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**Administrative Policy - Utility Service
 Terms and Conditions of Service**

Revision Date: November 25, 2013

Application for Service	Deposits	Payments for Service
Discontinuance of Service	Reconnection of Services	Meter Tampering

I. APPLICATION FOR SERVICE

A. Application for service is made in writing at the Utility Services Office. Application must be made in person and picture identification must be presented before an application can be approved. A deposit is required on all new accounts unless a written statement reflecting good credit experience is received from a previous utility.

When a deposit is required, the regulations as outlined in Section II determine the amount of the deposit.

B. An application by an Applicant-tenant must reflect the full name(s), previous name(s) and aliases and social security number(s) of person(s) liable to property owner. The Applicant-tenant must present at time of application written evidence (lease) that permission has been granted by the owner to occupy the premises.

C. Service is denied when one of the conditions below applies:

1. The Applicant has an outstanding balance owed from a previous utility account in the applicant’s name or spouse’s name.
2. The Applicant is a prospective tenant but presents no written evidence that grants authority to occupy the property.
3. The Applicant is unable to pay the required deposit or supply a letter of good credit standing from a utility company with whom they have maintained good credit.

D. *New Account Set-Up Fee* - A set up fee is required for each utility service established electric, water & sewer, garbage). Reconnection services will be performed Monday to Friday during normal business hours. Request for service received after 2:00 p.m. may not be performed until the next business day.

II. DEPOSITS

Franklin City Code Section 8-16 authorizes Franklin Utility Billing to require a security deposit as a guarantee of payment for utility services to be used by a residential or business customers. The deposit covers potential losses resulting from a customer's failure to pay Utility bills.

A. When Are Deposits Required:

1. For all new Utility accounts unless the applicant for services supplies a letter of credit from their immediately preceding Utility supplier verifying that the customer met good payment requirements. Good payment record is defined as not having incurred penalties/late fees, returned check fees and not having services disconnected for non-payment during the most recent (12 months for residential and 36 months for commercial services).
2. On an existing account if services have been disconnected for non-payment of the utility account once in a twelve month period.
3. From all customers whom have had two (2) checks returned for insufficient funds during the previous twelve months.
4. From all customers, on whose premises the City's meter, wires or other apparatus have in any manner been tampered with or damaged in such a way as to prevent a meter from recording the amount of utility service supplied; the cash deposit shall be reasonable as to ensure payment for repairs in the event of future tampering or damage.

B. Deposits Amounts:

Residential – (See Attached Fee Schedule)

Basis for Deposit: The deposit is based on an average two months of residential electric service.

Commercial - Deposit based on two months' facilities estimated usage. When the customer can show that the circumstances have changed so that the consumption of electricity will be considerably more or less than the consumption of the most recent occupant, the Director of Finance or his/her designee shall establish a deposit for said facility utilizing information available.

Water & Sewer Customers Only – (See Attached Fee Schedule)

Basis for Deposit: The deposit is based on an average of two months of residential water and sewer service.

All deposits must be made in the form of cash, debit card, credit card, money order, certified check or surety bond and is due in full prior to connection of services.

C. Deposit Refunds:

1. Deposits will be refunded on active accounts, upon customer request, after five years of good standing with the City (i.e. no disconnections or late fees).

2. For **inactive** accounts, when service is terminated by the Customer or the City, the Customer's deposit will be applied to any outstanding charges for utility service, for any damages to City equipment, or for **any other payment owed to the city (i.e. delinquent taxes)** after which the deposit or the credit balance thereof will be paid to the Customer. Deposits are returned at the address on file within 45 days after the account is finalized.

D. Transfer/Return of Deposits.

1. In the event services are transferred from one service location to another inside the City of Franklin, the deposit is transferred to the new location.
2. If services are transferred from a location outside the City (i.e. Southampton, Suffolk, or Isle of Wight County), a new account is established and any deposit on the account from the old location will be applied towards any balance due on that account. Any credit balance remaining after the account is closed will be returned to the customer within 45 days. Any account balances due from the customer to the City from the old location will be combined with the first bill for services at the new location.

