

City of Gothenburg
Public Works Division – City Services
Policies and Procedures
Gary Greer – City Administrator

It is our mission to provide utility services to our customers in a reliable and cost effective manner. It is important to recognize that our customers are the owners of these public assets and shall be treated with respect and courtesy. In return, our customers shall also be expected to provide that same respect and courtesy to our employees.

Disclaimer: The Policies and Procedures as described in this manual shall in no way take precedence over any Federal, State, City Ordinances, or any other actions taken by the Mayor and/or City Council.

Article I. Utilities – General Policies

Section 1.01 Business Office

Address: 409 9th Street, Gothenburg, NE 69138
Phone: 308-537-3668
Website: www.ci.gothenburg.ne.us
E-mails: Billing Clerk: thite@cityofgothenburg.org
Accounting Clerk: jillr@cityofgothenburg.org
City Clerk: mbussinger@cityofgothenburg.org
City Administrator: ggreer@cityofgothenburg.org

Section 1.02 Office Hours

Office Hours are 8:00 AM to 4:30 PM Monday thru Friday. The office will be closed for the following holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving, Friday following Thanksgiving, ½ Day Christmas Eve, Christmas Day. When a holiday falls on a Saturday, it shall be observed on the preceding Friday. When a holiday falls on a Sunday, it shall be observed on the following Monday. (*ref. Personnel Policy*)

Section 1.03 Service Hours/Requests

The City shall make every effort to be as responsive as possible to service requests. However due to workload, there may be times when not all service requests are able to be processed as requested by the customer. As a general rule, all services requests received in the City Office by 3:00 PM shall be processed the day of the request. All service requests after 3:00 PM shall be processed before the end of the following working day.

Section 1.04 After-Hour Service Requests

All City Employees are dispatched after hours by the North Platte Dispatch Center. Customers may contact dispatch by calling 308-537-3608. **Any use of E-911 for service issues is not acceptable.** Loss of power, water, etc. does not constitute an emergency and is considered a service issue; except in situations of a potential fire or medical emergency.

Section 1.05 Rates/Fees

All rates and fees are set forth by Ordinance or Resolution. A copy of the rates and fees shall be available at the City Office.

Section 1.06 Deposits/Waiver of Deposits/Service Fees

Deposits: A deposit is required for all new customers unless a waiver of the deposit has been accepted by the City. Residential deposits are \$200.00 and business deposits are \$300.00. The deposit shall be held for a period of one (1) year after which time it is automatically applied to your account if payment was not delinquent two or more times in the previous year. If a move is made to another address, the deposit shall be transferred to that address. If service is discontinued, the deposit shall be applied towards the final bill. A deposit may not be transferred or applied to any other account.

Additional Deposits:

An additional deposit for non-payment shall be \$300.00 for residential and \$450.00 for business at the time of reconnection.

Waiver of Deposits: A deposit may be waived under the following conditions:

1. A deposit may be waived if the customer supplies the City with two letters of reference from a customer's previous utility company; and if approved by the City.
2. All reference letters must be faxed, e-mailed or mailed directly to Gothenburg Public Works from the customer's previous utility company. The fax number is 308-537-3609 and the mailing address is 409 9th Street, Gothenburg, NE 69138. A "Request for Credit History" is attached as Exhibit A.

3. All references must be received before a waiver is granted and service is provided. A customer may make a temporary deposit which will be credited immediately to the customer's bill upon the receipt of a favorable reference and acceptance by the City.

4. Any customer who has received a waiver and who is delinquent on their payment twice in the first 12-month period shall then be required to place a monetary deposit.

Service Fees: Service Fees are applicable to every new account, move, transfer and for reconnection due to non-pay. There is a \$20.00 service fee during normal business hours and a \$50.00 fee for afterhours. All fees shall be collected at the time of service. (*refs. MC 50.01; Rate Ordinance*)

Section 1.07 Utility Contract

An Application and Contract must be applied for and signed by the customer. A copy of the Contract is attached as Exhibit B.

Section 1.08 Utility Billing

Billing Cycle shall be based on the usage of each monthly meter reading.

Electric meters are read on or around the 25th of each month, with the exception of General Service Demand Time Of Use (TOU) customers, which shall be read after midnight of the last day of each month. Utility billing will be based upon the reading of the meter at the time read; with the exception of Time of Use (TOU) customers of which the bills shall be determined from the first 15 minute period of each month through the last 15 minute period of each month.

Water meters are read on or around the 25th of each month.

Non-Metered Water, Sewer, or Security Lighting that is connected for more than 10 days prior to the end of the billing cycle shall be billed for the entire month. Service that is connected for 10 days or less prior to the end of the billing cycle shall not be billed for the month. This amount is not prorated.

Solid Waste that is provided for more than 10 days prior to the end of the billing cycle shall be billed for the entire month. Service that is provided for 10 days or less prior to the end of the billing cycle shall not be billed for the month. This amount is not prorated. If a current customer chooses to change to a different hauler the customer must come into the City Office to fill out a new trash service contract before the 25th of the month in order for the City Office to notify the haulers of the requested change.

