

# RESOLUTION 296-2023

## WATER / SEWER SERVICE BILLING POLICY

The New Meadows City Council desires to have a standard for billing, collection and adjustment practices for Utility Billing of the Water and Sewer Services offered by the city's systems and resolves the following:

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### 1. Applications

- a. **FEDERAL RED FLAG RULES:** The city is required to follow the Federal Red Flag Rules Policy for identification of utility account holders. This policy requires the city to investigate potential situations in which fraud is suspected, detected, reported, and / or noticed. This includes usage of the city's utility system that is deemed to be abnormal. Sufficient Identification to identify the utility customer is required to open any utility account not held by the property owner. New property owners are also required to supply sufficient identification of themselves as the property owner, either through a recorded document or notification by a title company doing business within Adams County.
- b. **OWNER / TENANT AGREEMENTS-APPLICATIONS:** An Owner / Tenant Agreement is required for all accounts. The agreement allows an owner of a property to indicate his or her desire to have the billing sent to a Tenant or 3<sup>rd</sup> Party. This agreement DOES NOT relinquish the owner's responsibility for the water and / or sewer charges levied against the account / property, instead it only allows an option for a tenant or 3<sup>rd</sup> Party to receive the billing notices.
- c. **TENANT APPLICATIONS:** A non-property owner must complete a Tenant Application at time of account set-up. This application allows for the city to gather information on the Tenant or 3<sup>rd</sup> Party for billing purposes.

### 2. Billing

- a. **BILLING:** Billing occurs as close to the 1<sup>st</sup> day of each month as possible for all monthly customers. If the 1<sup>st</sup> falls on a weekend or a holiday, billing may occur within one business day, either before or after the weekend or holiday.
- b. **E-BILLING:** The city offers FREE E-Billing to customers who provide a valid email address. E-Bills are generated during billing and save the city money in postage, printing and handling. All account holders are encouraged to help benefit the system by signing up for E-Billing.
- c. **CONTINUOUS BILLING:** The City of New Meadows requires a consistent revenue source to maintain and operate the Water and Sewer Systems. Those properties with connections in the ground that have been billed monthly, will continue to receive a monthly bill based on their usage and fee schedule.
- d. **EMPLOYEE & ELECTED OFFICIAL RATES:** Employees, elected and appointed officials do not receive a discount or special privilege. Their bills follow the same billing processes and rates as other customers connected to the system.
- e. **WATER / SEWER CONNECTIONS:** All properties within New Meadows are required to have a water and sewer connection. Connection charges for a new connection are assessed on submission of a building permit application and considered 'active' upon occupancy of the property. See – Water & Sewer Ordinances and Building Code Requirements.
- f. **ANNUAL WILL SERVES:** Properties that historically have been approved to have water and / or sewer connections are called "Will Serve Properties". These properties are charged an annual assessment fee. This fee is calculated by the Administrative and Capitalization Fees. These fees include depreciation, debt and fees to help offset some of the capitalization costs associated with maintaining the systems. The Administrative Fee may

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be reduced if the Annual Will Serve Assessment is paid in one lump sum at the first billing cycle. Will Serve fees are charged in the fiscal period of each year.

### 3. Payment Plan

- a. **PAYMENT PLAN:** Customers who cannot pay their entire balance and have experienced a circumstance out of their control may be eligible to enter an approved payment plan.
  - The **payment plan** will require the customer to pay the outstanding balance in full within 90 days while keeping the current bill paid each month. This plan does not stop monthly billing but offers a payment solution that balances the customer's financial obligation for services delivered and the city's requirement to be fiscally responsible.
  - **Payment plans** will be approved of by the Mayor or Clerk. If the customer misses a payment on the payment plan or does not keep the current bill paid and the account becomes 90 days delinquent, the account will be turned off.
  - This **payment plan** agreement will be shared with the property owner if the customer is a tenant, and the property owner must agree in writing to the payment plan. Once the payment plan is completed and the account is paid in full, the customer's account will be given a credit equaling two months of late fees.
  - If a **payment plan** is not completed as promised, the City will file a lien with the Adams County Recorder on the property where the utility service is located equal to the amount outstanding on the account. The account in its entirety may also be deferred to the Adams County Treasurer (*see – Tax Assessments*) for collection in the same manner as property taxes if the payment plan is not followed.

