

# **Municipality of West Elgin**

## **Schedule “A” to By-Law #####-XX**

### **Policy AD 3.4**

#### **Water and Wastewater Billing and Collection Policy**

**Effective Date: July 1, 2022**

Review Date:

#### **Policy Statement**

The Municipality of West Elgin recognizes the importance of having a written billing and collection policy for water and wastewater accounts to be fair and consistent with customers. This policy incorporates good and acceptable business practices and efficiencies.

#### **Scope**

The Water and Wastewater Billing and Collection Policy applies to all customer water and wastewater service accounts within the geographic boundaries of the Municipality of West Elgin. Municipal staff assigned to the administration and collection of water and wastewater account shall adhere to this policy.

#### **Policy**

##### **1. Billing Cycle**

- 1.1. Water meters shall be read bi-monthly (January, March, May, July, September, November). Bills will be issued in the month following the reading.
- 1.2. Water and wastewater bills will be mailed a minimum of fifteen (15) days before the due date.
- 1.3. Due dates will be the last day of the month following the bill.

##### **2. Payment**

- 2.1. Payments of the net amount will be accepted if received on or before the due date (including those processed by the bank teller or electronically).
- 2.2. Payments received after the due date shall incorporate a penalty of 2%, as per the Fees and Charges By-Law.

- 2.3. If payment is received after the due date, and the payment only reflects the net amount due, the penalty charge will remain outstanding and will appear on the next bill issued.
- 2.4. Invoices are payable at the Municipal Office (22413 Hoskins Line, Rodney ON), on-line banking, at a banking institution or telephone banking.
- 2.5. Payment at the Municipal Office will be in the form of cash, cheques, money order or debit card.
- 2.6. Payment may also be made by arranging a Pre-Authorized Payment Plan (PAP) if a customer provides a completed Pre-Authorized Payment Plan Application form and a void cheque or bank withdraw form, for the bank account for which the funds are to be withdrawn at least fifteen (15) days prior to the due date. PAP payments will be withdrawn on the due date and for the total amount due, as indicated on the customer's bill.
- 2.7. Equal Monthly Billing is available if a customer fills out the Equal Payment Plan Application form and a void cheque or bank withdraw form is provided for the bank account for which the funds are to be withdrawn. The amount is calculated by the last 6 regular bills, plus 5%, with the ability to take into consideration an irregular bill. Equal Monthly Billing is only available as Pre-Authorized Payments.
- 2.8. For Equal Monthly Billing Customers January to November bills will be equally billed, with December as the catch-up month. Monthly amounts will be adjusted annually to account for increase in utility pricing and any increase in usage. Notice will be provided to customers with the December bill.
- 2.9. Equal Monthly Billing accounts are exempt from late penalties and will not accrue interest on outstanding balances, nor will interest accrue on credits.
- 2.10. If there is no past consumption history for the property, the equal monthly payment plan will default to the average consumption for a family of four or 21 cubic meters per month.
- 2.11. A customer can alter or cancel the Equal Monthly Billing or Pre-Authorized Payment Plan by providing notice to the Municipality, in writing no less than fifteen (15) calendar days prior to the next due date.

### 3. Tenants

3.1. Where a property is tenant occupied, the landlord is responsible for the payment of the water and wastewater charges.

### 4. Seasonal Service

4.1. Accounts where there is a request for service to be temporarily disconnected, a fee will be charged as established by the fees and charges by-law, for the disconnection.

4.2. Where the service has been temporarily disconnected at the request of the account holder and a request is made for reconnection, a fee will be charged as established by the fees and charges by-law, for the reconnection.

4.3. A minimum of five (5) business days' notice is required for a temporary service disconnection or reconnection. The customer or designated person must be in attendance while the service is disconnected or reconnected.

### 5. Final Accounts

5.1. Where the Municipality has been notified that a final meter reading is required as a result of a property sale, the final meter reading shall be done on the inside reader. A fee will be charged to the current owner, as established by the fees and charges by-law and will be applied to the final billing.

5.2. Notifications of final readings need to be made at least two (2) business days prior to the date requested.

5.3. Equal Monthly Billing applications shall not apply to final billings.

5.4. Where a property has been sold, payment must be made within thirty (30) days of the final bill being issued.

5.5. Where a final bill has not been paid by the due date, and the balance is \$20.00 or greater, on the fifteenth (15) day after due date a letter will be sent to the current owner informing them that should payment not be received within fifteen (15) days, the overdue charges will be added to the property tax account, subject to the provisions of Section 1(3) of the *Municipal Act, 2001* which includes the ability to include outstanding charges in the cancellation price for a tax sale.

5.6. Where there is a credit balance on the account over \$20.00 a cheque will be mailed to the property owner who paid the over payment. Overages less than \$20.00 will not be returned.

5.7. Costs associated with the use of a collection agency are the responsibility of the consumer.

## 6. Collection

6.1. Amounts owing will appear as past due on the next bill.

6.2. The Municipality is able to exercise its right to ensure revenue security for water and wastewater. Section 298(2) of the *Municipal Act, 2001*, provides that a municipality may add unpaid utility fees, which include water and/or wastewater arrears, to the respective property's tax roll. Ontario Regulation No. 581/06 additionally identifies such fees or charges associated with the supply of water and sewage services as having a "priority lien status" as described in Section 1 of the Act, regardless of who is the consumer.

6.3. Prior to transferring outstanding amounts to the property tax roll, reasonable efforts shall be undertaken by the municipality to provide the following notifications:

- First Notice shall be issued fifteen (15) days after the due date, for all accounts greater than \$100, mailed by Canada Post regular mail or e-mail, providing information on payment arrangements and updated amount due, with penalty applied.
- For all outstanding amounts over \$400, Final Notices are hand delivered or sent by courier if accounts remain overdue thirty (30) days beyond the date of the issuance of the First Notice and no payment arrangements have been made with the Municipality.
- All outstanding amounts over \$400, plus an administrative fee, as set by the fees and charges by-law, are transferred to the tax rolls fifteen (15) days after delivery of the Final Notices.

## 7. Not Sufficient Funds

7.1. If during any calendar year, the Municipality receives two (2) or more NSF (not sufficient funds) cheques or pre-authorized payments (including equal monthly pre-authorized payment plan), the customer will be notified in writing that the Municipality will only accept payment on the account by cash, certified cheque, money order or debit until the customer has re-established a good payment record for one year.

7.2. A charge, as determined by the fees and charges by-law, will be applied to the customer's account for each payment returned by their financial institution for the reasons laid out in section 7.1.

## 8. Late Payment Charges

8.1. Late payments are the day after the stated due date on the billing.

8.2. Late payments are adjusted only if it was charged as a result of the Municipality's error or mission. It shall be at the discretion of the Treasurer to determine if the error was a result of action taken by the Municipality.

## 9. Small Balance Write-Offs

9.1. When an account has been finalized, if the outstanding balance is less than \$20.00, this amount may be written off, and no action will be taken to recover this amount

## 10. Uncollectable Amounts

10.1. On a semi-annual basis, where all collection efforts have been exhausted, a staff report will be presented to Council by the Treasurer recommending that the account balances be written off as uncollectable.