Statements are sent out on or before the 8th day of each month. The statement received will include charges for electricity, water, sewer and solid waste. Payment is due when received and delinquent after the 20th of the month. If payment is not made by the 21st day of each month, a \$10.00 or 10% (whichever is greater) late charge is assessed and a Disconnect Notice shall be sent. All accounts not paid by the date and time stated on the Disconnect Notice will be shut off; unless agreed to by the City as set forth in Section 1.09. **Upon dispatch by the City office for disconnection**, whether disconnected or not; a \$20.00 Connect Charge, plus the past due amount must be paid before a reconnect will be made. If a reconnect is requested after normal working hours, holidays or weekends, the Connect Charge shall be \$50.00. Afterhours reconnects are described in Section 1.11. (*refs. MC 50.02; Rate Ordinance*)

Section 1.09 Payments

Payments may be made by cash or check or debit card. Checks should be made payable to City of Gothenburg – Public Works Division. Payments may be mailed or delivered personally to the City Office. Payments after hours may be made at the drop-box at the front door of the City Office. Automatic bank pay is also available through any bank. A form for this is attached as Exhibit C.

Section 1.10 Returned Checks

A returned check fee of \$20.00 shall be charged for all insufficient checks. Any insufficient check used in the payment of utility billing to avoid disconnection will result in the immediate disconnection of services without notice. A Connect Charge for the reconnection of services shall also apply. (*ref. Rate Ordinance*)

Section 1.11 Delinquent Payment Plan

A customer that has received a disconnect notice may arrange, with approval by the City, a payment plan one time during a calendar year starting with the June, 2016 bill. (See Exhibit D). However, no payment plan will be allowed past the 20th of the month following the disconnect date, unless approved by the City Administrator.

Section 1.12 Disconnection

Disconnection of Services for non-payment shall be done according to the Gothenburg Municipal Code §50.03 which is available for review at the City Office. You have the right to designate a third party to be notified prior to disconnection of services. Renters and owners of rental property shall be required to sign the Renter's Agreement as described in Section 1.12. (*ref MC 1.12*)

Section 1.13 Afterhours Reconnect

Any service disconnected for non-pay may be reconnected after normal business hours. The City shall have the bill available at the Police Department for collection. A customer must call Gothenburg Dispatch at (308) 537-3608 to arrange to meet a City Employee for payment and reconnection. Only cash, money order or certified check will be allowed for payment.

Section 1.14 Uncollectible Accounts

- (a) The Utility Office aggressively uses termination of service for current customers who fail to pay.
- (b) Any account terminated or closed and not paid is pursued for collection through in-house attempts first. If not collected, any account over (90) ninety days shall: (1) be turned over to a collection agency; (2) shall be determined by the City as an "Uncollectible Account"; and (3) accounted for as such in the City Financial Statements. This action shall in no way preclude the City from further pursuit of collection; including the filing of a lien on the property, or by filing suit against the account holder as allowed for under any state or federal law. If the statute of limitations precludes further pursuit of an unpaid debt, the City shall not actively pursue collection of the debt; however the debt shall be for an indefinite period of time. This shall not apply to any debtor that is no longer legally obligated through bankruptcy; or other court or legal proceedings.
- (c) Any returning customer with a previous debt and who is legally responsible shall be required to pay the debt before being allowed to sign up for a new service. Any debt collected that was determined "Uncollectible" shall be accounted for in the City Financial Statements as Miscellaneous Revenue.

Section 1.15 Landlord/Renter's Agreement

A landlord must sign a landlord agreement (Exhibit E) which provides the option of (1) no notification from the City in the case of a disconnect; (2) automatic transfer of service to the landlord; or (3) be notified of a renter disconnect, but not have the service placed into the landlord's name unless so instructed. In the case of (2) and (3) the renter must sign the Landlord Notification form (Exhibit F)

Section 1.16 “Snowbird Rule”

The City will not charge a customer for water, sewer or solid waste if that customer provides notice to the City and does not inhabit the residence due to seasonal vacancies. There must be clear evidence of non-habitation of the residence during this time. If during the vacancy, the customer requests the water turned off at the service curb box, the City will charge the regular connect fee upon return of the customer. This rule shall only apply to customers who are able to clearly substantiate to the City that by their absence they were not in use of these services. All other customers must either pay for the services, or have them turned off.

Section 1.17 Release of Customer Use Information

The City – upon request – may release past usage and billing history of a premise. The historical data shall be limited to: (1) Service address; (2) Measure of units of use (kWh, gallons, etc); and (3) monthly billed amounts. No customer history shall be released that includes customer name and payment history; unless requested by the customer themselves.

Section 1.18 Identity Theft Prevention Program

In compliance with the Federal Trade Commission’s Red Flag Rule, the City of Gothenburg has developed the Identity Theft Prevention Program to detect, prevent and mitigate identity theft in connection with the opening and maintenance of utility accounts. Therefore, no billing information will be shared with anyone not authorized by you, the customer. Customers shall fill out the Client Information Form provided by the City (Exhibit G), and may designate a person or persons to act on their behalf.