### 4. Charges

- a. **CHARGE LINES:** Rates and Fees are set by the City Council from time to time by Resolution, and if required, by public hearing. The following definitions or policies define the Charge Lines printed on the billing cards or e-statements:
  - The **'H2O Gallons'** charge line is used to offset variable costs related to the amount of drinking water produced, such as: Regular Maintenance, Wellhead Pump & Booster Station Electrical Costs, Safe Drinking Water Testing, Lead & Copper Reporting, Debt Service and other operational costs.
  - The **'Water Administrative Fee'** charge line is used to offset administrative costs related to producing the bills, such as postage, telephone, technology maintenance etc.
  - The **'Water Capitalization Fee'** charge line is used to offset portions of Water Capital Improvement costs and some Depreciation.

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- The **'Sewer Flat Rate'** charge line is used to offset the total cost to operate the Sewer System, including Treatment & Disinfection, Plant Electrical Costs, Effluent & Residuals Testing, Governmental Reporting, Debt Service and other operational costs.
  - The **'Sewer Administrative Fee'** charge line is used to offset administrative costs related to producing the bills, administrative costs such as postage, telephone, technology maintenance, etc.
  - The **'Sewer Capitalization Fee'** charge line is used to offset portions of Sewer Capital Improvement costs including some Depreciation.
  - The **'Water Idle Fee'** charge line is used for customers who have a connection, but are not having water delivered to their property. This fee is to allow these property owners to participate in the operational costs of the Water System.
  - The **'Sewer Idle Fee'** charge line is used for customers who have a connection, but are not using sewer services on their property. This fee is to allow these property owners to participate in the operational costs of the Sewer System.
    - **Idle, Administrative and Capitalization Fees** are charged to any property owner who has a connection but there is not a serviceable structure on the property or the structure is deemed unlivable. Often empty lots are charged these fees if there was a historic connection to the property.
  - The **'Water / Sewer Penalty Fee'** charge line is used to charge each account in which a balance due remains after the 25<sup>th</sup> of the month. The Penalty Fee is charged on or about the 26<sup>th</sup> day of each month and can be waived on a case by case basis.
  - The **'Service Call / Miscellaneous'** charge line is used when a Service Call Fee is charged. A Service Call Fee is charged when: a request is made to turn on or turn off service; a new account is set-up; a meter is turned on or off for non-payment; certain re-reading of meters by hand at the customer's request; and Special Assessment Charges / Fees that are charged.
  - The **'Bad Check Charge'** is a charge for payments returned as uncollectible.
  - The **'Overpayment'** is a charge line used when a customer has a credit balance. *(This does not include Deposits which do not show up on the bill.)*
- b. **BULK CHARGES:** From time to time the city sells 'Bulk Water' to customers that have their own bulk tank. The tank must be inspected by City Staff for a Back-Flow Preventer. The charge for the water is computed at the current bulk rate. It is required that the bulk tank be filled only at approved sites by the Certified Water Operator of the city.

### 5. Customer Responsibilities

- a. **BACK-FLOW VALVES:** Back-Flow Valves / Preventers are required for all sprinkler systems, whether for irrigation or fire suppression. Back-Flow Valves are required to be annually inspected by a certified Back-Flow Valve / Preventer Inspector. Inspection reports must be filed with the city annually. Failure to do so may result in disconnection of services to the property.
- b. **PARKING:** Customers should not park vehicles or place items over the water meter. This may inhibit reading of the meters effectively.
- c. **BILLING:** Customers are encouraged to report any suspected discrepancies on receipt of the utility bill. Any discrepancy found will be investigated following appropriate procedure. The city wishes to make corrections whenever there is an error that is

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reported. However, time is of the essence, as after a period of 12 months', adjustments cannot be made to correct any billing issue.

- d. **CUSTOMER USE:** Customers should only deposit into the sewer system human waste and grey water from bathing, dishwashing or laundry. The use of garbage disposals and high phosphate detergents is discouraged and may harm the city sewer system. Removing a sewer cap to allow storm runoff into the sewer system is not permitted and could be considered illegal.

### 6. Credit Worthiness & Deposits

- a. **CREDIT WORTHINESS:** There are six 'Credit Worthiness Scores' the city uses for future deposits or for written requests from others requesting credit information:

**Good** – Paid within terms

**Fair** – Paid occasionally late (less than 10% of the time account was active)

**Bad** – Paid while in collections (rarely used)

**Poor** – Paid late outside of a collection company (city received funds but had hired a collection company) (rarely used)

**Poor** – Previous Write-Offs / Deferrals

**Extremely Poor** – Unpaid in Collections or has an Unpaid Deferral amount certified to the Adams County Treasurer

- b. **DEPOSITS:**

- 1) A '**Deposit**' is required for each non-property owner residential account. The deposit is applied to the account after 12 months of an account never being delinquent. The deposit is held in a non-interest bearing account. A new deposit will be required for any account that has been 'turned off' for non-payment.
- 2) A '**Deposit**' is processed through the Cash Receipting System of the city with a hand-written receipt and computer generated receipt. A duplicate receipt, either by photo copy or carbon copy is attached to the Customer Application. The Batch Number and Receipt Number are notated with the amount in the Utility Billing Software so that it can be tracked accordingly.
- 3) **Return of credits / deposits** are issued only after the meter has been read and the current customer has vacated the property. This reading is marked as the final reading in the system and all payments and final charges have been applied. A check will be issued to the customer and sent within 30 days. Deposits can also be returned if the customer requests this in writing and has not been late in the previous 12 months. If the customer has an account, the deposit will be applied to their account as a credit. If no account is held then a check will be issued within 30 days.

### 7. Best Payment & Payment Application Practices

- a. **PAYMENTS:** Only payments submitted in the following ways can be accepted:
  - **Cash** payments at the payment window, followed by a minimum of a written receipt issued, countersigned by the customer and the city employee taking the payment. Customers should NOT deposit cash in the drop box in front of City Hall or mail cash payments.

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- **Check** payments at the payment window, or deposited in the drop box in front of City Hall or mailed to the city.
  - **Credit / Debit Card** Payments at the payment window, or over the telephone. A 3% fee is charged through the city's third party vendor – ACCESS IDAHO.
  - **Automatic Clearing House (ACH)** is available for certain payers through a direct deposit process. These vendors are typically governmental entities.
- b. ADJUSTMENTS:** From time to time, in the manner of doing good business, adjustments of penalty charges may be reduced or eliminated for good faith reasons. In rare instances, when a billing error has occurred, a penalty adjustment can be made. All adjustments are at the discretion of the staff and the reason is noted when an adjustment is made.
- c. CITY CHARGES:** It is the policy of the city to charge its varying funds for water consumption and sewer charges. The Water and Sewer Utilities are two separate Enterprise Funds that are supported by the tax dollars received by the City of New Meadows.
- d. PENALTY CHARGES:** A penalty charge is assessed on all accounts with greater than a zero balance on or shortly after the 26<sup>th</sup> day of each month, but not later than the following billing cycle. Penalties are charged to offset administrative fees and promote prompt payment.
- e. RETURNED CHECKS PROCESSING:** Checks and payment items that are returned as uncollectible will be processed in the following manner:
- The notice is date stamped and initialed.
  - The payment is cancelled in the billing / receipting system.
  - A charge fee is assessed against the account.
    - The account is flagged as collecting a non-sufficient instrument
  - If the payment was used to make a payment plan payment, the account will be subject to immediate turn off.
  - The endorser of the check is notified by telephone if possible and in writing by First Class Mail:
    - The utility service is being turned off (if appropriate)
    - The utility account has been charged a 'Bad Check Fee'
    - The endorser is given not more than 10 days to reclaim the check with cash or certified cashier's check.
    - If the check is not reclaimed the matter is referred to the Adams County Sheriff's Office for prosecution.
- g. TRANSFERS:** Customer accounts with a balance who move within the system cannot request their balances be transferred to their new account. Balances on accounts must be paid in full before another account will be opened in the customer's name.
- 8. Notices**
- a. OWNER / 3<sup>rd</sup> PARTY NOTICES:** Late / Disconnect / Billing Notices will only be sent to Owners or 3<sup>rd</sup> Parties via email. E-Billing Notices can be sent to multiple email addresses at the request of the Owner of the property.

