The City of Niles

Utility Billing Policy

Responsible Division- Office of the Mayor Responsible Officer- Director of Public Service

April 1, 2021

Next Review- 2024

Policy Statement:

The City of Niles will ensure that procedures are in place and utility payments are accepted from customers in an accurate and timely manner. This policy will provide consistency and standard practice for reviewing utility billing discrepancies. Employees of the City of Niles shall be required to comply with these procedures in the same fashion as all other rules and regulations, which govern public operations by City officials or employees. The City shall maintain copies of the policy in the utility billing office and display online for public viewing. Standards of personal and professional ethics, applicable laws and regulations, appropriate utilization of resources, and the best interest of the City of Niles govern such participation. This Policy is not all-inclusive. If in doubt or a question arises, please consult with the City Law Director.

Procedure:

SECTION 1: Application Process, Deposit, Restrictions

Any residential or commercial owner wishing to receive utility services provided by the City of Niles, Ohio, to be put in their own name must apply, in person to the City of Niles Utility Billing Department. Applicants must agree to abide by the rules and regulations of the City of Niles Utility Billing Department. Applicants wishing to be provided city services must NOT have an outstanding balance owed on a previous City of Niles utility account. Applicants must acknowledge and agree they are subject to all applicable Niles Codified Ordinances and this billing policy, as it may be amended from time to time. Past account balances must be paid in full before services are activated.

Any person wishing to have utility services provided by the City of Niles, Ohio, to be put in their own name, when that service will serve a dwelling not owned by the applicant or on land contract, the applicant must post a deposit as followed:

- For residential water, sewer, electric-\$550.00 deposit
- For residential water, sewer- \$300.00 deposit
- For residential water- \$250.00 deposit
- For residential electric- \$250.00 deposit
- Commercial water, sewer, electric- \$500.00 minimum deposit based off of previous usage
- Mobile home- \$250.00 deposit- owner must provide proof of purchase

The City of Niles requires a deposit from all rental customers as the security for the payment of water, sewer, and electric prior to the initiation of the utility service. All deposits are due at the time the customer applies for utility services. No interest on deposits shall accrue or be paid.

The deposit amount shall be based on the utility services at the customer's location. Should a tenant change residence, their deposit will transfer to another location within city limits. Previous account balances must be paid in full prior to transferring utility services to another location.

All deposits stay active on the account until the account is closed or transferred. Once the account is closed or transferred, the deposit will be applied to the final bill. Any remaining balance not consumed by the deposit will be eligible for a refund by the City of Niles.

Security deposits are only refunded after a final reading has been taken and a customer's bill has been paid in full. Security deposits are applied to delinquent customer accounts after a final reading has been taken.

Renters must always keep a deposit on hand with the utility billing department for the entire time of their rental period, and therefore, do NOT qualify to have their deposits returned for any reason until their lease has expired and their bill has been paid in full.

Notarized rental agreements, completed and signed by both the renter and property owner must be submitted to the Utility Billing Office prior to any services connected, per Niles Codified Ordnance 149.10.

All applicants must provide a valid driver's license, service address where utility services are to be provided, mailing address if different than service address, telephone number(s) of applicant(s) applying for service, social security number, a notarized lease, or registered deed/closing disclosure.

Only persons eighteen (18) years old or older may have Utility Service provided by the City of Niles in their name.

Any person wishing to have any of the above utility services for any dwelling shall submit an application, by appointment at the City of Niles Utility Billing Department, 34 West State Street, Niles, Ohio 44446. Exceptions will be made for out of state owners.

Utility service applicants may be denied utility service in their name if there is any outstanding balance owed from a previous utility account in the applicant's name, or spouse's/roommate's name, except when a court order allocates responsibility for the debt. All previous accounts must be paid in full.

The Director of Public Service shall have full authority to make determinations regarding routine denial of service for any and all reasons.

The City of Niles reserves the right to deny utility applications for failure to obtain a valid and current dwelling permit, as required under the Niles Codified Ordinances.

The City of Niles reserves the right to charge any application fee, security deposit, or any other utility related fee.