Article II. Electrical Department

Section 2.01 Delivery of Service

The City of Gothenburg does not guarantee the delivery of service over its distribution system except when it has sufficient power, current, equipment, and machinery to do so. The City shall use due care and reasonable diligence to provide and supply uninterrupted service to our customers, but shall not be liable for damages resulting from interruption or quality of service due to causes over which the City has no control. *(ref MC 54.09)*

Section 2.02 Types of Service

The City provides Residential; General Service (commercial); General Service Demand and General Service Demand – Time of Use (industrial); Irrigation; and Municipal Service. These services are further described in the Rate Ordinance of the City.

Section 2.03 Metering

All meters shall be furnished, set in place and shall remain the property of the City of Gothenburg. **If on private property, the meter shall be accessible at all times.** There are two service entry alternatives:

(a) Overhead Service: The point of service and meter location at the structure shall be determined by the City, which will typically be the closest appropriate utility-owned facility to the closest part of the structure. If the owner objects to the point of service, the City will consider relocation; however if allowed, the owner shall pay all additional costs. The city shall provide the meter; meter can and shall attach the wiring to a mast supplied by the owner. It shall be the responsibility of the customer to provide the installation of all electrical components (including City provided) on the structure. If the installation requires a span in which a pole or poles are required; the pole or poles, wire and installation costs (including and beyond) the first pole shall be billed to the customer or recovered through a separate Facility Recovery Agreement as agreed to by the customer and the City – See Section 2.05.

If it is determined by the City that a meter is not readily accessible on the owner's property, the owner shall make it accessible. In lieu of making the meter accessible, the City may, at its discretion, install a meter can and disconnect at the utility owned pole and move the meter to public property. Any wiring left in place shall become the customer's and shall be maintained by the customer from the new point of service.

(b) Underground Service: The City shall provide a metering can and disconnect (point of service) from the utility owned facility that is closest to the lot line of the customer. The owner shall connect to the point of service and shall provide and own all electrical equipment beyond the disconnect.

(c) Points of Service: All new points of service shall be underground unless approved by the City Administrator. *(ref MC 54.05)*

Section 2.04 Security Lighting

Security lighting is described in the Rate Ordinance.

Section 2.05 Facility Recovery Charge

The City may require a Facility Recovery Charge if; (1) if in the opinion of the City Administrator a customer's request is above and beyond the normal provision of services; (2) or, if in the opinion of the City Administrator the expense or the installation of equipment exceeds the cost recovery required in the electrical rates for such equipment; (3) or, if in the opinion of the City Administrator the installation of equipment will require a guaranteed cash flow to recover the cost to the city for the provision of said equipment. Examples of a Facility Recovery Charge are, but not limited to: (1) The extension of service which includes excess poles, wires, transformers, etc beyond normal services; (2) the provision of services for a large industrial load which may put the City at risk of not receiving cost recovery through the existing rates and/or providing for a guaranteed cash flow to pay for said equipment. Each Facility Recovery Charge will be negotiated by the City and the customer.

Section 2.06 System Overhead to Underground Policy

This policy sets forth the guidelines for the City's improvements to the electrical system in which the existing city infrastructure is changed from overhead lines to underground.

In changing the system from overhead to underground, the homeowner may be affected. Following are rules regarding city participation.

Existing Homeowner Underground Service Lines

In instances where homeowner has underground service to the alley or easement, the City will splice and re-connect the lines to a new meter pedestal. The entire service line from the metering point on to the home shall then be owned by the homeowner. This includes any part of the service line that is required to cross the public right of way or easement in order to connect to or reach the meter pedestal or utility service point.

Existing Homeowner Overhead Service Lines

In instances where a homeowner has overhead services to the alley or easement, the homeowner shall choose the following options:

1. If a homeowner wishes to convert their overhead service line to underground, the City will participate by contributing up to 75% of the cost up to a maximum contribution of \$750.00 towards the total cost of conversion. The homeowner shall be responsible for all installations; including the hiring of an electrician, electrical permits, etc. The service shall be connected to the City provided meter pedestal and the service shall be owned by the homeowner. Under this section; the city shall provide the homeowner a time in which the service line needs to be

converted, in which said date shall not to be less than 1 month from notice.

2. If a homeowner(s) wishes to leave their service(s) overhead, and if in the opinion of the City Electrical Foreman, a pole that has one or more services connected to it may remain in place; the City shall abandon the pole and it shall become the property of the homeowner(s). The City shall then run an underground line(s) from the newly installed meter pedestal to the pole and reconnect to the existing overhead line(s). There shall be no cost to the homeowner(s), and the homeowner(s) shall have ownership of the entire line from the point of service or metering point.

Article III. Water Department

Section 3.01 Delivery of Service

The City of Gothenburg does not guarantee the delivery of service over its distribution system. The City shall use due care and reasonable diligence to provide and supply uninterrupted service to our customers, but shall not be liable for damages resulting from interruption or quality of service due to causes over which the City has no control.