## 9. Readings

- a. READINGS:** As much as possible, a new reading will be electronically read each month around the 22<sup>nd</sup> day. The readings are then uploaded as soon as possible into the Utility

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Billing Software. *(PLEASE NOTE: THE METERS ARE INTELLIGENT AND PRODUCE MUCH INFORMATION BUT ARE ONLY AS INTELLIGENT AS THE SOFTWARE THE CITY UTILIZES)*

- b. **LEAKS:** As soon as the data from the readings are entered into the system, a leak report is generated. From this leak report three leak categories are identified:
- **NO LEAK** – which indicates normal usage.
  - **INTERMITTENT LEAK** – which indicates usage is occurring a majority of the time (more than 50% of any 24-hour period, but less than the full 24-hour period).
  - **CONTINUOUS LEAK** – which indicates usage is occurring 100% of the time in any 24-hour period.

**NOTE:** *Not all leaks show up within the city's system.*

### 10. Leak Notification

- a. **LEAK NOTIFICATION:** When the system determines a leak may be present, a letter is sent to the customer and the property owner (if applicable) indicating;
- reading date;
  - address of the property;
  - type of leak suspected;
  - possible number of days the leak is or has occurred;
  - an estimate of the bill;
  - 12-month reading report.

It is the customer's responsibility to repair the leak as soon as possible. Continuous leak letters are always sent unless the customer/property owner has requested the city not notify them, either because of knowledge of their system or an earlier repair. Intermittent leak letters are sent on a case by case basis to the customer/property owner after staff reviews the customer usage history and determines if;

- the customer/property owner has previously been notified,
- the leak is explainable by a known irrigation system or other mechanical system,
- a leak had been repaired within the reading time and the city has been notified,
- or the leak was very minor in nature.

All major usage with a suspected leak will receive a notice and possibly a telephone call. A copy of the written leak notice is retained as part of the customer / property file and attached to the account when possible. The leak notices will follow the regular retention policy of the city.

### 11. Service Calls

- a. **SERVICE CALLS:** If a customer has concerns about water readings, a customer may request to have their meter checked by City Staff. City Staff will respond to service call requests as soon as possible, but the nature of the request will be considered. Turning off a service due to a leak on the customer's property will be considered a priority. A Service call charge may be applied to the account for excessive requests to turn-on or off a service or re-reading the meter. Charges may be applied to the account for any call for service after hours, on weekends or on holidays. Routine service calls should be scheduled at least twenty-four hours in advance. Up to a two-hour response time for emergency service calls

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or after hour service calls should be expected, although city staff work hard to reduce that time-

- b. **METER LOCK OFFS:** In rare circumstances, the meter may be padlocked for a specific reason as ordered by city staff. Usually, it is due to tampering with the Water System. Tampering with the Water System is a Federal Crime punishable by imprisonment and fine.

