

TITLE: UTILITY DISCONNECT FOR NON-PAYMENT;
PROCEDURES FOR DOMESTIC SUBSCRIBERS



EFFECTIVE DATE: 3/30/2020;

APPROVED:

A handwritten signature in black ink, appearing to read "David Scott", written over a horizontal line.

**UTILITY DISCONNECT FOR NON-PAYMENT
PROCEDURES FOR DOMESTIC SUBSCRIBERS**

GENERAL PROVISIONS:

1. Utility bills shall be due and payable monthly at the office of City Clerk of the City of Sidney on the due date noted on the statement. Bills not paid by the due date noted on the statement shall be deemed to be delinquent. Upon being deemed to be delinquent, the City Clerk shall give notice to the subscriber in-person, by first-class mail, or by electronic delivery, except that electronic delivery shall only be used if the subscriber has specifically elected to receive such notices by electronic delivery. If notice is given by first-class mail or electronic delivery, such notice shall be conspicuously marked as to its importance. Service shall not be discontinued for at least seven days after notice is sent or given. Holidays and weekends shall be excluded from the seven days. If the subscriber has been previously identified as a welfare recipient, such notice shall also be given to the Nebraska Department of Health and Human Services.
2. DISCONNECTION PREVENTED
 - A. Disconnection may be prevented upon presentation of a duly licensed physician's certification which shall certify that a domestic subscriber or resident within such subscriber's household has an existing illness or handicap which would cause such subscriber or resident to suffer an immediate and serious health hazard by the disconnection of the service to that household. Such certification shall be filed with the Clerk within five (5) days of receiving notice and shall prevent the disconnection of the service for a period of thirty (30) days from such filing. Only one (1) postponement of disconnection shall be allowed for each incidence of nonpayment of any past-due account.
 - B. In response to the pandemic, disconnection may also be prevented upon presentation of proof that the resident has been directly or indirectly financially affected by COVID-19 to the extent that payment of utilities is not feasible at this time and presentation of a reasonable plan for repayment. These shall be presented pursuant to the dispute provisions as outlined in Paragraph (3) below.
3. CONFERENCE WITH UTILITY DOMESTIC SUBSCRIBER

If a domestic subscriber has any dispute over the proposed disconnection, he or she has the right to file a written request for a conference setting forth the reasons for the dispute and relief requested prior to the disconnect date. The City Clerk will schedule a conference within fourteen (14) days and notify the consumer in writing by first-class mail or in-person of the time and place it will be held. The disconnection will not be made until the conference is concluded. Failure of a subscriber to attend a scheduled conference shall relieve the City of any further action prior to the discontinuance of service.

4. APPEAL PROCEDURE

A domestic subscriber may appeal an adverse decision of the City in a Conference to the City Council by filing a Notice of Appeal with the City Clerk within 10 days of the Conference. A copy of the hearing procedure of the City Council, including the rights of the domestic subscriber as outlined in Neb. Rev. Stat. 70-1613 et seq., shall be kept by the City Clerk and made available upon the request of any domestic subscriber. The Clerk shall notify the domestic subscriber of the time, place and date scheduled for such appeal.

5. SERVICE DISCONNECTION

In the event that the bill is not paid by the disconnection date given in the notice, a payment plan agreement has not been reached with the City Clerk or his or her designee, or a written request for a conference has not been received, it shall be the duty of the Utility Superintendent to cut off service to the property on the day and time given in the notice.

6. RECONNECTION FEES

If service is discontinued and disconnect is made, there will be a disconnect charge in the amount as outlined in the Master Fee Schedule. If service is discontinued and disconnect made, service will be continued and reconnection made upon payment in full of the delinquent account, the deposit required, the disconnect charge and a reconnection charge, in the amounts as outlined in the Master Fee Schedule.