

Chapter A258
INFORMATION REGARDING SEWER BILLS

OFFICE:

The main office for billing is located at the Finance Department, Town House, 1 Grove Street, Peterborough, NH 03458.

OFFICE HOURS:

Monday-Friday (except legal holidays): 8:00 am to 4:30 pm.

Thursday evenings: 5:00 pm to 7:00 pm.

INFORMATION AND COMPLAINTS (Amended by the Board of Selectmen on 2/19/2008):

Any information regarding bills, notices, usage, miscellaneous charges, abatements, liens, etc. may be made by calling the finance department within six months of the specific billing date at 924-8000 Ext 103 or by e-mail (see the Town's web page at www.townofpeterborough.com.)

Any request for an abatement or duplicate bill regarding tenants must be made in writing by the owner and addressed to the Finance Department at the above address.

A customer who request research be conducted for prior years billings or meter readings will reimburse the Town at the current fee established by the Finance Department.

TOWN BILLING POLICY:

The Town of Peterborough has adopted a policy under RSA 38:22 to commit all sewer bills with the exception of for charges to the collector of taxes with a warrant signed by the Board of Selectmen. The tax collector is assigned to collect the sewer bills. The tax collector has the same rights and remedies, including a lien and/or deeding on the real estate for unpaid bills, as in the collection of taxes as provided in RSA 80. All amounts or percentages in this ordinance will automatically be amended by any changes in the RSA's.

The only exception to this policy is the sewer bills pertaining to commonly held areas within condo and townhouse complexes, both residential and commercial. The sewer bills for commonly held areas shall not be liened or deeded but will use the established shut-off procedures. All other procedures in this policy will remain the same except where noted.

BILLING:

Sewer bills in this document shall mean all charges associated with sewer, including but not limited to sewer usage, mainline extensions, special reads, turn off and turn on charges, and other miscellaneous charges. Sewer bills are prepared by the Finance Department and sent to the owner of the property. At the request in writing from the owner, a duplicate bill can be sent to a tenant. Owners of the Property will be held responsible for the payment of sewer bills. If the owner of a property fails to pay the sewer bill and sells the property, the new owner is responsible for the unpaid amounts.

The Finance Department bills all customer accounts quarterly. When billing sewer each quarter, the Finance Department uses cycle billing. All bills are due and payable net term 30 days at the office of the Finance Department. In the event that a meter reading is not taken due to no fault of the DPW Department (e.g.-property locked and meter reader unable to read meter), the current month's billing shall be estimated using the following criteria: 1) usage for the previous billing, or 2) If the customer has less than 12 billing cycles, the estimate may be based on the average of the consumption amounts previously billed, or 3) If the customer has 12 or more billing cycles, the calculation drops the high and low usage and estimates on the average of the remaining billing cycles.

Charges for services furnished under this ordinance or under any agreement between the Department and the customer shall continue to the end of the term specified thereafter or until such time as the Department shall receive reasonable notice in writing from the customer of a desire to terminate the service.

PAYMENTS (Amended by the Board of Selectmen on 2/19/2008)

All sewer bills are due and payable at the office of the Finance Department. Payment can be made in cash, bank check, money order, certified checks, or by personal checks. Payments are made payable to the Town of Peterborough. Third party checks are not permitted. Cash payments should not be made by mail.

Customers will be charged for any returned checks. The return check fee is a flat dollar amount plus bank and legal fees per RSA 80:56.

The Town of Peterborough has adopted a policy to authorize the acceptance of the payment of the utility charges by

use of a credit card. This service will be provided by an outside payment processing company. The following conditions for this service shall apply: 1) An amount shall be added to the amount due for any interest payable, and 2) a service charge for the acceptance of the card will be charged. Such service charge shall be set by the outside payment processing company and no fee will be collected by the Town for this service. This service will automatically be amended by any changes in the RSA regarding credit card charges.

It is the intention of the Department to send courtesy notices of substantial increases in consumption or delinquency notices for unpaid bills, but failure to do so does not relieve the customer of his/her responsibility to pay the outstanding bills promptly or to repair leaky fixtures.

INTEREST (Amended by the Board of Selectmen on 2/19/2008):

Interest at 12 percent per annum shall be charged on all amounts not paid within 30 days from date the bills were mailed. Interest due that amounts to less than \$25 on warrants committed to the tax collector may be waived by the tax collector.

ABATEMENT:

No adjustments or refunds can be made to a customer's account without the approval and consent of the Board of Selectmen through the abatement process under RSA 76. Any request for abatement shall be made in writing within six months of the specific billing date and be addressed to the Board of Selectmen. The letter shall state the amount of the abatement and the reason for the request. The letter shall be sent to the Finance Department who will prepare the abatement form and submit it to the Board of Selectmen. The Selectmen have the right to approve or deny the request. The decision of the Selectmen is final. The Town may charge the customer a fee to cover the costs for the abatement.

After the abatement has been presented to the Selectmen and a decision has been made, the Finance Department will notify the customer. If the abatement is approved, the Finance Department will adjust the customer's account. If the customer has an outstanding amount due, the abatement will be applied to the outstanding amount. If the account is paid in full, a credit will be placed on the customer's account or the customer can receive a refund.

LIENS AND COLLECTION OF CHARGES (Amended by the Board of Selectmen on 2/19/2008)

The Town has adopted the following collection procedures for sewer charges and the use of one collection procedure for one service shall not preclude the use of a different collection procedure for another service.

The tax collector shall be presented with a warrant signed and approved by the Board of Selectmen for the collection of the sewer charges and the collection of the appropriate interest on past due amounts. The tax collector will compile a list of the sewer bills remaining uncollected after the due date of the final bill for the preceding year. The tax collector shall execute the lien in compliance with RSA 80:58-87 with the exception of the commonly held areas within condo and townhouse complexes, both residential and commercial.

The lien amount shall include the outstanding sewer bill amount, interest at 12 percent from the due date up to and including the date of the lien, and any associated cost. The executed lien will be registered with the Register of Deeds. Interest after the execution of the lien will be at 18 percent.

Whenever a customer has an interest in removing the lien from the property, they must contact the tax collector for the amount due. Once the customer pays the amount of the lien, interest, and cost, the tax collector shall send a notice of full redemption to the Register of Deeds.

The commonly held areas within condo and townhouse complexes, both residential and commercial that have an unpaid balance on the account after 30 days from the due date shall receive a late notice by mail indicating the amount past due and the intent to shut off service after 60 days past due. If the account still remains unpaid after 60 days past the due date, a notice will be sent by certified mail that the sewer will be shut off. Any applicable interest and charges shall be charged. The sewer shall not be turned on until all past due amounts and any applicable interest and charges have been paid in full.

DEEDING PROCEDURES:

After two years from the date of the execution of the tax lien, the tax collector will send a notice of impending deed to the owner of the property and any mortgagees. If total redemption has not been made by the date specified in the notice, the tax collector with the approval of the Board of Selectmen, shall deed the property to the Town (RSA 80:76-77).