### 12. Shut-Offs / Disconnects

- a. **PROHIBITED SHUT-OFFS / DISCONNECTIONS:** The city cannot and will not shut-off or disconnect a service to a tenant at the request of the property owner for the purpose of eviction. This is considered illegal under Idaho Code and may be grounds for a Fair-Housing Violation.
- b. **EMERGENCY SHUT-OFFS / DISCONNECTIONS:** When a severe leak is detected in the system of a property, it is at the discretion of the City's Certified Water or Sewer Operator to turn off or disconnect the property at the meter to protect the system(s), the property or other public infrastructure. Efforts will be made to notify the property owner and suggest possible solutions to mitigate the problem. Examples of Emergency Shut-Offs:
  - Water or Sewerage pouring out of a structure
  - Water or Sewerage saturating the ground where normally it is not
  - Water or Sewerage flowing out of the ground, near a water meter or water main line
- c. **LATE NOTICES (REMINDERS):** Late Notices are prepared on the Wednesday following the 10<sup>th</sup> of the month, but not later than the 15<sup>th</sup>. Late Notices are sent to customers who are more than 30 days late, but not more than 45 days late; including those customers whose water has been disconnected or are receiving charges only for Administrative Fees, Debt, and Capital Improvements. (E-Billing Notices can be sent to multiple email addresses at the request of the Owner of the property.) – See E-Billing
- d. **LATE NOTICES (DISCONNECT):** Disconnect Notices are prepared on the Wednesday following the 10<sup>th</sup> of the month, but not later than the 15<sup>th</sup>. Disconnect Notices are sent to customers who are more than 45 days delinquent and have not entered into a Customer Payment Agreement or have not kept their Customer Payment Agreement payments current. (E-Billing Notices can be sent to multiple email addresses at the request of the Owner of the property.) – See E-Billing
- e. **IMMINENT SHUT OFF / DISCONNECT POSTINGS:** A red flyer, printed in both English and Spanish, is posted at the property if the service will be terminated for non-payment. This flyer is posted at least 24-hours prior to the meter being turned off.

### 13. Special Notices & Reports

- a. **END OF YEAR REPORTS:** Property Owners may request an end of year calendar report for tax purposes. The report may include charges, adjustments, payments, readings and other information, but shall not include Social Security Numbers or other private information.
- b. **INFORMATION SHARING:** To the extent allowed by law, the city shall comply with or without a subpoena with other agencies involved in investigating crimes against persons, property, including victimless crimes as may be determined. Requests of this nature shall



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go through the City Clerk (or designee) and will be verified for legal aspects by the City Attorney.

- c. **NOTICE OF IMPEDING LIEN:** When an account has been delinquent for 60 days, the customer shall receive notice that the account must be brought current within 30 days, or a lien will be placed on the property and recorded with the Adams County Clerk. This applies to outstanding balances on will-serve accounts, as well.
- d. **NOTICE OF LIEN:** If an account remains delinquent for 90 days, a lien will be filed with Adams County Clerk for the full amount due on the account and a copy of the lien shall be sent to the customer.
- e. **DISCLOSURES:** Customer mailing information, payment history and payment types are protected from being disclosed to the public. Public agencies however may inquire and receive information, including tenants, ownership, contact information, legal descriptions, zones, etc. Accounts of Public Officials and Employees of the City of New Meadows are annually audited for discrepancies by the city's auditor.
- f. **TITLE COMPANY PAYOFF QUOTES:** The city wishes to work with all owners of properties as they attempt to list their properties or as new purchasers request information regarding the balances due. It is preferred that a Title Company contact the City Clerk / Treasurer in writing; either by fax, email or USPS, to request information regarding any payoff quote. The city will create a quote for the payoff amount closest to the requested 'closing' date of the property. This includes persons wishing to refinance properties. All potential purchasers and sellers of property are encouraged to contact the City Clerk or designee to determine the potential amounts owed. **THE CITY ENCOURAGES THE USE OF A LOCAL TITLE COMPANY FOR ALL PROPERTY TRANSACTIONS! BALANCES OWED FOLLOW THE PROPERTY!**
- g. **FORECLOSURES & BANK OWNED PROPERTIES:** All properties on the system at the time of foreclosure will continue to be billed a monthly or annual rate depending on the previous owner's billing status. The city will attempt to notify the owner of record and continue to bill the owner of record until which time the owner of record has officially been changed at the Adams County Assessor's Office. All fees and charges apply.

