

CITY OF STAPLES
RESOLUTION No. 1830
UTILITY BILLING, COLLECTION AND DISCONNECT POLICY
(REPLACES RESOLUTION No. 1800)

BE IT RESOLVED BY THE CITY COUNCIL OF STAPLES, MINNESOTA, that Resolution No. 1800, is hereby deleted in its entirety and a new billing, collection and disconnect policy is hereby established, to wit:

1. Utility billing date shall be the first of each month and shall be mailed the day before the last working day of the previous month.
2. In accordance with Chapter 32, Section 36 of the City Code: Utility charges shall be past due and considered delinquent if they are unpaid at the close of business on the 15th of each month, however, if the 15th shall fall on a Saturday, Sunday, or legal holiday, the time shall be extended to the close of business on the next succeeding day on which business is normally transacted. A penalty of ten percent (10%) shall be added to and become part of all past due utility bills. Upon written request, a penalty will be waived if the customer's account at the service address with the penalty has no delinquencies in the previous twenty-four (24) months.
3. Customers with delinquent utility bills shall be sent a past due notice. In addition, any other party who is authorized by the customer shall be notified of such delinquencies at the time that the customer is sent a past due notice whenever the party has sent the City a written request for this information.
4. Utility bills remaining delinquent after having received a past due notice shall be subject to having their utilities disconnected for nonpayment.
5. The winter disconnect policy is as follows:

Subdivision 1.

The City will not disconnect the utility service of a residential customer during the period between October 15 and April 15 if the disconnection affects the primary heat source for the residential unit when the following conditions are met:

- 1) The customer declares an inability to pay on forms provided by the utility (a customer receiving any form of public assistance, including energy assistance, has demonstrated an inability to pay);
- 2) The household income of the customer is at or below 50 percent of the state median income level, as documented by the customer to the utility; and
- 3) The customer's account is current for the billing period immediately prior to October 15 or the customer has entered into a payment schedule and is current with payments under the schedule.

The City will notify all residential customers of the provisions of the above points, and will also provide customers with referrals to energy assistance programs, weatherization, conservation or other programs likely to reduce the customer's energy bills.

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Subdivision 2.

Before disconnecting service to a residential customer during the period between October 15 and April 15, the City will provide the following information to a customer:

- 1) a notice of proposed disconnection;
- 2) a statement explaining the customer's rights and responsibilities;
- 3) a list of local energy assistance providers;
- 4) a form, on which to declare inability to pay;
- 5) a statement explaining available time payment plans and other opportunities to secure continued utility service; and
- 6) referrals to energy assistance programs, weatherization, conservation or other programs likely to reduce the customer's energy bills.

Restrictions if disconnection becomes necessary:

If a residential customer must be involuntarily disconnected between October 15 and April 15 for failure to comply with the provisions of State law, rule and/or utility policy, the disconnection must not occur on a Friday or on the day before a holiday. Further, the disconnection must not occur until at least ten days after notice has been mailed to the customer or seven days after the notice has been personally delivered to the customer.

If the customer does not respond to a disconnection notice, the customer must not be disconnected until the utility investigates whether the residential unit is actually occupied. If the unit is found to be occupied, the utility must immediately inform the occupant of the provisions of this section. If the unit is unoccupied, the utility shall provide notice by first class mail to the recorded billing address of the residential customer. Such notice shall include an explanation of the Cold Weather Rule and information on inability to pay and payment plans.

If, prior to disconnection, a customer appeals a notice of involuntary disconnection, as provided by the City's established appeal procedure, the utility must not disconnect until the appeal is resolved.

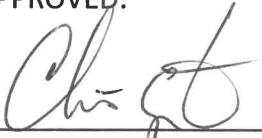
6. Any disconnect notice shall also state the following: 1) utilities will be cut ten (10) days {twenty (20) days if between October 15 and April 15} after the date of the notice if payment is not received; 2) amount due; 3) reconnect fee in the amount of \$50.00 (\$100.00 if overtime is involved); 4) availability of a hearing upon the customer's request on a disputed bill; 5) Public Works Director or designated representative as the City's contact person; and 6) this notice is **FINAL**.

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7. Service cut for nonpayment shall not be reconnected until all due and delinquent charges have been paid.
8. Any utility bill that is 60 days past due can be sent to Minnesota Revenue Recapture, assessed to property owner or collected via any means available.

Adopted this 12th day of January, 2021.

APPROVED:



Chris Etzler, Mayor

ATTEST:



Diane Archer, City Clerk