

## RESOLUTION NO. 1408

### A RESOLUTION SETTING UTILITY ACCOUNT DEPOSIT, REFUND, AND ESTABLISHMENT POLICY FOR WATER AND WASTEWATER ACCOUNTS

**WHEREAS**, Toledo Municipal Code (TMC) 13.12.080 states

*“A deposit in the amount set by the rate schedule adopted by the council by resolution shall be required with each application of water service. Upon the permanent discontinuance of water service, said amount shall be paid to the depositor, provided such depositor has complied with all of the rules and regulations contained herein and has made payment of all of the water charges imposed by this chapter. In case of the failure of the depositor to pay all of the water charges imposed, the amount of the delinquent water charges shall be deducted from the deposit, and the surplus, if any remains, shall be paid over to the depositor upon request. The city water utility, at its option, may refund a deposit at any time after a customer’s credit has been established”;*  
and

**WHEREAS**, staff is requesting a policy be established that provides consistent guidelines on how account deposit(s) will be applied on accounts and in what circumstances, in order to provide confidence to Toledo water and/or wastewater customers the policy is implemented appropriately.

#### **NOW, THEREFORE, THE CITY OF TOLEDO RESOLVES:**

The following is an effort to clearly and consistently identify the circumstances in which “Account Deposit(s)” are required, when they can be waived, and when to apply deposit(s) to the account.

An application of water service is required for any customer desiring Toledo municipal water and/or wastewater sewer service at a property served by such (or about to be) as in new construction.

An account deposit shall be required for each application of water service.

Account deposit(s) may be waived and/or applied to the account upon request according to the following:

- Applicant has existing Toledo water/sewer account in good standing that can be transferred to a new account seamlessly,
- Applicant is the legal property owner of the lot in which “new service” is requested and is the property owner of multiple existing Toledo water/sewer accounts.
- Account deposits may be applied to account holders who are **PROPERTY OWNERS** when they have established at least 12 consecutive months of regular & consistent payments to the City for water service with no more than two service disconnect fees within same 12 month period,

- Account deposits may be refunded to account holders that are NON-PROPERTY OWNERS when they have established at least 12 consecutive months of regular & consistent payments to the City for water service with no more than two service disconnect fees within same 12 month period, AND have provided the City written notification of PROPERTY OWNER approval.
- Voluntary customer request to discontinue service.

Accounts that have had service disconnected due to non-payment for more than 14 calendar days shall be officially “closed” and the account deposit on file shall be applied.

Applicant(s) requesting service at a property served by Toledo municipal water and/or wastewater sewer shall be required to settle any/all with an outstanding balance(s) owing in their name at another property served by Toledo utilities before additional service is authorized.

All account deposit shall be applied, without interest, to the account(s) in which they were initially received.

Upon account closure, any surplus of funds in excess of ten dollars (\$10.00) after application of account deposit shall be paid over to the account holder. Funds less than ten dollars (\$10.00) shall not be refunded and will instead be allocated to the H2O fund.

Adoption of this Resolution shall supersede and replace any/all resolutions adopting a leak adjustment policy for water and/or wastewater utility accounts in their entirety.

PASSED by the City Council on this  
15<sup>th</sup> day of August, 2018.

APPROVED by the Mayor on this  
15<sup>th</sup> day of August, 2018.

ATTEST:

APPROVED:

  
City Recorder

  
Mayor