#### 14. Tax Assessments (Special)

**DEFERMENTS / SPECIAL ASSESSMENTS:** Accounts that carry a balance greater than three months beginning in May of any given year will be noticed for Special Assessment by First Class, Return Receipt Certified Mail. Additionally, a First Class Mailing of said notice will be sent to Third Parties, Tenants and Owners of said property.

- Notice of Special Assessment will include a Transactional Report generated from the billing software dated to the last time the account was at a Zero Balance.
- Notice of Special Assessment is sent to the billing address of the property owner listed on the Adams County Assessor's Uniform Tax Assessment Roll mailing list at the time the Special Assessment is being processed. Notices that are returned unclaimed or unable to forward will not require the city to send any further notice.
- A property owner, together with his or her agent or tenant, may enter into a payment agreement for payment of the delinquency, as approved by the City Clerk

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/ Treasurer. If the payment agreement is kept and followed, no further Special Assessment action will occur.

- Balances on the accounts on the third to the last working day of July will be deferred to the Adams County Treasurer to be collected in the same manner as property taxes. A Special Assessment Fee will be levied against the account and certified to the Adams County Treasurer in the same manner. The fee will be charged under the 'Miscellaneous' line of said account.
- A letter to the Adams County Treasurer, with a Notarized Original Signature of the City Clerk will indicate the Name, Mailing Address, Physical Address, Utility Account Number, Lot and Block Number and Legal Description of the property as indicated by the Uniform Tax Assessment Roll of Adams County as provided by the Adams County Assessor at the time of Notice. The amount owed including the charges for water and sewer fees including penalties and processing fees (Special Assessment Fees), is also included in the letter.
- Once the amount is certified to the Adams County Treasurer, the amount is processed through the billing software as 'deferred'. Any payment specific to the property for the Special Assessment through Adams County is promptly processed through the City's Utility Billing Software as a deferred account payment. Deferred account payments are processed separately from monthly, routine utility payments.
- Deferred amounts are identified and reported to the city's Auditor for review during the following year's annual audit. Deferments may be 'written off' after city staff and the auditor agree the amounts cannot be collected.

### 15. User Classifications

**USER CLASSIFICATIONS:** The city employs User Classifications to help in financial planning and rate setting. The following classifications are employed:

- Residential – meaning the main purpose is to supply water / sewer services for a residence.
- Commercial – meaning the main purpose is to supply water / sewer services for a commercial or retail enterprise.
- Industrial – meaning the main purpose is to supply water / sewer services for a manufacturing or industrial enterprise.
- Irrigation – meaning the main purpose is to supply water for irrigation of parks or agricultural entities / needs.
- Hydrant – meaning the main purpose is to supply water for fire suppression.

### 16. Disputes

- WATER METER REPLACEMENT / USAGE DISPUTES:** Customers that question the amount of usage charged on their account should request a re-read within 30 days of the billing. In instances where the customer believes the meter is incorrectly reading the usage, the customer may request in writing the meter be inspected. If during the inspection of the meter by a qualified inspector chosen by the city, the meter is found to be erroneous, the city shall make the appropriate adjustments to the customer account and if appropriate replace the meter at the city's cost. If the meter is found to be correct and the customer

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still disputes the inspector's findings, the customer may purchase a new meter at the city's cost plus time and materials for the replacement parts. The amount will be added to the customer's utility bill.

- b. BILLING DISPUTES:** Customers are expected to review their bills on receipt for accuracy.  
See - Customer Responsibilities.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of New Meadows, that the processes outlined above are hereby adopted and in full force after its passage and approval as the Standardized Policy for Water and Sewer Utility Management.

DATED this 10<sup>th</sup> day of October 2023

City of New Meadows, Adams County, Idaho

\_\_\_\_\_  
Julie Good, Mayor

ATTEST: \_\_\_\_\_  
Kyla Gardner, City Clerk