SECTION 2: Billing Period, Billing, and Payment

The billing periods and revenue cycles begin with meter readings. Meter readings are conducted monthly as near the same date as practicable. Billing cycles are determined from the date of the last reading to the current reading and for this reason; the number of days in a billing cycle may fluctuate on a customer's bill. The City of Niles makes every effort to read customer's meters on a regular monthly basis to ensure accurate readings, however there may be unforeseen circumstances where an estimated reading will be taken. The City of Niles shall conduct regularly, additional readings to ensure customers receive accurate monthly statements.

Should the City be unable to render monthly bills for any reason, they may be rendered for a shorter or longer period, but at the same monthly rate as determined by the City of Niles, Ohio. Meter readers read routes on a daily basis, as structured by the Utility Billing Manager. Meter data is uploaded into the billing software when the routes have been read. The meter reading data is used to calculate the quantity used for water, sewer, and electric so that total revenue or the amount to be billed can be determined by each customer. If it is determined that there is an undercharge based on an erroneous meter reading, clerical error, or any other reason, the City of Niles may recoup that charge from all responsible parties.

Regardless of any voluntary disconnection or temporary shutoff for water service, the utility customer shall be responsible for the paying monthly customer service charge, imposed by Niles Codified Ordinances during the disconnection or temporary shutoff period.

Customer statements are calculated and mailed monthly to the service location or to the mailing addresses currently on file with the Utility Billing Department. A paperless option is available upon request.

The due date for customer payment is fifteen (15) business days after the bill has been calculated and mailed by the utility billing department or an agent acting on behalf of the utility

billing department and is the date that appears as the due date on the customer monthly billing statement.

The City of Niles reserves the right to engage a third-party billing organization to prepare, print, and mail customer bills. The responsible parties also consent to be contacted on any phone number they provide regarding their utilities accounts, including any billing issues or shutoffs, by any means, including but not limited to prerecorded or artificial voice and/or an automated telephone dialing system.

Failure of a customer to receive a bill for utility service does not relieve the customer from the responsibility for prompt payment. The due date as printed on the bill shall be the last date for receipt of payment in full without being subject past due status.

Bills for utility service not paid in full on or before the due date stated on the billing statement will be subject to past due status.

Partial payments shall be accepted and applied to the past due amount until delinquency status is reached and termination occurs.

Payments are accepted in the form of check, credit card, or money order. Online payments are accepted by visiting the "BillPay" section of the City website (www.thecityofniles.com). All credit/debit card payments require a processing fee of \$3.05 up to \$122.00 or 2.5% of the payment made. Any check or ACH draft that is NSF will require a \$35.00 charge. Should a customer overdraft on back to back payments, they will be notified by the Utility Billing Manager that payment by check or the ACH draft will no longer be accepted. Payments are accepted in check or money order form at the drop box, located on the side of the administration building. Drop box payments are collected throughout each workday.

If a payment is made by mail or is processed automatically by a bank, payment must be made early enough to ensure that payment is received at the Niles Utility Billing Department by the due date. Post mark dates and check dates will NOT be used as a basis for determining timely payment.

SECTION 3: Management Rights and Denial of Service

The City of Niles, Ohio reserves the right to terminate utility service for any lawful reason, when, in the City's opinion, there is reasonable cause to believe the following:

The customer is receiving utility service without paying therefore, or the meter(s), wires, or other connecting apparatus have in any manner been tampered with, damaged, or suspected

^{*}No checks are accepted for shutoffs.

^{*}Processing fees are subject to change at the discretion of the processing company.

of damage, in such ways as to prevent the meter(s) from recording the amount of utility service consumed by the customer.

- When, in the City's opinion, the condition of the customer's wiring, plumbing, equipment, appliance, or other appurtenance is either unsafe or unsuitable for receiving utility service, or when the customer's use of a utility service or equipment interferes with or may be detrimental to the supply of utility service by the City to any of its other customers.
- When, in the City's opinion, utility service is being provided over a line which is not owned by the City or leased by the City and such line is either not in a safe and suitable condition or is inadequate to receive said utility service.
- When, in the City's opinion, a customer has denied a City representative access to the City's water or electric meter and all associated wiring and other apparatus associated thereto installed on the customer's property.
- When, in the City's opinion, it is necessary in order to prevent theft and/or fraud upon the City.
- When, in the City's opinion, condemnation and/or any finding that the premises are unfit for human habitation and/or vacation or abandonment of the premises.

The City cannot be held liable for any and all damages resulting from the disconnection of utility service.

