

Restriction, Disconnection and Debts Recovery for User Pays Water Accounts Policy

1 Document Information

Version Date <i>(Draft or Council Meeting date)</i>	[22 May 2018]
Author	Finance Manager
Owner <i>(Relevant director)</i>	Director of Finance & Corporate Services
Status – <i>Draft, Approved, Adopted by Council, Superseded or Withdrawn</i>	Adopted by Council
Next Review Date	Within 12 months of Council being elected
Minute number <i>(once adopted by Council)</i>	18/05/20

2 Summary

Provides the processes to be followed when ratepayers refuse to pay user pays water accounts.

3 Approvals

Title	Date Approved	Signature
Director of Finance & Corporate Services		

4 History

Minute No.	Summary of Changes	New Version Date
91/11/101-36	First adopted	18 November 1991
04/07/20	Amended providing days between steps in process and notification to councillors and Mayor prior to action	19 July 2004
05/02/17	Further amendment with additional notification to Environmental Services Section and additional steps in procedure.	21 February 2005
10/02/17	Readopted by Council	15 February 2010
	Tidied up	June 2013
13/09/30	Readopted as per s165(4)	17 September 2013

18/05/20	Readopted as per s165(4)	22 May 2018
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5 Reason

The non payment of rates (including the ‘user pays’ component of water charges) impacts on Council’s ability to provide its services. Council will take necessary action to recover payment.

6 Scope

Applies to outstanding ‘user pays’ water accounts.

7 Associated Legislation

Local Government Act 1993

8 Definitions

‘User pays’ water – refers to the actual water used.

9 Responsibilities

9.1 General Manager

The General Manager is responsible for the overall control and implementation of the policy. Specifically the General Manager has the discretion to authorise full disconnection of water supply.

9.2 Directors and Managers

Directors and Managers are responsible for the control of the policy and procedures within their area of responsibility.

9.3 Senior Rates Clerk

The Senior Rates Clerk is responsible for the issue of accounts, reminders, letters and reports to Council as per the procedure below.

9.4 Water Service Operator

The Water Service Operator is to be accompanied by another staff member when the water is being restricted or disconnected.

10 Related Documents

Document Name	Document Location

11 Policy Statement

Council will take action when faced with non payment of user pays water charges.

The procedures for recovery of outstanding water accounts are as follows:

- i. Accounts will be due and payable after 30 days from the issue date.
- ii. Immediately after an account is due and payable (30 days after the issue date) a reminder/final notice will be forwarded requesting payment within 10 days.

- iii. Should payment not be received within the 10 days, then a letter will be forwarded to the owner, and the tenant if the property is rented, giving notice that the supply will be restricted after 7 days have elapsed, and may lead to the eventual disconnection of the supply.
- iv. Should payment not be received within the 7 days, the supply will be restricted by a flow restricting device.
- v. If the account remains unpaid for a further 20 days, full disconnection will be at the discretion of the General Manager.
- vi. Legal action to recover outstanding accounts will be taken, immediately after disconnection, if appropriate to do so.
- vii. Fees (as per Council's adopted Fees and Charges) for each of the restriction and disconnection of the supply will be applied and payable prior to the reconnection of normal supply.
- viii. The Mayor, local Councillors and the Environmental Services Section will be notified 24 hours prior to the restriction or disconnection of the supply.
- ix. A report detailing all legal action will be provided to a subsequent Council meeting for notification.