

# Important Facts about your water and sewer service...

Summarization of The City of Oak Grove Code of Ordinances, Chapter 7, Section 700.185

The following critical information is provided to help you understand the City of Oak Grove's various water and sewer policies. Please note that the below information is in summary format. Full details on these policies can be found in The City of Oak Grove Code of Ordinances, Chapter 7, Section 700.185. If you wish to view the specified Ordinance, please feel free to request a copy in its entirety at the City Clerk's Office, City Hall, 2110 South Broadway by submitting our standard request form for public information.

## Uniform Terms of Payment Policy

1. Monthly utility bills will be provided to you at or near the middle of each month.
2. You will have the first ten (10) calendar days of the month to submit payment for utility services rendered without a penalty charge. The period of the billing date through the tenth (10th) day is called the standard billing period.
3. A penalty charge of ten percent (10%) shall be applied to all accounts that are paid after the expiration of the standard billing period each month. The period beginning with the eleventh (11th) calendar day of the month through the twenty-third (23rd) day shall be known as the late billing period.
4. Utility bills not paid in full by the twenty-third (23rd) calendar day of month are deemed delinquent.
5. The due date on a utility bill applies to current charges only and does not extend or otherwise alter any previous due date, notice, or agreement regarding past due charges for delinquent utility service.

## Delinquency Policy

1. All utility bills and current utility service charges not paid in full by the twenty-third (23rd) calendar day of the month are deemed delinquent and shall be subject to Discontinuance of Utility Service.
2. All information concerning final notice and service termination will be provided on the utility bill.
3. Final notices and shut-off notices will not be provided under a separate mailing.
4. Deposits required by the department in accordance with this Chapter, if any, may be applied against a delinquent bill and any other arrears due by you at the discretion of the City.

## Discontinuance of Utility Service Policy

1. Utility service may be discontinued by the department after five (5) days' notice for any of the following reasons:
  - a. Non-payment of any utility bill due and owing;
  - b. Willful or indifferent waste of water due to any cause;
  - c. Willful or indifferent waste of water entering the building sewer due to any cause;
  - d. Failure to protect and maintain the service pipe or fixtures or plumbing fixtures and drainage system on the customer's property in a condition satisfactory to the department;
  - e. Molesting or tampering, by the customer or by others with the knowledge of the customer, with any meter, connection, service pipe, curb cock, seal or any other appliances controlling or regulating the customer's water supply;
  - f. Molesting or tampering, by the customer or by others with the knowledge of the customer, with any meter, meter seal, drainage system, piping or any other device controlling or regulating the customer's sewage flow;
  - g. Failure to provide the department's employees free and reasonable access to the premises served, or for obstructing the way of ingress to the meter or other appliances controlling or regulating the customer's water supply or sewage flow;

- h. Violation of any rule or regulation of the department.
- 2. A shut off/service disconnection fee shall be imposed in the amount of twenty-five dollars (\$25.00) to cover the administrative costs of the City for this action. Should it be necessary for the City to take action to discontinue utility service at a premises outside of regular business hours, the City may impose additional fees to cover the increased administrative costs of this action.
- 3. All services that are delinquent by the shut-off date will be terminated unless written payment arrangements have been prepared, accepted and filed in the Utility Billing Office