Section 3.02 Water Quality / Testing

All water testing is done as required by the Nebraska Department of Health and Human Services. A yearly report is filed and on public display at the Gothenburg City Hall. Any concern with water quality should be reported immediately to the City Office. If in the case of system failure and or water quality issues, the City shall immediately take action under the Water Emergency Plan as adopted.

Section 3.03 Types of Service

The City provides Non-Metered Residential; Metered Commercial, Industrial and Residential; and Bulk Sales. These services are further described in the Rate Ordinance of the City. (*ref. Rate Ordinance §V,A.*)

Section 3.04 Metering

All meters shall be furnished, set in place and shall remain the property of the City of Gothenburg. If on private property the meter shall be accessible at all times; unless located within a building. If the meter is located within the building, the City shall make every effort to contact the building resident or owner if in the determination of the city there is a need inspect, repair or replace the meter. If contact cannot be made, the City may, at its discretion, turn off service to the building until such entry or inspection can be made.

Section 3.05 Backflow

For the protection of the Municipal Water System, backflow protection may be required as described in Section 52.032 of the Gothenburg Municipal Code.

Section 3.06 Service Connections to City Mains

(a) New Installation or Replacement: The City shall install all taps, lines and curb boxes to the property line. All costs associated in the provision of the service line shall be paid for by the customer.

(b) Repair or Replacement: The City, at its expenses shall repair all existing service lines if a leak or service issue has been identified. If, in the determination by the City, the existing service line is beyond repair, or must be replaced; the customer shall pay for the replacement of existing service line.

Section 3.07 Labor, Equipment and Materials

All labor, equipment costs and materials shall be billed according to the current Fees Resolution adopted by the City Council.

Section 3.08 Water Management Plan

1) *Class of uses of water:*

- a) *Class I.* Domestic usage. Water necessary only to sustain human life and the lives of domestic pets, and to maintain standards of hygiene and sanitation.
- b) *Class II.* Commercial, Industrial or Agricultural purpose. Water used for commercial, industrial or agricultural purposes. However, water actually necessary to maintain the health and personal hygiene of bona fide employees while such employees are engaged in the performance of their duties at their place of employment is exempt from this classification.
- c) *Class III.* Non-essential purpose. Water used for outdoor watering; either public or private. Said use shall be for gardens, lawns, trees, shrubs, plants, parks, playing fields, swimming pools or other recreational areas; or the washing of motor vehicles, boats, trailers, sidewalks, driveways, the exterior of any building or structure; or any other use similar in nature.

2) *Definitions.*

Consumer shall mean the customer of record using water for any purpose from the city distribution system and for which either a regular charge is made or, in the case of coin sales, a cash charge is made at the site of delivery.

Drawdown means the distance between the static water level and the pumping water level.

Plan Refers to the City of Gothenburg Water Management Plan.

Pumping water level means the level of water in a well when the pump is pumping.

Shortage means the inability of the municipal water system to provide enough water to all customers for basic living needs, and adequate firefighting reserves.

Static water level means the level of water in a well when the pump is not pumping.

Triggers mean significant events which indicate the implementation of the different stages of this plan.

Waste of water includes but is not limited to:

1. Permitting water to escape down a gutter, ditch, or other surface drain; or
2. Failure to repair a controllable leak of water due to defective plumbing; or
3. Any other use as determined by the City Administrator as a waste.

Water shall mean any water supplied by the city through the Municipal Water System.

Water system capacity, for the purposes of this plan, is determined by aggregate production capacity of all wells available in gallons per minute times 60 minutes in an hour times 24 hours per day.

Water system demand. Total daily aggregate consumption calculated by subtracting the previous day reading for each well from the current day reading for each well.

- 3) *Water plan established*. In order to assure the continued supply of safe drinking water to the citizens of the city, the city council has adopted the following plan addressing conservation, drought, emergency, and shortage contingencies. The plan is based upon demand on the system and implements a series of stages depending upon the severity of the demand.
- a) *Normal System* – There are no restrictions on water usage. However, the public is asked to adhere to a voluntary restriction on Class III watering from 1:00 PM to 5:00 from June 1 through August 31 of each respective year.
 - b) *Stage 1: Water Watch*.
 - i) *Triggers*. This stage may be triggered by any one of the following conditions:
 - (1) When the calculated water system demand equals 60% of the calculated water system capacity.
 - (2) When the drawdown of the wells is more than normal for that time of year as determined by the water operator.
 - (3) When the system storage reservoir cannot be filled to 100% of capacity by 5:00 a.m. each morning.
 - (4) Any other issue in the Municipal Water System in which it is deemed prudent by the City to trigger Stage 1.
 - ii) *Goals*. The goals of this stage are to heighten awareness of the public regarding water conditions and to maintain the integrity of the water supply system and may reduce overall weekly consumption by seven percent.
 - iii) *Education actions*.
 - (1) The city may make occasional news releases to the local media, as well as posting at city hall, describing present conditions and indicating the regulatory action.

