

CITY OF KIMBALL
MUNICIPAL POLICY NUMBER 01-2014
UTILITY BILLING POLICY

DATE COUNCIL APPROVED: January 7, 2014

UPDATED: February 5, 2019

UPDATED: December 17, 2019

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I. Definitions

For purposes of this policy, the following words and phrases shall have the meaning as defined by this section.

- a. *Bill* - means the statement of account for municipal utility services rendered by the City to a customer and due and payable to the City by the customer.
- b. *City* - means the municipal corporation known as the City of Kimball, Minnesota, and any designated agent authorized to act on behalf of the City.
- c. *Customer* - means any person, firm, corporation or entity to which the municipal utility services are rendered.
- d. *Delinquent customer* - means any person, firm, corporation or entity who fails to pay any current charges or portion thereof for any municipal utility by the due date of the bill.
- e. *Municipal utilities* - means the water, sewer and refuse services, departments or systems of the City of Kimball, Minnesota, or any combination thereof.
- f. *Past due amount* - means any current charges or portion thereof for any municipal utility which remain unpaid past the due date of the bill on which such current charges first appear.
- g. *Disconnect* - means the water, sewer and refuse services shall not be made available to any person, firm, corporation or entity due to non-payment.
- h. *Promissory agreement* - means a contract between the customer and the City allowing the customer to make payments to the City to pay any current charges or portion thereof for any municipal utility by a determined date.

II. Utility Billing Policies and Procedures

The City of Kimball provides water, sewer and refuse services to residents of the City; including private homes, apartments and commercial users. The City of Kimball requires that each customer have a water meter at each service location to monitor the amount of water usage at that site. The purpose of this policy is to set the process to dispute the accuracy of the reading from the water meter used to calculate the charges for such water and sewer services, of which services are hereafter referred to as “municipal utility services”.

The following policies and procedures shall govern the provision of municipal utilities of the City of Kimball, Minnesota.

III. Utility Billing

There is hereby created a utility billing section within such department(s) as may be designated by the City Council. The billing section shall be responsible for the calculation and rendering of all municipal utility bills. The utility billing section shall maintain account records for each customer that includes the customer’s name, billing address, service address, current charges and account history including past due charges, penalties and fees.

The City shall bill the owners of the property served by utility services. In the case of residential rental property, the owner shall be the party billed for the utility services and the renters will receive a copy of the bill. The owner is hereafter referred to as the “customer”. Because of significant payment problems with tenants of residential rental property in the City, the City has determined that it must hold the owner of all residential rental properties within the City as the party responsible for payment of municipal utility services.

IV. Rate Ordinance

All municipal utility charges shall be calculated in accordance with the specific rate ordinance applicable to each municipal utility or service rendered to a customer.

V. Monthly Utility Bill

The utility billing section shall provide each municipal utility customer a combined monthly municipal utility bill which shall include the charges incurred by the customer for regular monthly water, sewer and refuse services or any combination thereof, plus any fees, penalties or previous balances. Each municipal utility shall be designated as a separate entry on the billing statement. Bills for municipal utility services provided shall be rendered and paid monthly.

VI. Extra Service Bills

Billings for any extra services, installation charges or other special charges shall be rendered in accordance with the applicable utility or service rate resolution and may be included on the appropriate monthly billing statement or as a separate bill.

VII. Billing Cycle

- a. *Meter reading date* - Meters shall be read 3 days prior to the end of the month.
- b. *Billing period* - Monthly billings shall be rendered within one week following the period in which municipal utility service is provided. The total bill shall be due and payable by the end of the day on the 25th day of the following month after which services are billed for. If the due date falls on a holiday, Saturday or Sunday the due date shall be at 8:00am on the first business day following the holiday or weekend; payments can be deposited 24 hours a day in the payment slot at City Hall to ensure they meet the 8:00am deadline. Likewise, for purposes of computing late charges, payments will be considered received on time if payment is received at City Hall no later than 8:00am on the 26th day of the month should the 25th day of the month fall during the work week.
- c. *Delinquent date* - If a bill is not paid on or before the end of the day on the due date, a late charge equal to 18% of the current bill amount shall be added to the charges. The first (1st) business day following the due date shall be known as the delinquent date. If the delinquent date falls on a holiday, Saturday or Sunday the bill shall then become delinquent at 8:00 am on the first business day following the holiday or weekend. Likewise, payments will be considered received on time if payment is received at City Hall no later than 8:00am on the 26th day of the month should the 25th day of the month fall during the work week.
- d. *Disconnect notification date* – A customer account that reaches a delinquent amount of \$250 or more and is not paid on or before the due date, will be issued a disconnection notice by the City. The disconnection notice will state the past due amount on the customer’s account plus applicable reconnection fees if not paid by the disconnect date.
- e. *Disconnection date* - If the delinquent bill of \$250 or more is not paid before the close of business on the 2nd Friday of the following month in which the bill is due, the City Council will order a disconnection of the customer’s municipal utility services and a reconnection charge equal to \$100.00 shall be added to the charges.

