

**Administrative
Policy and
Procedure
Policy**

**Board of Selectmen
Water Shut Off Policy
Approved October 18, 2016**

PURPOSE

The purpose is to establish a policy for the nonpayment water and sewer utility services or for not permitting access to inspect and/or replace water meters. This policy is to ensure:

- all utility service fees are paid in a timely manner
- to provide access to inspect and/or replace water meters

POLICY

In order to ensure the financial health of the water enterprise fund it is important that customers pay water bills in a timely fashion to facilitate cash flow. In order to maintain the system, the Town periodically needs access to customers' homes to inspect or replace equipment in order to provide a high level of service to those customers.

APPLICABILITY

The entire policy applies to all customers of the Town's water and wastewater enterprise systems.

If any provision of this policy violates any governing law or regulation, or if any law or regulation applicable to this policy becomes effective after the effective date of this policy, then this policy shall be deemed changed to be in compliance with such governing law or regulation.

DEFINITIONS

None.

IMPLEMENTATION PROCEDURE

1. Criteria for Termination / Shut Off of Services:

- a. All accounts/customers, which are in delinquency of at least one hundred twenty (120) days for non-payment of water and/or sewer fees.
- b. All accounts, which do not permit access for the purpose to inspect and/or replace water meters.

2. Notice to Director of Public Works: The Town Treasurer/Collector shall advise the Director of Public Works of any outstanding non-payment accounts. The Water & Sewer Supervisor shall advise the Director of any denied access to inspect and/or replace water meter(s).

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3. **First Notice – 30 Days:** A certified letter will be sent to the owner of the property to notify them that they are delinquent / past due in their water and/or sewer account or letter requesting access to inspect or replace the water meter. The owner has thirty (30) days from the date of the letter to contact the Town Collector's Office and make a payment and contact the DPW office to schedule an appointment for meter inspection or change out.
4. **Second Notice - 7 Days:** If the account remains delinquent, seven (7) days prior to the termination of services an orange "shut off" door hanger will be left with a termination date.
5. **Final Notice - 2 Days:** If the account remains delinquent, two (2) days prior to the termination of services a green "shut off" door hanger will be placed as the last reminder of termination. Utilities personnel will mark the curb box for shut off. The Board of Selectmen shall receive notice of final shut offs seven (7) days before they occur.
6. **Payment:** All accounts, which have been notified of termination of services, must be paid by bank certified check, money order or cash directly to the Town Treasurer/Collector's Office. DPW utility personnel cannot accept payment for past due accounts. Please call the Treasurer/Collector office directly at (508) 529-3737.
7. **Termination of Services:** If the account remains delinquent after the two-day notice, the water office shall issue a termination of service order and utility field personnel shall terminate water services to said location.
8. **Tampering of Services:** Customer(s) turning their water service back on without Town approval, shall be subject to legal prosecution for tampering with town property. The said water service shall be immediately re-terminated (shut off) of services and changed an additional administrative penalty of one hundred (\$100) dollars.
9. **Reinstatement of Services & Reinstatement Fee:** Accounts which are terminated, shall be subject to a twenty-five (25) dollar administration disconnection fee and a twenty-five (25) dollar reconnection fee, which shall be paid directly to the Treasurer/Collector's office in Town Hall located at 1 Main Street, Lower Level, Upton, MA by certified check money order, or cash. Please call the DPW office with any questions at 508-529-3067.

Upon payment in full of delinquent service and administration & reconnect fees, a location's utility services shall be reconnected by field utility personnel between normal business hours of Monday-Friday 8:00AM to 4:00PM, except holidays.

10. **Appeal:** A customer may request, in writing, a Termination of Services Hearing before the Board of Selectmen at least Fifteen (15) days before the termination of services, who shall schedule a date and time for appeal hearing and notify the appellant of said hearing.

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The Board of Selectmen shall notify, in writing, the appellant / customer of their decision within ten (10) days of the hearing's date.

11. **Medical Emergency:** The Upton DPW will refrain from disconnecting water when a written certification is received from a registered physician with the name and location of the member and or name and address of the person with the medical emergency; a statement that a serious illness or medical condition exists which would be seriously aggravated by lack of the water service; and the anticipated length of the medical emergency. Water shut off will continue if payment has not been made by the end of the medical emergency period. An oral declaration by the physician will be accepted however a written confirmation must be received within seven (7) days of the oral declaration. The extension will be granted based on physician statement and will delay water shut off for no more than seven days. The DPW will assist residents who may be experiencing a hardship in contacting the Council on Aging department to determine if resources may be available to assist them with such issues.
12. **Payment Plans:** The Treasurer/Collector will accept payment plans in order to avoid shut off if the member initiates the plan prior to the water being shut off. All plans must include the dates and amounts of the proposed payment plan. It is to be understood by the requesting member that payments must be made when proposed and if a payment is missed, the plan will become null and void and the water will be turned off the following business day with no additional notification. Once the plan has been reviewed by the Board, the member will be notified of their decision.

REGULATORY / STATUTORYS REFERENCES

List the sources if applicable upon which the policy is based, including related policies or procedures, guidelines, Town Bylaws, State or Federal laws.

APPROVED BY

Board of Selectmen, Chair: James A. Brochu

Board of Selectmen: Robert J. Fleming

Board of Selectmen: Gary Daugherty

Original date:October 18, 2016

Revised dates: