

A BILL TO CREATE A RESOLUTION ENTITLED:

“A RESOLUTION OF THE CITY OF CENTRALIA MISSOURI, ADOPTING AN AMENDED FORMAL WRITTEN POLICY CONCERNING REGULATION OF UTILITY ACCOUNTS.”

WHEREAS, the City of Centralia, Missouri allows the City Administrator to make and enforce rules and regulations governing the departments and agencies of the City of Centralia, subject to the approval of the Board of Aldermen or a committee thereof; and

WHEREAS, the City Administrator has recommended a set of rules and regulations governing administration of utility accounts for utility customers of the City of Centralia, Missouri, which sets forth in writing current and proposed policies for handling utility accounts; and

WHEREAS, at the direction of the Board of Aldermen, the City Administrator has recommended the rules and regulations be amended to include several new provisions to better address customers with potentially delinquent accounts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the City of Centralia, Missouri hereby adopts as City Policy the following amended rules and regulations concerning utility accounts:

CENTRALIA POLICY

NO. 21 (amended 3/10)

POLICY OF CITY OF CENTRALIA CONCERNING
RESIDENTIAL UTILITY ACCOUNTS AND SERVICE

In addition to other requirements and policies, it shall be the policy of the City of Centralia:

- (1) All residential utility services shall be established as an account for a non-landlord property owner or other occupant, a business entity acting as a landlord and/or one or more persons acting as landlords or tenants. “Residential utility service” is utility service for residential purposes, whether the property is a house, apartment, duplex or other residential property.
- (2) The financial obligation for making any required deposits and for paying outstanding utility bills shall be the responsibility of the business entity or person(s) for which the account was established. Utility bills shall be mailed or transmitted electronically only to the business entity or a person whose name is on the utility account. Payment will be accepted only from that entity or person, except as stated below.
- (3) The amount of deposits shall be as set by City ordinance and shall be based on the credit and payment history of the business entity or person(s) for which the account is established. At the time a deposit is made, the customer shall designate in writing the firm or person or persons to whom any refund of the deposit shall be made.
- (4) When a previous customer of the City wishes to establish or reestablish a utility account with the City and that customer has an unpaid balance from the previous account, the City Administrator or the City’s Administrator’s designated representative may require only the standard utility deposit if the unpaid balance was less than Fifty Dollars (\$50.00).
- (5) When a customer is delinquent in the payment of utility bills and such delinquency triggers the need for a higher deposit or re-instituting a basic deposit (as set forth in the City Code), the City Administrator or the City Administrator’s designated representative may allow the amount of the new or increased deposit to be placed on the next utility bill rather than required at the time that utility service is reconnected. In making such allowance, the City Administrator may take into account such circumstances as account history or the likelihood that the customer would be moving before the next shut-off date.
- (6) Unless otherwise approved by prearrangement with the City Administrator or the City Administrator’s designated representative, a residential service shall be in the name of all persons age 18 or older who are occupants of a residential property. They all shall individually (or as a married couple) provide identification and credit references. Except for children age 18 or older of those persons whose name is on a utility account, it is the responsibility of all customers of a residential utility account to notify the City in writing if additional persons age 18 or older become occupants or if any person whose name is on the account ceases to be an occupant of such residential property. All persons named on an account shall be both collectively and individually responsible for outstanding bills and services received prior to the time they provide written notice to the City that they are to be removed from the account because they no longer occupy the residential property.
- (7) When an account for a residential property is to be established in the name of a tenant or tenants, said tenants shall provide the City with a copy of the rental or lease agreement for the City to review at the time that service account is arranged, to verify the names of all the tenants are who are renting the property. If the utility account is to be left in the name of a landlord, the landlord shall furnish the City with a copy of the rental or

lease agreement to review, to verify the names of all persons age 18 or older who are the tenants. When a copy of the rental or lease agreement is required to be provided to the City, it is permissible to provide to the City only the parts of the rental or lease agreement at the beginning and end of the agreement where the names of all the tenants are shown or written.

(8) Unless previously arranged with the City Administrator or the City Administrator's designated representative, utility accounts in the name of a landlord or business entity shall be paid only by that landlord or business entity. Similarly, accounts in the name of a person or persons as tenants shall generally be paid by a person named on the utility account. When the City believes that an account is being paid by a third party in an effort to obtain utility service for a person or person who has an outstanding unpaid utility account balance and would not otherwise be allowed to establish or continue a City utility account, then the City may take action to recover that unpaid balance. Such action may include discontinuing service to any account where the person owing the unpaid balance is an occupant (other than as a temporary guest). The City may, however, allow for payment of a utility by a third party when it is clear that there is no intent to circumvent payment of past unpaid accounts.

