

ORDINANCE 2007-09-25

***Amending*
ORDINANCE #2001-28**

**AN ORDINANCE ESTABLISHING A CUSTOMER APPLICATION AND
DEPOSIT POLICY
AND
PROCEDURE AND PRIORITY FOR THE RECEIPT AND APPLICATION FOR
THE
CITY OF GREENSBURG
MUNICIPAL WATER WORKS
AND THE
CITY OF GREENSBURG
MUNICIPAL WASTEWATER WORKS**

WHEREAS, the Water Board of Greensburg, Indiana and the Board of Public Works of Greensburg, Indiana have the responsibility to its ratepayers of maintaining the lowest possible rates and charges, and

WHEREAS, associated with said responsibility is the minimizing of bad debts, and

WHEREAS, it is in the best interest of the citizens of the City of Greensburg, Indiana, and also in the best interest of the City of Greensburg Municipal Water Works and the City of Greensburg Municipal Wastewater Works that an Ordinance be established regarding the procedures and priority of the receipt and application of revenue for said Water and Wastewater Works; and

WHEREAS, it is the desire of the Common Council of the City of Greensburg to establish a procedure pursuant to this Ordinance directing the priority and credit for all monies received by the Greensburg Municipal Water Works and the Greensburg Municipal Wastewater Works.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF GREENSBURG, INDIANA, AS FOLLOWS:

SECTION 1. The City of Greensburg, Indiana, hereby establishes a policy regarding the application for water service and for customer payment guarantee deposits as stated below.

CUSTOMER APPLICATION AND DEPOSIT POLICY

A. GENERAL

New or moving customers applying for utility service SHALL DO SO IN PERSON at the Business Office; and SHALL pay a cash deposit and/or an assigned Certificate of Deposit (CD) or Surety Bond; or comply with the creditworthy criteria (written confirmation from previous utility companies), as specified below, before any utility service will be rendered.

The applicant must submit and sign the “Application for Utility Service” and provide proof of identification (Driver’s License preferred). The “Application for Utility Service” will be maintained by the Greensburg Municipal Water & Wastewater Utility Business Office. The application shall include interest and litigation expense provisions

If the applicant is renting, the Property Owner or Manager SHALL sign the “Landlord Certification” section on the application in person or provide a copy of their signed lease agreement with the property owner. The Business Office will sign the application, which acknowledges receipt of the completed application, and compliance with the policy as stated herein.

Copies of this policy and related forms shall be available at the Utility Business Office.

B. WATER DEPOSIT REQUIREMENTS

(Water Only Customer)

<u>Number of People in Household</u>	<u>Deposit Amount</u>
Residential – Rental or Owner Occupied	
1	\$50.00
2	\$50.00
3	\$50.00
4	\$60.00
5	\$80.00
6	\$90.00
7	\$105.00
8	\$120.00
9	\$132.00
10	\$146.00
Commercial	\$100.00
Industrial	\$500.00
Municipal	no charge

C. SEWER DEPOSIT REQUIREMENTS

(Sewer Only Customer)

<u>Number of People in Household</u>	<u>Deposit Amount</u>
Residential – Rental or Owner Occupied	
1	\$60.00
2	\$65.00
3	\$85.00
4	\$105.00
5	\$115.00
6	\$125.00
7	\$130.00
8	\$135.00
9	\$140.00
10	\$150.00
Commercial	\$100.00
Industrial	\$500.00
Municipal	no charge

D. WATER & SEWER DEPOSIT REQUIREMENTS

(Water and Wastewater Customer)

<u>Number of People in Household</u>	<u>Deposit Amount</u>
Residential – Rental or Owner Occupied	
1	\$100.00
2	\$110.00
3	\$120.00
4	\$130.00
5	\$140.00
6	\$150.00
7	\$160.00
8	\$170.00
9	\$180.00
10	\$190.00
Commercial	\$200.00
Industrial	\$1000.00
Municipal	no charge

E. RESIDENTIAL – GENERAL

When a previously terminated account (owner-occupied or renter) returns to establish a new account after a period of time has elapsed, the deposit on those accounts which have previously established a negative credit history (see below for “History Defined”) with the City of Greensburg Municipal Water Works and the Greensburg Municipal Wastewater Works, may be double the regular deposit as stated above AND any amounts previously written off as bad debts MUST be paid AND any collection or legal fees paid to outside agencies MUST be reimbursed before a new account will be established.

If an active account (owner occupied or renter) continually becomes or remains past due (determined by multiple application of penalty charges against the account), or service has been discontinued due to non-payment, a deposit equal to double the schedule established above may be required for continuation or reestablishment of service.