The City of Niles, Ohio reserves the right to inform and deny service to every applicant(s) at the time of processing the application, or soon thereafter. Proper grounds for denial of an application include the following:

- When, in the City's opinion, the utility location requires specific repairs or changes like additional water taps and electric lines before utility services can be safely provided or the property is deemed uninhabitable.
- When, in the City's opinion, the applicant owes the City of Niles an outstanding bill for an account in his/her own name.
- When, in the City's opinion, there is an outstanding bill in the name of the person with whom the applicant previously shared occupancy and the prior account holder is no longer a resident at the premises.
- When, in the City's opinion, an applicant(s) has provided false information or intentionally opens various accounts under different names in an attempt to deceive the City of Niles to provide utility services.
- When, in the City's opinion, the property owner fails to maintain a valid and current dwelling permit.

The City will not discriminate against and cannot be held liable for the denial of utility services.

The City of Niles, Ohio reserves the right to terminate utility service after a tenant vacates a rental property, unless the landlord or property owner transfers the utility account into his/her name or in the name of a new tenant after the completion of the property inspection and

registration. At no time, will utilities be provided to a property without a responsible individual(s) name on file.

SECTION 4: Broken Seals on Electric Meters

Any seal found broken will be replaced by City personnel and a charge will be assessed to the customer at the rate of \$50.00 per occurrence.

Meter tampering is a criminal offence, per ORC. 4933.18, and will be reported to the Niles Police Department and be dealt with through the Niles Municipal Court system.

SECTION 5: Notice of Proposed Termination of Service:

Termination of service can be water, sewer, electric or all three (3).

Utility bills remaining unpaid, in full following the due date stated on the bill shall be declared delinquent. All information concerning final notice and service termination will be provided in the monthly utility statement. Customers will receive final termination notice via automated phone message.

The occupant may appeal the decision of termination service to the Utility Billing Manager or Director of Public Service any time prior to the termination of utility.

Charges shall be assessed to the utility account when the designated customer service employee is assigned to carry out the termination.

Customers shall be aware of freezing temperatures and make payment arrangements prior to utility termination.

During the months of December, January, and February disconnection shall be suspended when temperatures fall below twenty-five (25) degrees Fahrenheit as forecasted by the local National Weather Service. The Director of Public Service may order a ban on all disconnections due to extreme weather.

If customers are subject to or have had the utility disconnected, they shall act promptly, pay in full in-person by appointment/online or request a payment arrangement with prior notification. The City of Niles Utility Billing Department shall not issue new utility terminations after 1:00p.m. on Friday and Saturday or Sunday.

SECTION 6: Payment plan and Medical Hardship Arrangement

The City of Niles has the right to terminate any service for non-payment greater than sixty (60) days.

The City of Niles Utility Billing Department understands that unforeseen circumstances or medical hardships can occur making it difficult to pay your monthly bills. The City of Niles may offer payment plans or medical hardship agreements to residential customer, in an effort to bring their account current. Verbal agreements will NOT be accepted.

The Director of Public Service or his or her designee, is the delegating authority and delegates to the Utility Billing Manager, the discretion extending payment plans or arrangements to Niles utility customers. All payment plans or medical hardship agreements must be approved by the Director of Public Service.

No payment plans or arrangements shall be extended to persons who have previously defaulted on a payment plan/arrangement or have attempted to commit fraud against the City of Niles Utility Billing Department.

Under no circumstances will payment plans or arrangements be made extending beyond three (3) months in a twelve (12) month period. Agreements can only be made with a customer who is legally responsible for payment on the account.

Customers must provide a written request outlining their need, provide verifiable documentation for their hardship or medical issue (provided by a doctor and/or medical provider) and submit to the City of Niles Utility Billing Department to apply for a payment agreement. If granted, a signed payment agreement must be arranged before any impending disconnection date. The balance on the agreement will be evenly distributed over a mutually agreed upon time frame NOT to exceed three (3) months. This agreed upon amount will be expected to be paid in full along in addition to the current monthly bill. The City of Niles Utility Billing Department will account for each payment on the agreement. Customers may be directed to local agencies for financial assistance.

