

**ORDINANCE 2024-**  
**AN ORDINANCE AMENDING CHAPTER 5, ARTICLE I, DIVISION I TO ADD SECTION 5-103.1 TO CLARIFY PROCESS OF WASTEWATER DISCONNECTION; AND TO AMEND ARTICLE I, DIVISION 2: SECTION 5-180 OF THE BOWLING GREEN TOWN CODE, TO CLARIFY THE PROCESS OF WATER DISCONNECTION.**

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**WHEREAS**, there have been a few amendments to state code regarding the process for water and sewer disconnections since the Town adopted its previously adopted ordinances as reflected in the current Town Code; and

**WHEREAS**, Town Council desires to update the Town Code to reflect current state law related to water and sewer disconnections.

**NOW, THEREFORE**, be it ordained by the Town Council of Bowling Green, that the Town Code and is hereby amended consistent with state law, as follows:

**§1. CHAPTER 5**

**Article I   Public Utilities**

**Division 1   Sewer Regulations**

**Section 5-103.1. Penalty for nonpayment; discontinuance of service; reestablishment.**

- (a) In the event that any person shall not pay the amount owed, as set forth on a statement rendered him as provided in Section 5-103, on or before the date specified for payment of such amount. Unpaid charges shall become delinquent and shall be subject to a service charge of 5% of the unpaid amount.
- (b) If the amount owed, including service charge, remains unpaid for 60 days following the date specified for payment of the bill and written notice has been sent to the user that the wastewater service to the premises shall be disconnected, the Town Manager may cause the wastewater service to the premises served by the connection for which the amount is delinquent to be disconnected. However, the Town shall not disconnect from service any residential customer when the forecasted temperature is at or above 92 degrees Fahrenheit within the 24 hours following the scheduled disconnection. In addition, residential customers will not be disconnected due to nonpayment on Fridays, weekends, state holidays, or the day immediately before a state holiday.
- (c) A fee of \$25 shall be charged each user to reestablish wastewater service which has been discontinued for nonpayment of the amount due for such service.

**§2. CHAPTER 5**

**Article I   Public Utilities**  
**Division 2   Water Regulations**

**Section 5-180. Penalty for nonpayment; discontinuance of service; reestablishment.**

- (a) In the event that any person shall not pay the amount owed, as set forth on a statement rendered him as provided in Section 5-179, on or before the date specified for payment of such amount, a service charge of 5% of the unpaid amount shall be assessed.
- (b) If the amount owed, including service charge, remains unpaid for 60 days following the date specified for payment of the bill and written notice has been sent to the user that the water supply to the premises shall be disconnected, the Town Manager may cause the water service to the premises served by the water connection for which the amount is delinquent to be disconnected. However, the Town shall not disconnect from service any residential customer when the forecasted temperature is at or above 92 degrees Fahrenheit within the 24 hours following the scheduled disconnection. In addition, residential customers will not be disconnected due to nonpayment on Fridays, weekends, state holidays, or the day immediately before a state holiday.
- (c) A fee of \$25 shall be charged each user to reestablish water service which has been discontinued for nonpayment of the amount due for such service.

***State Law Reference—Code of Virginia, Section 15.2-2119 and 15.2-2121.2***

**§3.** This ordinance shall take effect immediately upon adoption.

Adopted by the Bowling Green Town Council this \_\_\_\_ day of \_\_\_\_\_, 2024

By: \_\_\_\_\_  
Mark Gaines, Mayor

Attest: \_\_\_\_\_  
Clerk