

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

### **Policy No.**

### **Originating Approval:**

**Effective Date: October 16, 2012**

### **Last Modified:**

### **POLICY:**

The Corporation of the Municipality of Brighton follows a prescribed administrative policy to ensure the prompt, effective and efficient collection of all water and wastewater charges that are due to the Corporation.

### **PURPOSE:**

The Water and Wastewater Billing and Collection Policy provides the procedures that are followed by the Water and Wastewater Billing Clerk, Finance Staff and Environmental Services staff to ensure prompt, efficient and courteous service to the ratepayers of the Municipality, provide proper billing of the water and wastewater rates as determined by the Water and Wastewater Fees and Charges Bylaw and apply the collection procedures in a consistent manner to all ratepayers.

### **PROCEDURES:**

#### **Setting up New Accounts:**

1. All new water and wastewater accounts that are established after October 15, 2012 will be set up in the property owners' name and all water and wastewater charges will be the responsibility of the property owner.
2. Water and Wastewater bills will be issued to all municipal properties that are connected to the municipal water and wastewater systems.
3. The owner of the serviced property will be responsible for all unpaid accounts. If there is a current tenant account set up prior to October 15, 2012, bills will be sent to the tenant and arrears notices will be sent to the tenant and the landlord.

#### **Billing:**

1. Water and Wastewater Base Charges will be levied on all users connected to the municipal water and/or wastewater system in accordance with the Water and Wastewater Fees and Charges Bylaw. Water and wastewater consumption will be levied based on the metered usage of water and the rates prescribed in the Water and Wastewater Fees and Charges Bylaw.
2. Users will be billed for municipal water and wastewater each quarter at the end of March, June, September and December.

3. Bills will be mailed by the 7<sup>th</sup> day of the month following the end of the quarter.
4. Any billing sent by ordinary mail is considered delivered to and received by the addressee within three business days unless an error in the mailing address is proven. Failure to notify the Water and Wastewater Billing Clerk of an address change in writing will not be considered an error.
5. The due date is the last working day of the month following the end of the quarter (eg, The bill for the end of March will be due on the last working day in April).

**Final Bills:**

1. When a property owner sells their property, a final bill will be issued and a new account will be set up for the new property owner.
2. Tax Certificates will be issued with a fee, paid in accordance with the Fees and Charges Bylaw, upon request by a legal firm when a property is sold. Water arrears will be provided on these Tax Certificates with the exception of the Final Bill.
3. All final bills will be sent to the address provided by the seller's lawyer.
4. When a final water and wastewater account is not paid by the due date, the arrears and applicable fees and charges will be added to the property roll and collected in the same manner as taxes, pursuant to section 398(2) of the Municipal Act, 2001, as revised.
5. All inactive water and wastewater accounts in default on the Municipality's books as of October 15, 2012 will be subject to additional collection processes including being sent to a third party collection agency, as selected by the municipality.
6. When a final bill is deemed to be uncollectable, the account will be placed with a third party collection agency, as selected by the municipality.

**Payment:**

1. Payment may be made by cash, cheque, debit card, money order, bank draft, internet banking, telephone banking, preauthorized payment and at the bank with the micro-encoded portion of the bill. Post-dated cheques will be accepted.
2. NSF payments are subject to the service charge in effect at the time of default, as provided for in the Fees and Charges By-law, and will be applied to the water and wastewater account if a payment is returned from the bank.
3. If two payments are returned from the bank on any water and wastewater account in a 12 month period, the account holder will be informed in writing that all further payments must be paid in the form of a certified cheque, cash or by electronic banking.

**Penalties and Late Payment Charges:**

1. Penalty will be applied at a rate prescribed in the Water and Wastewater Fees and Charges Policy on the first day of each month to all arrears.

**Reminder Notice:**

1. Reminder Notices will be sent to all outstanding water and wastewater customers within 7 days of the due date.
2. In the circumstance where the water and wastewater customer is a tenant, a copy of the Reminder Notice will also be sent to the property owner(s) within 7 days of the due date.

**Payment Arrangements:**

1. When a water and wastewater customer has arrears, he/she may contact the Water and Wastewater Billing Clerk to discuss payment arrangements. All arrears must be cleared before the next billing date.
2. Any payment arrangements must be approved by The Director of Finance and Administrative Services.
3. When a customer defaults on their payment arrangement, a letter will be sent by the Director of Finance and Administrative Services to notify them of the next steps, including disconnection notice, reconnection charges and penalties.
4. If the water and wastewater customer is the property owner, they will also be notified that the arrears will be transferred to the property roll and will be collected in the same manner as taxes, pursuant to section 398(2) of the Municipal Act, 2001, as revised.
5. If the water and wastewater customer is a tenant, a letter will also be sent to the property owner(s) notifying them of the default in the payment arrangement, the next steps in the collection process including disconnection notice, reconnection charges, penalties and a reminder that water and wastewater arrears will be added to the tax roll to be collected in the same manner as taxes, pursuant to the Municipal Act, 2001, as revised.

**Disconnection Notice:**

1. Where an account remains unpaid after ten (10) days from the date of the Reminder Notice, a Disconnection Notice/Door Hanger will be hand delivered to the water and wastewater customer. In the circumstance where the water and wastewater customer is a tenant, a letter will be sent to the property owner(s).
2. Where an account remains unpaid after three (3) days from the date the Disconnection Notice/Door Hanger is delivered, automatic disconnection will take place. Section 81 of the Municipal Act, 2001 provides that a Municipality may shut off the supply of a public utility by the municipality to land if fees or charges payable by the owners or occupant of the land for the supply of the public utility to the land are overdue. The Municipality shall provide reasonable notice of the proposed shut-off to the owners and occupants of the land by personal service, prepaid mail or by posting a notice on the land in a conspicuous place.

3. When provided with a Work Order to disconnect water service, The Water Supervisor will arrange for the water to be turned off at the curb stop service post, if it is accessible and operable.

**Reconnection of Water Service:**

1. Reinstatement of service shall be provided upon request from the property owner and after full payment of outstanding invoices has been received, including those that may be added to the property owner's tax roll and the water connection service charges, as prescribed in the Water and Wastewater Fees and Charges Bylaw.

**Adding Water and Wastewater Arrears to the Tax Roll:**

1. Section 398(2) of The Municipal Act, 2001 provides that the Treasurer of a local municipality may add fees and charges imposed by the municipality to the tax roll for the property in the local municipality and collect them in the same manner as taxes and in the case of fees and charges for the supply of a public utility, the property to which the public utility was supplied.
2. If the water and wastewater account remains unpaid after disconnection, the Water and Wastewater Billing Clerk will submit these arrears to the Tax Collector to be applied to the property owner's tax roll and to be collected in the same manner as taxes.
3. If the disconnected service is an existing tenant with a security deposit, the security deposit will be applied to the tenant's outstanding account and the account will be transferred back to the property owner for all future billings.