer than seven (7) days from the disconnect date. This extension of time to pay will be at the discretion of the Town Council based on the circumstances and the customer's prior payment history.
2. Only one extension will be given in any 12 month period.
3. If payment is not made on the date agreed upon, the service will be disconnected the following day.
4. If payment is made by check and the bank, for whatever reason, returns the check unpaid, this will be considered as non payment and service will be terminated immediately.
5. If payment of the delinquent amount is not received in the office before the date given for disconnection of service, service will be terminated and the amount owed together with the reconnect charge must be paid before service will resume.

Section 13. Service charges and customer utility deposits.

The following additional fees shall be charged for services provided by the municipal utility:

- a. Returned check fees:
 1. \$40.00 for all checks that are returned
 2. Returned checks - the customer shall pay, by cash or money order, the amount of the returned check(s) plus the corresponding returned check fee.
 3. After two returned checks in any 12-month period, the customer shall pay all current and future payments by cash or money order.
 4. In its pursuit of collection for return checks the Town will follow Indiana Code (IC 26-2-7 and/or IC 34-24-3) which in certain cases allow the collection of treble damages.
- b. Reconnection fee:
 1. Once water service is disconnected, a service fee of \$20.00 will be charged to the customer for the disconnection of the water service. An additional service fee of \$20.00 will be charged to the customer for the reconnection of water service. Both the disconnection service fee and the reconnection service fee must be paid prior to water service being reconnected.

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c. Meter tampering:

A charge equal to the cost to the town of any repairs caused by the meter tampering will be billed in addition to the the cost of the estimated usage not recorded due to the meter tampering. Subsequent meter tampering will cause the discontinuation of water service.

d. Tap fee:

Every initial customer tapping onto or connecting to the town's utility system shall pay a tap fee in an amount that is in accordance with the Town's current rate ordinance. The connection fee must be paid before installation begins.

e. Water deposit to become Utility deposit:

Every water customer of the Town has had to pay a water deposit in an amount that was in accordance with the Town's current rate ordinance. The Deposit must be paid before service is turned on.

The Town is now requiring a Utility deposit from all customers. The Utility deposit will be held by the Town and will be used to pay any outstanding sewer, water, storm or trash bill that the Town is not able to collect by other methods. For customers leaving the system the Utility deposit may also be used as a credit against the final sewer, water, storm or trash bill.

All customers with current water deposits being held by the Town can sign an authorization to roll over their water deposit to a utility deposit in the same amount as the currently held water deposit. This roll over will satisfy the customers' utility deposit requirement.

Any customer who rolls over its water deposit to a utility deposit using a historic water deposit amount that is less than the current required deposit amount will have the utility deposit requirement satisfied at the historic deposit amount as a grandfathered customer. However, if at any time the Town has to use that customer's utility deposit, then whenever that customer is required to make any future deposit as either a new or as a current utility customer, then that customer will be required to make that deposit at the current level of the utility deposit – not at the grandfathered amount.

The full utility deposit amount required from customers that do not currently have a utility deposit being held by the Town is \$150.00. However, if a customer has Town water service but not Town sewer service – or if the customer has Town sewer service but not Town water service, then that utility deposit amount will be reduced to \$100.00.

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f. Extensions of water mains:

Extensions of water mains shall be made in accordance with Rule 24 of the Rules and Standards of Service for Water Utilities as promulgated and adopted by the Indiana Utility Regulatory Commission.

