

**CUSTOMER ACCOUNTING AND SERVICES RULES, REGULATIONS, AND
RATE SCHEDULES CITY OF STEPHENVILLE**

(1) Definitions

- (a) "City" means the City of Stephenville and its duly authorized officers and agents.
- (b) "Person" means and includes firms and corporations, as well as individuals.
- (c) "Customer" means any person who receives water, wastewater or garbage pickup service from the City under either an express or implied contract requiring such person to pay the City for such service.
- (d) "Discount date" shall mean the date ~~ten~~ fifteen (15) days after the date of a bill, except when some other date is expressly required by these rules, regulations, and rate schedules, or by an agreement approved by the City. The discount date is the last date upon which water bills can be paid at net rates.

(2) Obtaining Service

Each prospective customer desiring water and/or wastewater service, will be required to pay a service connection or transfer charge, the amounts to be set by the City Council (Council action 11/01/85). The use of water service by the customer shall bind the customer to these rules and regulations (Council action 11/05/85). For residential customers, garbage service is mandatory if water and/or wastewater service is connected (Council action 06/15/73).

(3) Meter

It shall be unlawful for any person other than a duly authorized city employee to open a city water meter box, such city water meter box being the closed box which houses the meter measuring the water to each city water user and consumer (Code of Ordinances, Art. 1, Section 19-1).

All meters shall be installed, tested, repaired, and removed by the City.

No one shall do anything which will in any way interfere with or prevent the proper registration of a meter. No one shall enter, tamper with, or work on a water meter without the written permission of the City. No one shall install any pipe or other device which will cause water to pass through or around a meter without the passage of such water being registered fully by the meter.

(4) Schedule of Rates and Charges

All water furnished by the City will be measured in gallons. Water and wastewater shall be furnished at the current water rates set by the City Council.

These rates are subject to change upon approval by the City Council. All charges for service shall be assessed in the name of the person connected to and using the City's services. (Council action 02/07/95).

(5) Billing

Bills for service will be rendered monthly. Water bills must be paid on or before the discount date shown thereon to obtain the net rate, otherwise the gross rate shall apply (Council action 06/05/79). Failure to receive the bill, disputing the amount of the bill, or delay by the postal system will not release the customer from payment obligation, nor extend the discount date. The postmarked date on payments received by mail will be considered payment date in determining whether net or gross rates apply. The gross rate includes a 10% penalty charge.

In the event bills are not paid on or before the discount date, a past due notice will be sent to all customers owing a balance. This notice will notify the customer of the date of disconnect and the customer's ability to discuss the bill with the City.

The first 240,000 gallons of water used by volunteer fireman will be paid at the end of September each year, by the City Fire Department, along with the appropriate wastewater charges (Council action 11/03/81). The Fireman will be billed in October for any overage, and are subject to these rules and regulations in the same manner as any other customer.

(6) Sewer Average

Residential customers are eligible for sewer average billing. The averaging is based on the wastewater volume charge during the winter consumption months of December, January and February. If the average monthly usage is not available for such three (3) preceding months, then the sewer bill shall be based on the month to month usage for the year. The minimum rate is 1,000 gallons at the current base rate plus volume sewer rate (see schedule). No monthly sewer bill to customers in this category shall exceed 12,000 gallons at the current base rate plus volume sewer rate (see schedule). The new locked in rate appears on the April billing. Customers have 1 month to review the new rate and contact the billing department if they have questions or concerns. This monthly bill will apply until another three (3) month winter usage is established or rates change.

(7) Average Billing

Residential customers, churches and schools are eligible for the average billing plan. The average billing plan helps smooth out the seasonal highs and lows in monthly bills.

The average billing amount is calculated by taking the most recent twelve months billing history for water used. If the account balance is a debit, then 10% of the account balance will be added to the twelve months average. If the account balance is a credit, then 10% is subtracted from the twelve months average.

You may discontinue the plan at anytime. Should you decide to withdraw, you will be required to pay any balance remaining on your account. Any overpayment will be applied as a credit to your account or refunded at your request.

(8) Payment

Payment on a utility bill and/or related charges may be made by cash, check, cashier's check, money order, automatic bank draft, online bill pay or a debit/credit card at a convenience fee of \$2.50. Payment on an insufficient check may not be made by check; and an insufficient check will not be sent through the bank a second time. Any customer having a check or other form of payment dishonored two or more times in a 12-month period will be required to pay by cash, money order, or certified check. (Council action 02/07/095).

No two-party checks or checks for larger than the amount of the bill will be accepted.

Payment must be made, or an extension received, to avoid disconnection for non-payment; the only exceptions being schools, government offices, and first month customers.

Schools and government offices are the only customers exempt from gross amounts and delinquent charges.

Any deposit made to the City, by any customer, shall be held by the City until such customer's utility service, for which the deposit was made, shall be terminated. Upon termination of such service, the customer shall be entitled to a refund of such deposit, less any amount which is due and owing to the City. The City will not pay interest on deposits. Customers making a deposit shall be entitled to a refund of such deposit after completing a 12-month period of payments without incurring penalties (Council action 02/07/95).