The ONLY exception to the above shall be for customers on life-supported medical equipment (such as an electrically-powered breathing assistance device), that depend on utility services, by providing verifiable documentation that medical life-support is needed at the service location in question. Account holders (or family members in the same household), may give notice to the Niles Utility Billing Department in writing if there is a life-supported medical condition requiring electricity to be maintained in all events. All efforts to respect a medical need will be made and said notice will be provided to the Electric/Fire Department. In the event of an emergency such as a power outage, all effort to restore service to such residences will be made as quickly as possible. There will only be one (1) doctor's note accepted for medical needs in a twelve (12) month period. It is strongly advised that such notices be provided prior to disconnection for nonpayment.

Should a customer default on their payment agreement, disconnection will occur immediately. City personnel will check the drop box at 9:00a.m. on the day of disconnection and if the required payment has NOT been received at that time, city personnel will be dispatched to terminate service.

In order to reinstate utilities, the account must be brought current, including any re-connect fees. The only methods of payment accepted at this time will be cash, money order or credit card. *No checks are accepted for shutoffs*. Once a customer defaults on a payment agreement, they will NOT be granted another payment agreement without approval from the Director of Public Service or his or her designee.

Customers may be allowed to enter into ONE (1) payment agreement in a twelve (12) month period.

SECTION 7: Delinquent Bills

Any utility customer who is sixty (60) days past due on payment, will be placed in delinquent status. Once a customer is delinquent, the total account balance must be paid in full or the account will be subject to termination. Shutoff accounts will be eligible for reconnect upon payment in full and payment of a reconnect fee. Reconnect fees per utility are as followed:

- Inside user- \$35.00 per utility
- Outside user- \$45.00 per utility

*No checks are accepted for shutoffs

Any utility bill generated by the City of Niles when a customer moves out of a residence (final bill) and not paid within thirty (30) days, shall be the responsibility of the property owner or landlord. If the customer has a current account held with the City of Niles, the delinquent final bill must be paid in full on the previous account prior to utility services at the new location. The City of Niles reserves the right to a seven (7) year enforcement period.

All information involving delinquency and shutoff notices will be provided on monthly utility bills and automated phone message. There will be no extensions granted. Landlords may request monthly utility statements of owned property, in the form of mail or e-mail.

SECTION 8: Request for Disconnect/Reconnect and Same-Day Connect

The reconnection charge for restoring water service to a property which has been turned off at the owner's request is \$35.00. Advanced arrangements for reactivation of services be made with the Utility Billing department.

Should a customer desire same-day services to be activated, that request must be made in person with the Utility Billing Department. Customers must be present at the location for water to be turned on. The City of Niles will NOT restore water services without the property owner present. Same-day service fees areas followed:

- Water- \$40.00
- Electric- \$40.00

SECTION 9: All Utilities-Change of Account Status

Account holders are responsible for notifying the City of Niles Utility Office, by appointment with proper ID/paperwork, of any change in account status. The account holder must notify the Utility Billing Department when moving in or out, or when property changes ownership. In the last instance, either the seller can request service be removed from their name and request a final reading, at which time a date of termination is set, wherein the buyer is required to fill out an application for services, or the buyer of the property can do this prior to the seller requesting services to be removed from their name. If the Utility Billing Office is not notified of changes, any utility invoices presented after the date of change (move in/out or sale of property) are due from the account holder. Other arrangements, if any, are between the landlord/tenant or seller/buyer.

SECTION 10: Write-offs and Bankruptcy

Upon receiving a bankruptcy notification for a Chapter 7, Chapter 11, or Chapter 13, the City will cease all collection efforts against the customer for all balances prior to the effective date of the bankruptcy.

All accounts that are written-off or settled in bankruptcy must have a final meter reading.

Customer accounts that are deemed uncollectable by the City of Niles Utility Billing Department, after all collection efforts have been exhausted, shall be written-off by the Utility Billing Manager in consultation with the Director of Public Service.

Customer accounts that have exceeded the statute of limitations shall be brought to the Service Director or Mayor for presentation to Niles City Council for write-off.

SECTION 11: Appeal Procedure

Customers who wish to contest a City determination to deny/terminate service or If a customer's bill is discovered to contain an error in calculation, billing amount, or other error due to the City Utility Billing Department's inadvertent mistake or omission, the policy of the Utility Billing Department is as follows:

The customers appeal rights shall consist of a face to face meeting or phone interview with the Utility Billing Manager, at which the dispute shall be discussed. Customers shall have access to previous statements, which have affected the service location. Should the matter not be resolved, the customer has the right to a face to face meeting or phone interview with the Director of Public Service, for a final determination.

