

TOWN OF OAKLAND

Sec. 74-47. Payment of fees and bills required; lien; collections; insufficient funds; hardships.

(a) Bills for the monthly charges and fees required by this division shall be submitted by the town and shall be paid by the users monthly. If any monthly bill for water service shall be unpaid at the close of business on the tenth day of the month, a penalty of ten percent of the bill shall be imposed and be added to the bill; and, if the bill shall remain due and unpaid by the close of business on the nineteenth day of the month, the water service to the consumer shall be discontinued on the twentieth day and shall not be reconnected until all past-due charges shall have been fully paid, together with a reconnection charge of \$25.00.

(b) A lien may be placed upon the user's land in the amount of the delinquent account and shall include interest at the rate of eight percent per annum from the date of filing until paid. The lien may be satisfied any time by payment, including accrued interest. Notice of such lien may be recorded in the public records of the county. The property owner shall pay a \$10.00 fee for the recordation of the lien, and a \$10.00 fee for recordation of the satisfaction of lien.

(c) For accounts with discontinued service and past-due balances, the town may elect to contract with a collection agency to recover these balances. The town may remit a percentage of these collections to the agency as payment. The agency or the town may report the delinquency to one or more credit agencies.

(d) Checks returned for insufficient funds shall be subject to a \$25.00 charge. Users who submit two checks returned for insufficient funds within a twelve-month period shall be required to pay by cash or money order for a period of 12 months. Users who submit four checks returned for insufficient funds within the life of the account shall be required to pay by cash or money order for the remainder of the life of the account.

(e) The town manager shall be authorized to establish a payment plan for hardship cases, and to waive the requirement for disconnect in such cases. Unless appealed to the town commission, the town manager shall be the final arbiter in the determination of hardships. The town manager shall be authorized to waive fees where extenuating circumstances exist. Such waivers shall be documented, signed by the town manager, and available for audit. In no case shall a waiver that applies to property owned or rented by an elected official, town employee, or immediate relative thereof, be approved by the town manager until first approved by the town commission in a regular meeting. Any elected official, town employee, or immediate relative thereof who requests a hardship payment plan that will carry-forward a balance more than one month must have such request approved by the town commission at a regular meeting.

(Ord. No. 84-1, §§ 6, 8, 3-7-84; Ord. No. 87-2, § 3, 4-21-87;
Ord. No. 2004-06, § 1, 8-10-04)