(9) Discontinuance of Service, Refusal to Connect Service

The City will discontinue service or refuse to connect service for a violation of, or a failure to comply with the following:

- (a) These rules and regulations, including the schedule of rates and charges.
- (b) The customer's contract for service.
- (c) The payment of any obligation due exceeding ten (10) dollars. (Amended 02/07/95)
- (d) The payment of a bill or any related charges.

The regular date for disconnect will be the next Tuesday following the due date on billing statement. If the disconnect date falls of a holiday, disconnect will be on the nearest subsequent day. (Amended 02/07/95)

In emergency situations, an extension of the final due date of the bill may be granted by the City. Application for extension shall be applied for by the customer whose name appears on the statement. Applications for extensions should be in writing on the City's form, and must be approved by the Director of Finance or other designated authority. Such extensions shall not exceed one (1) per year for a customer. (Council action 02/07/95) Receiving an extension does not exempt the customer from payment of the gross amount of the bill.

Such right to discontinue service shall apply to all service received through a meter, even though more than one customer or tenant is furnished service therefrom; and even though the delinquency or violation is limited to only one such customer or tenant.

Discontinuance of service by the City for any causes stated in these rules and regulations shall not release the customer from liability for payments that thereafter become due under the minimum bill provisions.

Re-establishment of service after the utility bill has been paid will be in order of payment made and must be done only by City employees.

It is unlawful for customers to connect or reconnect service themselves in the city water meter box. (Code of Ordinances, Art. 1, Section 19-1)

The City shall have the right to refuse to render service to any applicant whenever the applicant or any member of the household, company or firm to which such service is to be furnished, is in default in the payment of any obligation to the City

or has had his/her service disconnected because of a violation of these rules and regulations.

If the City should for any reason begin to render service to an applicant to whom the City has a good and valid reason for refusing to render such service, the City shall have the right to discontinue such service even though such customer does nothing to justify the discontinuance of service during the time such service is being rendered.

(10) Delinquent Charge

At 8:00 a.m. on the morning that service is to be disconnected for non-payment, a delinquent charge will be assessed against the customer; the amount of this charge to be set by the City Council. This applies to monthly disconnect, non-payment of insufficient checks, and extensions. (Amended 02/07/95)

(11) Service Call

Service calls require an authorized City employee being dispatched for the purpose of performing any individual service.

There shall be a charge for all service calls, with the following exceptions:

- (a) The meter reading has been billed incorrectly.
- (b) Water consumption exceeds 150% of the preceding month's consumption.
- (c) Service disconnection at the customer's request.
- (d) Customer installs, or get in operating condition, a cut-off valve on their side of the meter.

Service calls after office hours shall be charged at twice the regular rate. (Council action 06/05/79)

A service charge will be assessed on all insufficient checks and bank drafts unless a bank employee notifies our office of a bank error. (Council action 06/05/79).

(12) Billing Adjustments

Utility bills may be adjusted in the following instances:

- (a) Payment for the bill has already been made. Customer must provide a copy of the canceled check, a receipt stamped "paid" for

the billing period in question, or other proof which documents payment for service rendered.

- (b) The utility superintendent determines there is an error.
- (c) The meter reading had been billed incorrectly in the computer.
- (d) Leaks.

(13) Transfer for Service By Customer

Customers choosing to transfer service from one local address to another may do so by calling City Hall. A transfer charge will be assessed and billed to the customer, the amount to be set by the City Council (Council action 11/05/85). Water service may be left on simultaneously at both addresses for one (1) week if all bills due have been paid.

(14) Termination of Service

Customers choosing to disconnect service must notify the City by the day disconnection is desired. ~~An Authorization for Disconnect form should be signed and retained by the customer until all payments have been made. In the event of a discrepancy of the date disconnect was ordered, this form must be presented in order for the customer to receive credit.~~ Failure to request disconnection of service results in the customer continuing to be liable for a minimum bill and all consumption of water, even if no one is residing at the service address.

(15) Access to Customer's Premises

The City's identified representatives and employees shall be granted access to customer's premises at all times for the purpose of reading meters, testing, inspecting, repairing, removing, and replacing all equipment belonging to the City.

(16) Customer's Responsibility for City Property

All meters, service connection, and other equipment furnished by the City shall be and remain the property of the City. The customer shall provide a space for and exercise proper care to protect the property of the City on his premises; and in the event of loss or damage to the City's property, arising from neglect of customer to care for same, the cost of necessary repairs, or replacements shall be paid by the customer.

(17) Customer's Responsibility for Violation of Rules and Regulations

Where the City furnishes water or wastewater service to a customer, such customer shall be responsible to the City for all violations of the Rules, Regulations, and Rate Schedules of the City, which violations occur on the premises served by the customer in any such violations shall not be necessary to impose such personal responsibility on the customer.

(18) Restricted Use of Water

In times of emergencies or in times of water shortage, the City reserves the right to restrict the purposes for which water may be used by a customer and the amount of water which a customer may use.

(19) Interruption of Service

The City will endeavor to furnish continuous water service, but does not guarantee to the customer any fixed pressure or continuous service. The City shall not be liable for any damages or any interruption of service whatsoever.

In connection with the operation, maintenance, repair, and extension of the City's water system; the water supply may be cut off without notice, when necessary or desirable; and each customer must be prepared for such emergencies. The City shall not be held liable for any damages from such interruption of service or for damages from the resumption of service without notice after any such interruption.