- (2) The triggers necessitating the stage 1: Water Watch may also be made available to the news media along with an explanation of terms.
 - iv) *Management action.*
 - (1) The city will ascertain that each well is operating at peak efficiency.
 - (2) Leaks detected will be repaired within 48 hours.
 - (3) The city shall curtail weekly use of Class III uses by seven percent.
 - v) *Regulatory action.* The public shall be asked to voluntarily reduce the use of water as defined in Class III.
 - vi) *Declaration of a Water Watch.* Whenever the City Administrator finds that conditions exist as described in the plan under Stage 1, the City Administrator shall declare a Stage 1 Water Watch and implement the steps outlined under this section. The implementation declaring the existence and end of a Stage 1 shall be effective upon issuing of news releases and posting at city hall.
- c) *Stage 2: Water Warning.*
- i) *Triggers.* This stage is triggered by any one of the following conditions:
 - (1) When the calculated water system demand equals 70% of the calculated water system capacity.
 - (2) When the drawdown of the wells increases significantly over and above the level determined in Stage 1.
 - (3) When the system storage reservoir cannot be filled to 90% of capacity by 5:00 a.m. each morning.
 - (4) Any other issue in the Municipal Water System in which it is deemed prudent by the City to trigger Stage 2.
 - ii) *Goals.* The goal of this stage is to reduce overall weekly consumption by 15 percent.
 - iii) *Education actions.*
 - (1) The city may make news releases to the local media and by posting, describing present conditions and projecting the outlook for the coming week.
 - (2) The triggers necessitating the Stage 2 may also be made available to the public through news releases and posting at city hall along with an explanation of terms.
 - (3) Water conservation articles may be provided to the local newspaper and posted at city hall.
 - iv) *Management actions.*
 - (1) The city will continue to monitor water supplies on a daily basis.
 - (2) Leaks shall be repaired within 48 hours or a violation notice shall be issued.
 - (3) The city shall curtail weekly use of Class III by 15 percent.
 - (4) The city may terminate its usage of water classified in Class II and Class III.

- v) *Regulation action.* Water classified as Class III shall be terminated except as follows:
 - (1) A staggered lawn watering system shall be imposed on city residents. The City Administrator shall determine the lawn watering schedule at the time of the declaration.
 - (2) Class III use, including lawn watering allowed under the previous section shall be restricted to before 11:00 a.m. and after 7:00 p.m. of each day.
- vi) *Declaration of a Water Warning.* Whenever the City Administrator finds that conditions exist as described in the plan under Stage 2, the City Administrator shall declare a Stage 2 Water Warning, and implement the steps outlined under this section. The implementation declaring the existence and end of a Stage 2 Water Warning shall be effective upon a news release and posting at city hall.
- d) *Stage 3: Water Emergency.*
 - i) *Triggers.* This stage is triggered by any one of the following conditions:
 - (1) When the calculated water system demand equals 80 percent of the calculated water system capacity.
 - (2) When the drawdown of the wells increases significantly over and above the level determined in Stage 2.
 - (3) When the system storage reservoir cannot be filled to 80 percent of capacity by 5:00 a.m. each morning.
 - (4) Any other issue in the Municipal Water System in which it is deemed prudent by the City to trigger Stage 3.
 - (5) *Goals.* The goals of this stage are to reduce the overall weekly consumption by 25 percent and maintain the integrity of the system.
 - ii) *Education actions.*
 - (1) The city may make news releases to the local media and by posting, describing present conditions and projecting the outlook for the coming week.
 - (2) The triggers necessitating the Stage 3: Water emergency may also be made available to the public through news releases and posting at city hall along with an explanation of terms.
 - (3) Water conservation articles may be provided to the local newspaper and posted.
 - (4) The city may conduct public meetings to discuss the emergency; the status of the city water supply and further actions, which may needed to be taken.
 - iii) *Management actions.*
 - (1) The city water supplies shall be monitored daily.
 - (2) Leaks shall be repaired within 24 hours.
 - (3) The city may seek additional emergency supplies from other sources.
 - iv) *Regulation actions.*