III. PAYMENTS FOR SERVICE

- A.** The City renders bills to the Customer during the first week of each month. Bills are due and payable upon presentation and become past due at the close of business on the 20th day of the month. The bill due date is shown on the bill and payment must be received by the 20th of the month to avoid a late penalty charge.
 - a. An administrative fee will be charged for duplicating or reprinting bills once they have been mailed.
- B.** A late payment charge of 1 1/2 percent per month, but not less than \$2.00, is imposed on all past due balances on the City's books, on the 21st day of the month in addition to a late fee. If services are disconnected as a result of non-payment, a reconnection fee will be assessed.
- C.** Bills are payable at the Office of the Treasurer. Payments must be made without regard to any counterclaim. The following forms of payments are accepted: Cash, credit card, debit card, money order, check, automatic bank draft. An after-hours secured drop box is also available.
- D.** The City reserves the right to apply any payment or payments made by a Customer in whole or in part to any utility account due the City by the Customer.
- E.** **Return Check Fee.** The Customer is charged a service charge for each check received by the City upon which the City is initially unable to collect. Upon receipt of a bad check, the Treasurer reserves the right to refuse acceptance of personal checks for future services.
- F.** Payments made as a condition of the reconnection of utility service are made at the Treasurer's Office in cash or by debit or credit card, money order, certified check or cashier's check. No personal checks will be accepted. Field representatives of the City are not permitted to accept payments.

IV. REQUEST FOR AN EXTENSION

A utility bill is payable when received and is past due after the due date. If not paid by the end of the month, an account is subject to disconnection. If a customer is unable to make payment by the end of the month, an extension may be requested by calling Utility Billing or by appearing in person to the Utility Billing Department. If calling, account verification is required. Requests for an extension must be made prior to the end of the month. An extension request is limited as follows:

- (1) No more than one extension is allowed during a calendar year period.**
- (2) No extensions are granted on accounts more than 30 days past due or on terminated accounts.**
- (3) No extension can be for more than 30 days.**

V. DISCONTINUANCE OF A UTILITY SERVICE

- A.** The City reserves the right to discontinue a utility service to a Customer at any time without notice upon the occurrence of any one or more of the following events:
 1. Whenever the City has reasonable cause to believe that the Customer is receiving a utility service without paying therefore, or its meters, wires, or other apparatus have in any manner been tampered with, damaged, or appear to be damaged, in such a way as to prevent the meter from recording the amount of utility service supplied to the Customer.
 2. Whenever, in the opinion of the City, the condition of the Customer's wiring, equipment, appliance or 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 a utility service by the City to any other Customer.
 3. Where electricity is being furnished over a line which is not owned or leased by the City and such line, in the opinion of the City, is either not in a safe and suitable condition or is inadequate to receive electricity.
 4. Whenever the Customer has denied a City representative access to the City's meter, wires or other apparatus installed on the Customer's premises.
 5. Whenever, in the opinion of the City, it is necessary to prevent fraud upon the City.

- B.** The City reserves the right to discontinue furnishing a utility service to a Customer, after 10 days' notice by mail, upon the occurrence of either one or both of the following events:
 1. Nonpayment of a past due bill, regardless of any amount of money on deposit with the City.
 2. Failure to comply with the City's ordinances, administrative policies or terms and conditions of any agreements governing the provision of utility service to Customers
 3. Whenever requested or ordered to do so by a public authority having legal authority to do so.