**Restoration of Utility Service After Discontinuance**

- 1. When the utility service to a customer has been discontinued for any of the above reasons, it will be renewed only after the conditions, circumstances or practices, which caused the utility service to be discontinued, are corrected to the satisfaction of the department and upon payment of all charges due and payable by the customer in accordance with this Chapter and the effective schedule of rates.
- 2. A fee of twenty-five dollars (\$25.00) will be made for turning on the water and/or reestablishing the utility services to the account during regular business hours (Monday – Friday 8AM to 5PM).
- 3. Any request for service reconnection after the close of regular business hours of the utility service crew, will be assessed the thirty-five dollar (\$35.00) on/off fee and an additional after-hours reconnection surcharge amounting to the total overtime cost of the employee(s) called out to reestablish utility service. After-hours reconnection is not guaranteed and is further subject to the availability of appropriate utility personnel.
- 4. All amounts that are delinquent as well as all on/off and reconnection surcharge fees must be paid in full by cash, money order, or certified check only, before utility service will be reconnected.
- 5. The City reserves the right to refuse to provide or reestablish utility service for individuals who exhibit a history of chronic delinquency with the City. Chronic delinquency is defined as having service terminated more than two (2) times in a calendar year; and/or placement of account on delinquency status for three (3) or more consecutive months; and/or having written two (2) or more checks returned for insufficient funds for delinquent utility services in the past twelve (12) months.

**Disputed Utility Bill Policy.**

- 1. When disputing a utility bill, the following terms of payment apply:
  - a. All utility service charges must be paid in accordance with the Uniform Terms of Payment and Collection for Water and Sewer Utility Service Charges in order to avoid service disconnection for nonpayment.
  - b. All charges for utilities must continue to be paid while the disputed bill process is pending.
  - c. Upon completion of the disputed bill procedure, if adjustment of the bill is warranted, the customer will receive either a credit (refund of charges collected by the City) or debit (charge for charges not yet collected by the City) to their respective utility account based on the terms of the resolution of the disputed bill.
- 2. If a customer disputes a utility bill, one or more of the following options must be pursued in order to remedy the dispute:
  - a. Request a meeting with the City Administrator and/or his or her designee in order to discuss the reason(s) for disputing the bill and to determine the appropriate course of corrective action.
  - b. Request that the meter be tested.
    - 1) If the meter is tested and found to be inaccurately registering utility consumption, the department shall replace the meter and shall adjust the utility bill amount due by calculating consumption for the billing period in question

based on average usage for the twelve (12) months preceding the disputed period; all of these services will be provided at no cost to the customer. Any retroactive billing adjustments shall not be for more than ninety (90) days prior to the originating date of the dispute.

- 2) If the meter is tested and found to register within the tolerance limits, as defined by the relevant industry standard meter specifications, the customer is charged sixty dollars (\$60.00) for each meter tested. Based upon the meter test reports, neither the City Administrator nor the department can further recommend adjustment of the given disputed bill. If other sufficient evidence of mitigating effects on the metering or billing process is provided, a hearing concerning the disputed bill shall be set before the Board of Appeals.
- c. Request a hearing before the Board of Appeals, as established and governed by the appropriate City ordinance, provided that the disputed bill contains consumption/usage that is more than one hundred fifty-percent (150%) of the average usage during the immediately preceding twelve (12) months.
  - 1) For example: a customer account's average bills indicate water consumption of 4,000 gallons/month, the disputed bill in question indicates usage of 7,000 gallons/month. As a result of 7,000 gallons/month exceeding 150% (6,000 gallons/month) of the 4,000 gallons/month average, the customer may request a hearing.
  - 2) In the event a twelve (12) month history is not available, the usage must exceed the respective industry standard average by fifty percent (50%) or more.
    - a) All requests for hearings must occur within ten (10) regular business days (Monday – Friday 8AM to 5PM) of receipt of the bill.
    - b) Special Circumstance Hearings may be heard before the Board of Appeals for situations and accounts not meeting the minimum qualifying standards as established above. Such Special Circumstance Hearings will be determined on a case-by-case basis as deemed necessary by the City Administrator or his or her appointed designee.
    - c) Customers will be limited to no more than one (1) Special Circumstance Hearing in any given calendar year.
3. All determinations resulting from the processes listed above shall be final and binding upon the City and the customer.