(9) If a landlord responsible for a utility account repeatedly directs that an account for a residence be turned on or turned off without a change in the tenant of the location served by that utility account, the City may require a turn-on or turn-off fee in the same amount as required for customers who have been disconnected for non-payment.

(10) The City reserves the right to collect any and all outstanding and past due Centralia utility bills (whether residential or business related) from any person or persons named on a utility account before any new utility service is turned on for that person for a residential property. The City shall not allow any person or persons to receive utility service in the name of a third party in order to circumvent responsibility for payment of outstanding and past due City utility bills. The City reserves the right, with no more than five days notice, to discontinue utility service if a person age 18 or older who owes an outstanding Centralia utility bill becomes an occupant of that residential property, whether or not said person or persons is one of the names on the City utility account for that residential property. In such instances occupancy shall be deemed by the City to exist whenever a person or persons resides at a residential property for a period longer than thirty consecutive days or for more than sixty non-consecutive days in any 365-day period.

(11) The City Administrator or the City Clerk may require that customers with a history of "insufficient funds" checks must pay utility bills with cash, money order, or some other pre-approved method of guaranteed payment.

(12) The City Administrator or the City Administrator's designated representative may allow a utility customer to delay payment of an outstanding utility bill for a fixed but limited period of time. Except under very unusual circumstance (such as a large, undetected water leak) this delay shall be allowed only once for each customer. In such circumstances, the City Administrator may also set forth a schedule of special payments to allow the customer to regain current status in as short a time as practical. The customer may be required to sign a letter of understanding that sets forth such schedule of special payments.

(13) The City Administrator or the City Administrator's designated representative may also allow a utility customer to delay payment if such customer is in the process of securing financial assistance from a reputable, qualified governmental or charitable agency. To grant the delay, the City must receive documentation from the granting agency that the customer has made application for or is in the process of applying for such assistance. Such documentation must include contact information so that the application may be independently verified by the City. Such documentation must be received before the City's disconnection day. It is the customer's responsibility to insure the City receives confirming documentation when assistance is granted. If assistance is eventually denied, either the customer or the granting agency shall immediately notify the City and the customer shall make full payment of the bill before the close of the next business day.

(14) The City Administrator or the City Administrator's designated representative may allow the amount of any penalty to be placed on a customer's next utility bill rather than required at the time that the regular utility payment is made. In making such allowance, the City Administrator may take into account such circumstances as account history or the likelihood that the customer would be moving before the next shut-off date. The City Administrator shall have the authority to waive a penalty or re-connection fees that arise in special circumstances, such as hospitalization of the customer or because of an error made by City personnel.

(15) The City Code precludes partial payment of a utility bill. However, a partial payment may be allowed when it is made by a charity or governmental agency on behalf of a customer, who shall then be required to pay the remainder of the bill in the same manner and with the same time requirements as if it were the original bill.

(16) In general, if a location receives water service, it shall be assumed to also receive sewer service and trash service. Vacant or unoccupied locations may receive electric service without a presumption of receiving other utility services.

(17) When a customer has utility service disconnected as a result of delinquency, the City Administrator may allow the amount of the re-connection fee to be placed on the next utility bill rather than required at the time that utility service is reconnected. In making such allowance, the City Administrator or the City Administrator's

designated representative may take into account such circumstances as account history or the likelihood that the customer would be moving before the next shut-off date.

(18) The City Administrator or the City Administrator's designated representative shall have the authority to delay the date for disconnection of delinquent residential utility customers when the outside temperature in the Centralia area is predicted to be below 32 degrees Fahrenheit within the next forty-eight hours. Such delay shall be communicated to the customers who would otherwise be disconnected by affixing a written notice to the main entrance to the customer's residence. The notice shall specify a fixed date when the cold-weather rules will no longer apply and service will again be subject to disconnection. Should cold weather conditions extend longer than originally estimated, the City may further delay the disconnection and give additional notice in the same manner as the first. In the instance of such a delay, all disconnect and reconnect fees are charged from the time that City employees are dispatched with the written notice to the delinquent residential customers.

(19) The City Administrator or the City Administrator's designated representative shall also have the authority to delay disconnection for residential customers when the outside temperature is sufficiently high for the State of Missouri to proclaim a heat emergency. Such a delay shall apply only to customers aged sixty-five years or older or to disabled customers who would be put at physical risk because of the high temperature. The delay shall be communicated to delinquent customers in the same manner as used during cold weather conditions.

PASSED AND APPROVED this 15th day of March, 2010.



Mayor

ATTEST:



City Clerk

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