- C. The City reserves the right to discontinue furnishing a utility service under any of the above conditions irrespective of any claims a Customer has pending against the City, or any amounts of money the Customer has on deposit with the City.
- D. Notice of discontinuance is considered given to a Customer when copy of such notice is posted in the U. S. mail addressed to the Customer's last post office address shown on the records of the City.
- E. Whenever the supply of a utility service is discontinued in accordance with this policy, the City is not liable for any damages, direct or indirect, that may result from such discontinuance.
- F. Utility service disconnections are made Mondays through Thursdays during normal business hours unless such a weekday precedes a City holiday.

VI. RECONNECTION OF A UTILITY SERVICE

- A. When a utility service is discontinued for any of the reasons stated in Section IV above, the City has a reasonable period of time in which to reconnect the Customer's service after the conditions causing discontinuance have been corrected.
- B. When a utility service is discontinued for nonpayment of a past due utility bill, **all amounts due at the time of payment** must be paid in full before a utility service is restored in addition to the reconnection fee. No personal checks will be accepted.
- C. When a utility service has been discontinued by the City at the request or order of any public authority having authority to do so (as prescribed in Section V-B-3), the Customer's service is not reconnected until authorization to do so has been obtained from said public authority.
- D. Hours of Reconnection & Fees:
 1. If services are reconnected Monday through Friday during the hours of 8:30 a.m. to 4:00 p.m (except holidays), a standard reconnection fee will apply.
 2. If service are reconnected **Monday through Friday, after 4:00 p.m. until 8:00 p. m.** (except holidays), an after-hours service fee will apply *in addition to the standard reconnection fee.* **Field representatives of the City are not permitted to accept payments.**
 3. If utility service is disconnected for non-payment, the customer should be present at the service location in order to have services restored; a second trip charge will be assessed if any Utility Department makes two trips out to the service location to reconnect services unless the customer signs a waiver of liability.

VII. METER TAMPERING

IT IS UNLAWFUL FOR ANY PERSON TO REMOVE, TAMPER WITH, OR DAMAGE ANY METER (WATER OR ELECTRIC), POLE, TRANSFORMER OR OTHER APPARATUS OR EQUIPMENT BELONGING TO OR USED BY THE CITY OF FRANKLIN IN CONNECTION WITH ITS UTILITY SYSTEMS AS DEFINED IN THE CODE OF VIRGINIA. VIOLATORS CAN BE PROSECUTED WITH A FELONY OFFENSE.

When, in the City's opinion, its meter, wires or other apparatus have been tampered with or reconnected without authority in order to obtain utility service without paying therefore, the City will conduct an investigation to determine whether utility service was obtained improperly and, if so, the amount of same. If it is determined that utility service was obtained improperly, the City will only reconnect the utility service on the following conditions:

1. The Customer must pay all delinquent utility bills.
2. The Customer must pay to the City an amount estimated by the City to be sufficient to cover the utility service used but not recorded by a meter and not previously paid for.
3. The Customer must pay an investigation fee for the investigation of whether and how the Customer obtained utility service without payment therefore and the amount thereof;
4. The Customer must make or pay for any changes in wiring or equipment that the City feels necessary for the protection of its utility system.



**UTILITY FEE SCHEDULE
FISCAL YEAR 2013-2014**

Fees	Current	Adopted
New Account Installation-Electric		\$10.00
New Account Installation – Water & Sewer	20.00 (administrative fee)	\$10.00
New Account Installation – Refuse Collection		\$10.00
Deposit – Residential Gas Heat	\$200	\$450 (Gas or Electric)
Deposit – Residential Electric Heat	\$400	
Deposit – Commercial	Average 2 months of usage at facility	Average 2 months of usage at facility
Late Fee if Not Paid on the 20 th	\$50.00 (Cut off list)	\$15.00
Business Hours /Standard Reconnection Fee	\$50.00	\$75.00
After Hours Reconnection Fee	\$75.00	\$100.00 (\$75+\$25)
2 nd Trip Charge	\$0.00	\$50.00
Meter Tampering Investigation	\$100.00	\$250.00
Return Check Charge	\$35.00	\$35.00
Reprinting of Bill	\$0.00	\$5.00