Section 13. Customer Charges When Water Service Has Been Disconnected.

a. Sewer Customers

All sewer customers will continue to receive a monthly sewer bill after water service has been disconnected. This includes customers whose water service has been disconnected both for non-payment and for vacationing. The customer's sewer service is not able to be physically disconnected without digging up the customer's sewer lateral and capping it.

b. Water Customers

Water customers may request that their water service be disconnected . The customer will be charged a fee to disconnect the water service and an additional fee to reconnect the water service. While the water service is disconnected the customer will not be charged a bill for water service. However, if the customer has water service for any part of a month, that customer will either receive a charge for the water used or the full minimum bill – whichever is greater.

c. Storm Water Customers

Storm water customers will continue to receive a monthly storm water bill after water service has been disconnected. The customer's storm water bill is based on the amount of water run-off that occurs on a property. Water run-off occurs regardless of whether the customer is connected to the Town water service.

d. Trash Customers

Trash customers will continue to receive a monthly trash bill after water service has been disconnected. The customer's trash bill is based on a contract and the contract fee is based on the number of annual customers that will be served under the contract. However, if the customer notifies the Town that it no longer desires trash service and the location is vacant and if the Town can notify its trash vendor not to collect from this location and if the vendor no longer bills the Town for this location – then locations that fit these conditions will have their trash bills discontinued. Once a trash bill is discontinued, no trash pick up will be made at that location.

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Section 14. Responsible Party for Utility Bills.

a. Property Owners

The property owner is the responsible party for all sewer, water, storm water and trash bills billed to a property. A landlord may request that utility bills be put into a renter's name and the Town will accommodate these requests, but the Town's accommodation of these requests does not remove the Property Owner from responsibility from the utility bills if the renter does not pay the utility bills.

All Landlords requesting that the sewer, water, storm water or trash bills be sent to their renters will first sign a Landowner's Service Agreement before the Town will put the sewer, water, storm water and trash bills in the renter's name.

If a Landlord Service agreement is signed, the Town will put all sewer, water, storm water and trash bills in the renter's name and collect the appropriate utility deposit from the renter. The Town will also hold a deposit on each rental property from the Landlord.

Section 15. Metering Well Usage For Monthly Sewer Bill Calculation

a. Sewer Customers Not on Town Water Service

Any Town sewer customer on private wells can request that the Town provide the customer with a water meter (at the customer's cost and at the customer's installation expense) that the customer agrees to pay for and to install at its expense. After the installation of the water meter the customer's monthly sewer bill will be calculated based on the metered water usage shown on the meter in the same manner and method by which the Town's other water customers have their sewer bills calculated and billed. These meter installations will be inspected by the Town.

Once a customer installs a meter on their well, that customer's sewer bill will thereafter always be based on the metered water consumption from the well and the water meter may not be disconnected by the customer.

Section 16. Pool and Sprinkling Credits

a. Pool Credits

Any Town sewer customer having a pool may request a pool credit. The credit will only be given for the month of May. The credit will be calculated by calculating the customer's May sewer bill based on the average monthly water usage incurred by the customer for the months of February, March and April.

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The Pool Credit is available for residential customers only.

The Pool Credit must be requested each year by the customer by filling out a pool credit application. The Pool Credit application is available at the Town Hall during regular business hours.

The Pool credit must be requested prior to May 31.

b. Sprinkling Credits

The Town automatically calculates a Sprinkling Credit for water customers on Town sewer. The credit will only be given for the months of June, July and August. The credit will be calculated by billing the customer's June, July, and August sewer bill based on the average monthly water usage incurred by the customer for the months of March, April and May.

The Sprinkling Credit is available for residential customers only.

Section 17. Payment of Town Bills

a. Town Hall


Any utility bill may be paid at the Town Hall during regular business hours by cash, check or credit card. There is also a deposit box that can be used to make payments by check outside of Town Hall regular business hours.

b. Invoice Cloud

The Town has contracted with Invoice Cloud, a proprietary service, to allow customers to pay any utility bill online or by text. The use of Invoice cloud by the customer is discretionary and Invoice Cloud charges a service charge for using Invoice Cloud. The terms and conditions and process for the use of Invoice Cloud are contained on Invoice Cloud's web site.

Section 18. Effective date.

This utility billing policy and procedure shall be in full force and effect from and after January 1, 2017.



Teresa Duke, Clerk-Treasurer