If the error is at the fault of the City of Niles (over-billed as a result of the City's error or defective meter), the City will issue a refund or credit, depending on the amount in question, only if the bill has been paid. If a credit to the account is given, the credit will be applied to the

next month's bill. Otherwise, a check for the over-billed amount will be provided to the customer. If payment has NOT been made, the Utility Billing Department will issue a corrected bill.

If a customer's bill is discovered to contain a discrepancy due to unreported electric/water meter damage, the Utility Billing Department will NOT refund or credit the account and payment must be made in full.

SECTION 12: NEW METER PRICING

In the event that a customer requests a new electric or water meter, pricing will be determined by the Billing Utility Manager or Director of Public Service.
Approved:
Amended:

THE CITY OF NILES

UTILITY BILLING DEPARTMENT FORMAL DELINQUENCY AGREEMENT

NAME	ADDRESS
ACCOUNT #	BILLING DUE DATE
DELINQUENT AMOUNT	PHONE #
REASON FOR REQUEST: (ATTACH VERI	FICATION)
	PAYMENT PLAN:
DATE(MONTH 1) 1/3 [DELINQUENT AMOUNT OR MORE PLUS CURRENT BILL
	OTAL \$ PRIGINAL DELINQUENT AMOUNT OR MORE PLUS
DATE(MONTH 3) 1/3 O CURRENT BILL	OTAL \$ PRIGINAL DELINQUENT AMOUNT OR BALANCE PLUS
T APPROVED DENIED	OTAL \$
REASON FOR DENIAL	
BILLING MANAGER	DATE
SERVICE DIRECTOR	DATE
AND AGREE TO PAY AS DESCRIBED ABO	, UNDERSTAND THE TERMS OF THIS PAYMENT PLAN OVE . I ALSO UNDERSTAND THAT FAILURE TO MEET THE MMEDIATE TERMINATION OF SERVICES.
CUSTOMER SIGNATURE	DATE



Water and Light Billing Office 34 West State Street, Niles, OH 44446 (330) 544-9000 Ext 1150 Fax: (330) 544-3429 www.thecityofniles.com

RENTER / LEASEE STATEMENT

(Both Pages MUST be completed and returned at the time of sign-up)

Name: Last	(Please F	Print) F	irst
Daytime Telephoi	ne Number ()	Social Security	Number
Email Address			
Rental Address			
Street Address			Apartment No.
City	State	Zip Code	
,	certify	that I reside at the above addre	ess and that I have an agreement o
contract, written or	oral, with the owner or ager	nt of the property which permit	ts me to reside there.
	Renter (Lessee)		 Date
STATE OF OHIO	}		
COUNTY OF TRUMBU	,	<u></u>	
Before me, a Notar		y and State, personally appear owledged that he/she did sign t	ed the above named the foregoring instrument and tha
the same is his/her			
	EREOF, I have hereunto set m , 20	ny hand and official seal at	, Ohio, thisday o
NOTICE TO RENTER/I	EESSEE: FALSIFICATION OF ANY	INFORMATION ON THIS FORM W	Notary Public //ILL BE CAUSE FOR IMMEDIATE
	UTILITY SERVICES AND FORFEIT		
		Rent	ter/Lessee Initials

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2018.10.01 Rev3



Water and Light Billing Office 34 West State Street, Niles, OH 44446 (330) 544-9000 Ext 1150 Fax: (330) 544-3429 www.thecityofniles.com

LANDLORD / LESSOR STATEMENT

(Both Pages MUST be completed and returned at the time of sign-up)

	nformation (To be comple	tea by the Landiora/Les	sory		
Name: Last		(Please Print)	First		
Rental Addres	s				
Street Address				Apartn	nent No.
City	State	Zip Cod	e		
Landlord/Lesso	r Information				
Name:					
Last		(Please Print)	First		
Daytime Telep	hone Number ()		SSN or Tax ID_		
Email Address					
	n or oral, with the abov of Niles Codified Ordna		side on said property. I	also certify and ackr	nowledge
	Landlord / Les	ssor)	Date		
STATE OF OHIO COUNTY OF TRUM Before me, a No	MBULL }	the County and State,	personally appeared the	above named	
		vho acknowledged tha	at he/she did sign the fo	regoring instrument	and that
the same is his/	her free act and deed.				
	WHEREOF, I have hereu , 20	nto set my hand and o	official seal at	, Ohio, this	day of
	LORD/LEESSOR: FALSIFICA OF UTILITY SERVICES ANI		ATION ON THIS FORM WIL	ry Public L BE CAUSE FOR IMMI	EDIATE
			Landlord	I/Lessor Initials 2018.10.01 Revi	3