- (1) Uses of water in Class II and Class III shall be prohibited.
- v) *Declaration of a water emergency.* Whenever the Governing Body of the City finds that conditions exist as described in this plan under stage 3, it shall be empowered to declare, by Resolution, that a stage 3 Water Emergency exists and implement the steps outlined under this plan. The resolution declaring the existence of a Stage 3 Water Emergency shall be effective upon news release and/or posting at City Hall. In the event of a system failure, or natural disaster, the City Administrator shall have the authority to declare a Stage 3: Water Emergency. The City Administrator shall declare the end of a Stage 3 Water Emergency.
- 4) *Waste of Water* – Waste of Water shall not be allowed at any time or during any system stage.
- 5) *Administrative enforcement provisions.*
- a) *Warning.* The city council hereby appoints, in addition to police officers, the City Administrator or his agent(s) to issue written warnings and/or citations to any consumer violating Stage 2 Water Warning and Stage 3 Water Emergency. Such warning shall advise the consumer that a second violation at the same premise within a six-month period shall result in the issuance of an administrative notice of violation for which a penalty charge of \$100.00 shall be added to the premises monthly consumption. Such penalty charge shall be imposed for six months following the notice of the violation. The City Clerk shall weekly post the names of the consumers issued a written warning during the previous week. The names of the consumers given a warning shall be posted in the same locations as the declaration.
- b) *Administrative notice of violation.* The City Council hereby appoints, in addition to police officers, the City Administrator and or agent(s) to issue a written administrative notice of violation to any consumer violating Stage 2 Water Warning and Stage 3 Water Emergency for a second time. Such notice shall advise the consumer that they will be assessed a penalty charge of \$100.00 for the next six months and that a subsequent violation at the same premise within a six-month period shall result in the immediate termination of all water service to the premise. The consumer shall further be notified that they have a right to appeal the issuance of the administrative notice of violation by filing a notice of appeal with the City Clerk within ten days of the issuance of the notice. The action shall be final if no appeal is filed within the ten-day period. The City Administrator shall hear such appeal within ten days.
- c) *Notice of termination of service.* The City Council hereby appoints, in addition to police officers, the City Administrator and or his agent(s) to issue a written notice of termination of service to any consumer violating Stage 2 Water Warning and stage 3 Water Emergency for a third time. Such notice shall advise the consumer that all water service to the premises in violation shall be discontinued, beginning not less than 48 hours after the notice and not more

than 72 hours after the notice, unless a further violation is found to have occurred at which time termination shall be immediate for the protection of the municipal water system. The consumer may appeal the decision by filing a notice of appeal with the city clerk within the 48-hour period after notice of termination of service is given. Such appeal shall stay the action of termination for up to 48 hours or until a meeting with the City Administrator shall be called unless the City Administrator determines that a further violation has occurred, at which time termination shall be immediate for the protection of the municipal water system. If service is terminated then service may be reconnected only upon the filing for water service reconnection with the city and the payment of the reconnection fee as set by the City. Additionally, the applicant must file a written statement advising that they are aware that a water warning or water emergency is in effect and that a subsequent violation of its provisions will result in the termination of water service for a period of not less than 30 days unless such termination would pose a health hazard to the occupants of the premises as determined by the City Administrator or his agent(s) shall cause the termination of water service of the violating consumer as provided above or directed by the city council.

- 6) *Emergency termination.* Nothing in this section shall limit the ability of the City Administrator from terminating the supply of water to any or all customers upon the determination of said officials that emergency termination of water service is required to protect the health and safety of the public.
- 7) *Violation; penalty.* Any person who shall violate or refuse to comply with any of the provisions of this section shall be deemed guilty of an offense and upon conviction thereof, shall be fined \$100.00 for the first offense and \$200.00 for the second and subsequent offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply. In addition to police officers, the city council hereby appoints the City Administrator, or his agent(s) to issue citations for violation of the provisions of this section.
- 8) *Exemptions by permit.* Customers may apply for and be granted permits for:
 - a) New turf sod application for up to three weeks.
 - b) New grass seed application for up to four weeks. However the city strongly discourages new grass seed between July 1st and August 31st.
 - c) Landscape in large common or public areas that, because of irrigation system limitations, cannot be sustained by following mandatory drought restrictions in this section.

The above may be canceled by the city in the event a Stage 3 Water Emergency is declared.

(ref. Ordinance 881)

Article IV. Sewer Department

Section 4.01 Delivery of Service

The City of Gothenburg does not guarantee the delivery of service over its collection system. The City shall use due care and reasonable diligence to provide and supply uninterrupted service to our customers, but shall not be liable for damages resulting from interruption or quality of service due to causes over which the City has no control.

Section 4.02 Sewer Discharge / Permitting

The City of Gothenburg is permitted by the Department of Environmental Quality for the acceptance and treatment of sewage waste. A copy of the permit is available at the City Clerk's office and shall be open for inspection during normal business hours. Any concern regarding system failure, or illegal dumping of hazardous waste should be reported immediately to the City Office.

Section 4.03 Types of Service

The City provides Residential or Dwelling; Commercial, Hotels, Motels and Trailer Courts; Schools, Hospital, Assisted Living Facilities, Rest Homes and Subsidized Elderly Housing Services. These services are further described in the Rate Ordinance of the City. (*ref. Rate Ordinance §VI,A.*)

Section 4.04 Metering

Sewer discharge is not metered. Fees are determined in the Rate Ordinance

Section 4.05 Service Connections to City Mains

- (a) New Installation or Replacement:** The City shall install all taps and lines to the property line. All costs associated in the provision of the service line shall be paid for by the customer.
- (b) Repair or Replacement:** The City, at its expense shall repair all existing service lines if a service issue has been identified. If, in the determination by the City, the existing service line is beyond repair, or must be replaced; the customer shall pay for the replacement of the existing service line.

Section 4.06 Labor, Equipment and Materials

All labor, equipment costs and materials shall be billed according to the current Fees Resolution adopted by the City Council.