F. RESIDENTIAL – OWNER OCCUPIED

The Owner Occupied Residential Deposit shall normally be required before utility service will be rendered. The deposit shall be waived, however, and the owner deemed creditworthy, if said Owner/Applicant provides written confirmation from his/her preceding utility company (the City of Greensburg Municipal Water Works and the Greensburg Municipal Wastewater Works shall be considered a preceding utility company), going back two (2) years, verifying that the applicant:

1. has been a customer of said previous utility within the past two (2) years,
2. is not past due on any bill at this time for service rendered by said previous utility,
3. within the past one (1) year, did not have more than one (1) bill which was delinquent to any utility, and
4. within the past two (2) years, did not have a service disconnected by any utility for non-payment of a bill for services rendered by said utility.

If the Owner/Applicant has not had service with any utility company within the past two (2) years, he/she must make a deposit as set forth in the schedule above. After two (2) years, the deposit may be refunded subject to the conditions set forth in the Refund section below.

G. RESIDENTIAL – RENTAL

A Residential Rental deposit shall always be required before utility service will be rendered.

When a rental account moves to a new account, a new “Application for Utility Service” shall be required. The old deposit will be applied to the current and final bills of the old account, and the balance, if any, will be refunded. If the old account is past due on the moving date, a new account will not be established until the old account is brought current. A new deposit is required for each new service. If a customer leaves an unpaid bill the deposit required on the new account may be double the regular deposit requirement.

If, after the final bill is prepared, the old deposit is not sufficient to cover the remaining charges on the old account and the old account becomes past due, the new account will be subject to service termination as though the two accounts were one.

H. NON-RESIDENTIAL - GENERAL

Commercial & Industrial accounts shall be required to put down a deposit or, an assigned Certificate of Deposit (CD) or Surety Bond, before utility service(s) will be rendered. If an account continually becomes or remains past due (determined by multiple application of penalty charges against the account), a deposit equal to double the schedule established above may be required for continuation of service.

If an account is disconnected because of non-payment, the deposit and/or Certificate of Deposit (CD) or Surety Bond may be used to pay all existing charges. Upon re-establishing the required deposit balance (a new Certificate of Deposit (CD) or Surety Bond may be required in order to increase the amount covered), the payment of reconnect charges and the payment of any charges not covered by the deposit and/or Certificate of Deposit (CD) or Surety Bond, services will be restored.

I. HISTORY DEFINED

Having a “history of being past due” or a “negative credit history” is hereby defined as follows:

1. Having been past due on more than one (1) occurrence during the proceeding twelve-(12) month period.
2. Having any service disconnected as a result of non-payment during the preceding twenty-four (24) month period, and/or

3. Being past due on the date service is terminated. (This includes those customers who request service be terminated at one location and connected at a new location as a result of moving to said new location.)

J. REFUNDING OF DEPOSITS

1. Cash deposits will be applied to the customer's Final Bill after which the balance, if any, will be refunded. Any balance due after application of the deposit shall be due and payable on or before the date specified on the Final Bill.
2. Residential Owner Occupied cash deposits may be refunded after two (2) years, if requested and, if the following conditions are met:
 - a. within the past one (1) year, the Owner/Occupant did not have more than (1) bill, which became delinquent, AND
 - b. Within the past two- (2) years, the Owner/Occupant did not have a service disconnected for non-payment.
3. Non-Residential Certificates of Deposit (CD's) will be returned to the owner with a cancellation of the assignment within a reasonable time after all final charges are paid.
4. Non-Residential Surety Bonds will be canceled and returned to the principal within a reasonable time after all final charges are paid.
5. If the City of Greensburg, Municipal Water Works deposit has a balance remaining after that utility's charges are satisfied, said balance shall be applied to other charges not so satisfied before any amount of the deposit is refunded.
6. Interest will NOT be paid on any part of the deposit.

SECTION 2.

PROCEDURE AND PRIORITY FOR THE RECEIPT AND APPLICATION

- A.** All monies received toward the payment of services, including Water and Wastewater Meter Deposits or any payments on accounts for the City of Greensburg Municipal Water Works and the City of Greensburg Municipal Wastewater Works shall be applied and paid in the following priority:
 - 1st. - To any and all outstanding Water service bills;
 - 2nd. - To any outstanding Sanitation charges;
 - 3rd. - The remaining portions shall be applied to any Wastewater charges.
- B.** The City of Greensburg Municipal Water and Wastewater Works and the Clerk-Treasurer for the City of Greensburg are hereby required to apply the revenues according to section number **A.** above, with any and all revenue received by them for Water, Sanitation and Wastewater charges.

All of which is duly adopted by the Common Council of the City of Greensburg, Indiana, this ____ day of _____, 2007, at the hour of _____ P.M.

FRANK P. MANUS, MAYOR,
CITY OF GREENSBURG, INDIANA

ATTEST:

Presented by me to the Mayor of the City of Greensburg, Indiana, on the ____ day of _____, at the hour of _____ .M.

L. JUNE RYLE, CLERK TREASURER
CITY OF GREENSBURG, INDIANA