



Town of Mineral
Disconnection for Non-Payment Policy and
Standard Operating Procedures

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| Town of Mineral: Utility | | | Subject: Water Disconnection | | |
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| Utility 2.1 | 1/28/2025 | | | | |

1.0 PURPOSE

Policy Outlining the Town of Mineral’s disconnection procedure for non-payment of water bills, charges and fees.

2.0 AUTHORITY AND REFERENCES

Va. Code

§ 15.2-2109. Powers of localities as to public utilities and computer services; prevention of pollution of certain water.

§ 15.2-2119. Fees and charges for water and sewer services provided to a property owner.

§ 15.2-2121.2(A)(3) Disconnection suspension for utilities.

§ 15.2-2121.3. Notice procedures for nonpayment, disconnecting utility service. (2024 updated section)

Town Code

§ 418-10. Restoration of service after termination for nonpayment.

§ 418-27. Effect of failure to pay bill by certain date.

§ 418-45. Delinquent water charges to be lien against property.

3.0 RESPONSIBILITY

Pursuant to Town Code § 418-1 and 418-12, respectively, the Town Manager shall have supervision over the water system and all pipes, plugs and other properties in any way connected therewith, and water cutoffs shall be made by the Town Manager.

Pursuant to Va. Code § 15.2-2121.3(A), the Town has a responsibility to provide its residential customers with a copy of this, its disconnection for nonpayment policy, at any time a new residential account is established, when any disconnection for nonpayment of bills or fees is scheduled by including a copy of the policy with such notice, or by publishing the policy on the Town's website. The Town of Mineral must provide a copy of notices in both English and in Spanish.

The Town shall deliver notice of nonpayment of bills or fees to its residential customers prior to disconnecting by using at least one of the following methods: (i) mail, (ii) email, (iii) text message, (iv) phone call, or (v) door hanger.

4.0 PROCEDURES

1. Applicability:

- a. This policy only applies to those circumstances when water service is disconnected due to non-payment or delinquency of payment on a customer's water account.
- b. This policy does not apply when water customers that request their water service be turned off.

2. Payment of Water Bills

- a. Invoices for water bills are billed monthly and due on the 15th of the following month.
- b. Any invoice not paid by the 15th day of the month following that of its issuance shall be considered delinquent and shall be assessed a late fee of \$5.00.

3. Disconnection and Notice

- a. Pursuant to Va. Code § 15.2-2121.3(C), utility disconnections due to the nonpayment of bills or fees are prohibited for residential customers until the customer's account is 45 days in arrears. In other words, Town water customers will not be subject to water service disconnection until forty-five (45) days after their bill is due and they have failed to pay.
- b. After each missed payment, the Town will provide notice of the missed payment and will make contact with the customer and offer bill payment assistance, arrange a payment plan, or provide information to the customer for other bill payment assistance or energy savings programs. If such customer does not pay the full amount of charges, penalty, and interest for water provided within 30 days thereafter, the Town shall again notify such owner of the delinquency.

If the customer fails to pay their water bill within forty-five (45) days of the day it is due, their water service shall become subject to disconnection, however, in no event shall the Town disconnect the customer's water prior to sixty (60) days after their bill is due. A notice shall be delivered to the customer at least ten (10) business days before the scheduled disconnection date, stating that the account is delinquent and will soon be subject to water service disconnection (the "Disconnection Notice"). The Disconnection Notice will serve as notification of cessation of service and will have a copy of the Town's policy attached.

The Notices described in this section will be delivered by at least one of the following methods: (i) mail, (ii) email, (iii) text message, (iv) phone call, or (v) door hanger.

- c. Water fees and charges, and any penalty and interest, generally constitute a lien against the customer's property, on par with liens for unpaid taxes.

After ninety (90) days, and after the required notice to the property owner, the Town may record a lien in the amount of (i) up to the number of months of delinquent water or sewer charges when the water or sewer is, or both are, provided to the property owner; (ii) any applicable penalties and interest on such delinquent charges; and (iii) reasonable attorney fees and other costs of collection not exceeding 20 percent of such delinquent charges, provided the owner has been advised in writing that a lien may be placed upon the property if the owner fails to pay any delinquent water and sewer charges. Written notice of the recordation of the lien shall be provided at least 30 days in advance prior thereto. The notice shall include a copy of the bill for delinquent water and sewer charges to allow the property owner a reasonable opportunity to pay the amount of the outstanding balance and avoid the recordation of a lien against the property. In no case shall a lien for less than \$25 be placed against the property.

The lien may be discharged by the payment to the Town of the total lien amount and the interest which has accrued to the date of the payment. The Town shall

deliver to the person making the payment a fully executed lien release substantially in the form set forth in Va. Code § 15.2-2119(H). The Town shall provide the fully executed lien release to the person who made payment within 10 business days of such payment if the person who made such payment did not personally appear at the time of such payment.

4. Exceptions to Disconnection of Service for Non-payment

- a. Customers shall not be disconnected due to non-payment on Fridays, weekends, state holidays, or the day immediately before a state holiday.
- b. Residential customers will not be disconnected due to non-payment when the temperature forecasted by the National Weather Service's forecast for Louisa County, Virginia is at or above 90 degrees Fahrenheit within the 24 hours following the scheduled disconnection date.
- c. If the temperature within the 24-hour period following the scheduled disconnection date is forecasted at or above 90 degrees, the disconnection of a customer's service will be automatically postponed until these conditions do not exist.

5. Reinstatement of Services; Assistance Programs

- a. Customers may have their services restored by contacting the Town and remitting the payment required or applying for a payment plan to make their account current, including all delinquent amounts and a \$50.00 reconnect fee.
- b. Information regarding payment plans offered for Town of Mineral customers will be posted on the Town's website.