Section 4.07 Sewage Backup / Backwater valves

It is highly recommended that all customer connections to the Municipal Sewer system install a backwater valve. Although the City does routine maintenance, there are times when a city main may plug and sewage will back up beyond the City's control. There are many causes to this, such as disposal of items by consumers that plug the main, roots in the system, or system overload typically caused by high rains. The only protection a business or customer to prevent sewage backup is a backwater valve. All valves shall be installed by the customer on his/her premises and shall be the responsibility of the customer.

Article V. Solid Waste

Section 5.01 Mandatory Billing

Per Section 51.05 of the Municipal Code, the City has mandatory billing for solid waste for all premises served by the city electrical system. Every residential, commercial, institutional, and governmental building or premises shall have individual trash billed to said residence, building, etc. except in the following instances:

- 1.) The City has determined that the premise, building, etc. is being serviced by another account, or does not generate waste.
- 2.) An apartment building in which the owner of the building provides for commercial trashing hauling for the entire complex regardless of whether each apartment is individually metered.
- 3) When an owner of a commercial property provides for trash hauling for their tenants regardless of whether or not the tenant has an individual electrical meter.
- 4.) when a commercial or residential structure is located on a premise that is separate from a commercial or residential premise; and said structure is strictly used for storage purposes only. In this instance, the owner of the structure must apply to the billing department for a waiver of service, and must certify that the structure is for storage only (See Exhibit H).

Billing timing and procedures are discussed in Section 1.06.

Section 5.02 Franchised Haulers

The City franchises with private haulers for the collection and disposal of solid waste. As such, all customers may choose any hauler that is franchised with the City. Any questions in regard to billing shall be directed to the City Office. Any questions in regard to service issues shall be directed to the hauler chosen by the customer.

Section 5.03 Application

All customers shall select their choice for a hauler. The selection form is attached as Exhibit I.

This Policy shall serve as general guidance for all Utility Services provided by the City of Gothenburg. Authority for the development of this policy and procedures manual comes from Municipal Code 30.034 (11); 52.002; 53.002(B); and 54.01. Any questions in regard to utility policies or procedures should be directed to Bruce Clymer, City Administrator.

Approved:



Bruce Clymer – City Administrator

February 2, 2016
Date

Procedure and Policy Holders

City Administrator
City Clerk
Accounting Clerk
Billing Clerk
City Services Director
Electrical Foreman

Exhibit A

City of Gothenburg – Public Works Division
Gothenburg, Nebraska
Request for Credit History

The City of Gothenburg Rate Ordinance allows the waiver of the utility deposit to new customers if the City is provided with two (2) references from former utility providers ascertaining that the customer had one or less late payments and has not been disconnected for non-payment or insufficient fund checks during the previous 12-month period.

Acceptable references include: Electric provider, municipal or rural
 Natural gas provider
 Phone service provider (land line or wireless)

References must be received by the Public Works Division office before the initiation of utility service, or a deposit will be required. Faxes or e-mail may be delivered via the following method:

Address: 409 9th Street, Gothenburg, NE 69138
Fax: 308-537-3609
E-mail thite@cityofgothenburg.org
 jillr@cityofgothenburg.org

To the City of Gothenburg Public Works Division:

_____ has been a customer of _____;
a _____ City Utility Provider, _____ a Natural Gas Provider, or a _____ Phone
Service Provider. By signing this document, I am confirming that this person has been
a customer of our company for a period exceeding 12 months in length; and that the
customer has had one or less late payments and has not been disconnected for non-
payment of insufficient fund checks during the previous 12-month period.

Name

Title

Company

Date

Contact Phone Number

Exhibit B

APPLICATION AND CONTRACT FOR WATER AND ELECTRIC SERVICE

Date _____, 20_____

To the Gothenburg Public Works Division: I hereby make application for:

_____ Water Service

_____ Electric Service

_____ Yardlight, 5-Yr. Contract Non-Metered

at _____ Street

I agree to abide by all of the rules and regulations of the Public Works Division now in force, or hereafter to be fixed by the Public Works Division, relating to the operation of the Utilities and to pay all bills for Water and/or Electricity received, used or wasted at the above address during the period of contract.

I will pay all necessary connection fees and costs as well as guarantee deposit fees which shall be required.

I further agree that neither I or anyone on my behalf nor any member of my family or occupant of the premises will alter change or modify any of the city's service leading to my property and I agree still further to hold and save the municipal corporation harmless with respect to any claim or claims arising out of damage occurring as a result of any change or alteration which might be made without the consent and knowledge of the proper authority of said city.

This agreement to be in effect from the date hereof to the date service is discontinued upon my request of for other reasons by the Public Works Division.

Signed: _____ Account Number _____

Deposit Rec. No. _____

Exhibit C

Customer Account _____

Address _____

I have given the _____

authorization to pay my monthly utility bill.