#### Payment Arrangement Policy

1. All current utility service charges must be paid in full by the twenty-third (23rd) calendar day of the current billing month as defined in *Uniform Terms of Payment and Collection for Water and Sewer Utility Service Charges*.
2. Customers who are unable to meet their financial obligation for utility services rendered due to temporary circumstances are encouraged to seek appropriate financial institution or social service agency assistance in order to meet the requirements of their utility charges for the current period in order to avoid the delinquency deadline and service termination/shut-off proceedings. Temporary circumstances may include, but are not limited to: unemployment, a death in the immediate family, the customer's extended illness, or abnormally high medical expenses.
3. The City may, at its sole discretion, enter into a written payment arrangement with the customer, provided that the customer can make a showing of financial need and prove that he or she has made a good faith attempt to obtain assistance from a bona-fide social service agency or financial institution and that assistance was denied or otherwise unavailable. The City Administrator, or his or her designee, may require any customer seeking to enter into a payment arrangement to verify, by affidavit, the customer's financial need and/or good faith attempt to obtain other assistance.

4. Customers must provide written evidence and the City must verify by the twenty-third (23rd) day of the current billing month that arrangements have been made between the customer and a bona-fide social service agency or financial institution or that a payment arrangement has been executed with the City to meet the complete financial obligation of all current and any delinquent utility service charges.
5. Upon receipt of the written evidence and verification of payment assistance by the Utility Billing Office, the City shall extend the shut-off date for the given individual by an additional twenty (20) calendar days. Individuals may seek no more than two (2) payment assistance payment extensions in a calendar year.
6. No extensions will be granted based on personal credit or promises to pay by individual utility customers unless the arrangements are paid in full in cash by the final collection date of the current billing period (i.e. the twentieth (20th) calendar day of the current billing month).
7. All payment assistance payment extensions must be submitted in writing, signed by the customer, a representative of the bona fide social service agency or financial institution providing assistance to the customer, if applicable, and the City Administrator or his or her designee and filed with the Utility Billing Office.
8. Failure of the social service agency or financial institution to remit payment within twenty (20) calendar days will subject the customer to proceedings under *Discontinuance of Utility Service*.
9. If the social service agency or financial institution cannot guarantee payment in full within the twenty-day (20) time limit, written notice from the institution must accompany the application for payment assistance payment extension and explicitly state when payment will be remitted to the City.
10. The City shall maintain and provide, upon request by the customer, a list of social service agencies and financial institutions for customers to contact if payment assistance is needed.
11. Utility services that have already been disconnected for non-payment are not eligible for payment extensions. All charges associated with said accounts must be paid in full in cash prior to service reestablishment.
12. Payment arrangements are limited only to temporary circumstances and, therefore, are limited to two (2) requests per calendar year.
13. Continuing requests for payment arrangements will not be accepted. Once payment arrangement options as established above are exhausted, service termination for non-payment/shut off procedures shall result.
14. The City reserves the right at any time to extend payment arrangements and/or collect payment through any recognized industry which specializes in debt collection management services.

In closing, please note that payment arrangements are authorized only as a last resort; limited exclusively to two (2) specific conditions:

1. Emergency situations affecting the health and/or welfare of the customer where a medical condition might be caused or affected by a lack of utility service.
2. Refusal of a bona-fide social service agency or financial institution to provide assistance or relief for utility service. Some examples of local social service agencies or financial institutions are as follows:
  - a. Commerce Bank
  - b. Bank of Jacomo
  - c. Community Service League (CSL)
  - d. Salvation Army
  - e. Local Churches

Finally, the City of Oak Grove's Utility Billing Office will require written documentation verifying that an official request for assistance was submitted by you and subsequently accepted or declined. Once the above documentation is submitted and filed with the Utility Billing Office, the Utility Billing Office can, if deemed necessary, approve a written payment arrangement with you for the current billing cycle. A payment arrangement must be filed and signed by both the Utility Billing Office and the customer involved to be binding on the City.

**Contact Information:**

City Hall  
2110 South Broadway  
Oak Grove, MO 64075

(816) 690-3773