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Water and Light Billing Office 34 West State Street, Niles, OH 44446 (330) 544-9000 Ext 1150 Fax: (330) 544-3429 www.thecityofniles.com

NEW OWNER APPLICATION

(MUST be completed and returned at the time of sign-up)

Property Owner	r Information		
Name:		Please Print)	First
	one Number () _		Social Security Number
Owner's Mailin	g Address		
City	State	Zip Co	ode
Email Address_			Driver's License #
PROPERTY US	SE: Property will N	IOT be used as re	ntal. Initials If rental property, number of units
	Resident	tial, Single Famil	y Commercial Industrial
INFORMATIO	N TO BE PROVIDE	D BY OWNER	
	Disclosure or Deed You License You lumber Y	_	
Address of Prop	perty to be served wit	th Utility Service	es Address:
Street Address			Unit No.
City	State	Zip Co	ode .
I,		certify that I	reside at the above address, or if this is Rental Property,
please contact the		e at 330-544-90	00 ext: 1183. NOTE: COMPLETE INSPECTION MUST
above-named persor	n to reside on said property	y. I also certify and	Date:above and that I have an agreement or contract, written or oral, with the acknowledge that I am aware of Niles Codified Ordnance #149.10 and ha on the City of Niles website. Initials

OWNER RESPONSIBLE FOR ALL WATER/SEWER PAYMENT — As owner of the above-named property I agree to be responsible for payments in full of any Utility service charges and any which are delinquent to the Niles Utilities Department by my tenant or lessee. The tenant / lessee, if authorized by the owner will pay for the service or services, and such owner shall not thereby be relieved of the payment of any delinquencies that may occur.



DELINQUENT PAYMENT / UTILITY TURN OFF – When a **UTILITY** service bill has not been paid by the time specified on the bill, the said services shall be turned off after due notice. This service **WILL NOT** be turned on again until the total amount of all charges against the **PAST DUE** service has been paid in full, together with the added current **TURN-OFF** and **TURN-ON CHARGE(S)**.

OWNER TO RECEIVE NOTICE OF TENANT NON-PAYMENT OF BILL - If said tenant / lessee shall fail to pay any **Utility** service bill for the service rendered when due, I am aware of Niles Codified Ordnance #149.10 which states the property owner will be billed and assume primary responsibility for payment for utility services as if he or she were the direct consumer of such utility services.

OWNER NOTIFICATION OF SALE OF PROPERTY – I, or my agent of the above-named property owner, do further agree to notify the Utilities department of the City of Niles, Ohio when the named property is sold or transferred to a new owner and agree to pay all unpaid final service charges.

NO NEW SERVICE – The **Niles Utilities** department will **not** grant any additional service to said owner(s) at this, or any other address, if they have an outstanding delinquent Utility bill in the system. All bills shall be paid in full to obtain services(s).

SERVICE LINES - Water and sanitary lateral/ service lines are the responsibility of the property owner.

BACKFLOW PREVENTION – Water customers that require a backflow device to be installed on the water service line must comply with Niles Backflow prevention rules and laws. Annual inspection and surveys must be completed and returned to the City of Niles.

ANNEXATION REQUIRED – Property owners who are requesting water, sewer, or electric services from the City of Niles whose property is in whole or in-part outside the city limits yet continuous to the City of Niles shall adhere to Niles Codified Ordnance #58-19 before receiving utility services.

List ALL Properties that currently owned or have previously owned with City of Niles Utilities (attach additional sheet if necessary)
*This form MUST include to receive City of Niles Utility Services the following:
Completed Application Form
An attached copy of your photo ID and or Driver's License
Closing disclosure or deed
Tax ID # and or Social Security Number
Complete Inspection by Niles Housing Office (if applicable)