VIII. Delinquent Customers

Any customer whose bill remains unpaid at the end of the day on the 25th day of the month following after which services are billed for shall be considered delinquent. Any customer who is delinquent on any one municipal utility (water, sewer or refuse) or any combination thereof may be disconnected from the municipal utility system and once disconnected shall not be reconnected or reinstated until payment of all charges, fees and penalties necessary to bring the account to a current status. Prior to any discontinuance of service the customer shall receive

notice and an opportunity for a hearing before the City Council as set forth in Kimball City Ordinance Section 815.02. The City Council may enter into a written promissory agreement for a customer's municipal utility bill on a case-by-case basis. Verbal agreements will not be accepted. The City may also refer delinquent customers to a collection agency or attorney for collection on a case-by-case basis. Delinquent utilities may also be certified to property taxes to be collected in the same manner as special assessments and other taxes.

IX. Municipal Utility Service Application

Any person, firm or corporation desiring to set up any municipal utility service or combination thereof shall make application for said service(s). The application shall be on such form(s) as may now or hereinafter be prescribed by the appropriate utility. The application may include the applicant's name, spouse name, service address, mailing address, landlord's name, telephone number and signature of the party responsible for payment. Persons applying on behalf of others or acting as an agent for others may provide the required information provided such agent agrees to assume responsibility for the person, firm or corporation upon whose behalf they are applying. Each service location shall be considered a separate account.

X. Disputed Utility Bills

A customer may request a hearing regarding any dispute over a proposed disconnection of service before the City Council to hear such matters. This conference must take place before the scheduled disconnection.

A customer may request a hearing before the City Council to consider a payment plan that would cause a utility account to be made current. If a customer fails to make good on any term and/or condition contained within the promissory agreement, the customer's utility services may be disconnected immediately.

A customer who feels the total usage reflected on their account for municipal utilities is incorrect, may request to have the Public Works Department re-read the meter; a customer requesting to have their meter re-read must allow the Public Works Department access to the home at an agreed upon time during the course of Public Works Department normal business hours.

XI. Promissory Agreement

The City Council may enter into a written promissory agreement for a customer's municipal utility bill on a case-by-case basis. Verbal agreements will not be accepted. If a customer fails to make good on any term and/or condition contained within the promissory agreement, the customer's municipal utility services may be disconnected immediately.

XII. Service Charges

The following additional fees shall be charged for services provided by the municipal utility:

- a. Reconnection of service due to nonpayment of bill :
 - \$100.00 water will be turned on within 24 hours of receiving payment between the hours of:
 - 8:00 am - 3:00 pm Monday through Thursday (excluding holidays)
 - 8:00am - 12:00pm Friday (excluding holidays)
- b. Returned check fees:
 - \$30.00 for all checks
 - Returned checks, the customer shall pay, by cash or money order, the amount of the returned check(s) plus the returned check fee
 - After a returned check, the customer may be required to pay all current and future payments by cash or money order until notified otherwise

XIII. Obstructions

It shall be prohibited for any person to obstruct access to a municipal utility water meter or curb stop whether in a public right-of-way or on private property. Should any person, in violation of this section, refuse to remove an obstruction within 24 hours after written notification to do so, the City shall cause such obstruction to be removed at the owner's expense including but not limited to towing and storage charges for vehicles by following the abatement process.

XIV. Approval of Policy

This policy shall be formally approved and adopted by the City Council.