Routing Number _____

Bank Account # _____ Date: _____

(Sign Name)

(Print Name)

10th or 18th (circle which date preferred)

Exhibit D

**The City of Gothenburg
Public Works Division
409 9th Street
Gothenburg, NE 69138**

NOTE: THIS PLAN MAY BE USED ONLY ONCE PER CALENDAR YEAR

I understand that I have received a disconnect notice and I am delinquent in my utility billings. I also agree that in order to avoid disconnection by the utility, I shall pay the past due amount according to the following payment plan:

Account # _____

Name: _____

Address: _____

Delinquent Amount \$ _____ Disconnect Date: _____

I agree to pay these amounts on these dates:

Date: _____ Amount \$ _____

Date: _____ Amount \$ _____

Date: _____ Amount \$ _____

Your utility bill must be paid by 10 a.m. on each date allowed. If not paid by that time, the meter will be disconnected and will not be reconnected until payment, including a reconnect fee, is made. There will not be a phone call or any other notification to tell you your meter is being disconnected if payment is not made under the agreed upon dates.

The delinquent amount must be paid in full no later than the 20th of the month from the disconnect date.

Name Date

Authorized by: _____

Exhibit E

City of Gothenburg Landlord Agreement

Please indicate your preferred option. The option selected will be in effect for a minimum of one year and shall continue until such time as a different selection is chosen by the landlord. This agreement will apply during normal business hours. If the landlord requests service outside of normal working hours, on a weekend or holiday, an after hour connect charge of \$50.00 shall be applicable.

Option 1 (\$0) – When the tenant requests routine disconnection, or if the City is requiring non-routine disconnection of service for a legitimate business purpose which includes disconnection for non-payment on the tenant’s bill, the service shall be disconnected. There shall be no notification from the City. Landlord will pay regular connect fees at such time the service is reconnected into his or her name.

Option 2 (\$5) – When the tenant requests routine disconnection, or if the City is requiring non-routine disconnection of service for a legitimate business purpose which includes disconnection for non-payment on the tenant’s bill, the service shall be transferred to the landlord. Notification to the landlord will be received when the landlord receives the bill for service.

A Landlord Notification Sheet **signed by the tenant** shall be on file for any non-routine disconnection.

Option 3 (\$10) – When the tenant requests routine disconnection, or if the City is requiring non-routine disconnection of service for a legitimate business purpose which includes disconnection for non-payment on the tenant’s bill, the service shall be transferred to the landlord. The City shall notify the landlord by phone or email within 48 hours of the change in service. Landlord must provide City with a phone number with recordable notification capabilities; or a viable e-mail address.

A Landlord Notification Sheet **signed by the tenant** shall be on file for any non-routine disconnection.

Choose One:

My phone # is: _____

My e-mail address is: _____

SIGNED: _____

DATE: _____

OPTION #1 SHALL BE AUTOMATIC UPON FAILURE BY THE LANDLORD TO HAVE THIS SHEET SIGNED AND ON FILE AT THE CITY OFFICE.

Exhibit F

City of Gothenburg

Landlord Notification

This document designates the Landlord or Property Owner below as a party to receive notification of discontinuance of service by the City under non-routine circumstances at the address listed on this Notification.

Discontinuance of service for non-routine circumstances shall be for a legitimate business purpose on the part of the City, which may include non-payment, diversion of electrical services, and meter tampering.

Name of Landlord (print) _____

Address of Landlord _____

Phone Number of Landlord _____

In signing this form, I understand that my Landlord may be notified under the terms as agreed to by the City and the Landlord on the Landlord Agreement.

Terms on the Landlord Agreement include the Landlord receiving notice within 48 hours of termination of service to the tenant that the service has been transferred to the Landlord's account.

Customer (Tenant) Name (print) _____

Customer (Tenant) Signature _____

Customer (Tenant) Address _____

FOR OFFICE USE ONLY:

Customer (Tenant) Account No. _____

Exhibit G

CLIENT INFORMATION FORM

Date: _____ SSN xxx – xx - _____ PIN: _____

For security reasons, please answer one of the following three questions:

1. *What is your Mother's maiden name?* _____
2. *What is your pet's name?* _____
3. *What is your Father's birth date?* _____

 Name (Last, first, middle) Own _____ Rent _____
 Address

 Previous Address City State/Zip

Date of Birth ____/____/____ Married____ Single____ Widowed____ Divorced____

 Employer Name Address
 (____) _____ - _____ (____) _____ - _____
 Home / Cell Phone Work Phone

If applicable - Spouse Information:

 Name Date of Birth ____/____/____ XXX – XX - _____
 Social Security Number

 Employer Name Address
 (____) _____ - _____ (____) _____ - _____
 Home / Cell Phone Work Phone

Relatives/Contacts:

 Name Address (____) _____ - _____

 Name Address (____) _____ - _____

I, _____, give my permission to the GOTHENBURG PUBLIC WORKS DIVISION to place my name and address on the "NEWCOMERS LIST" that is sent out to different businesses and organizations.

Signed _____

Exhibit H

APPLICATION FOR WAIVER OF SERVICE FOR SOLID WASTE COLLECTION

Date _____, 20_____

To the Gothenburg Public Works Division: I hereby make application for a waiver of service from solid waste collection:

at_____

I currently have waste collection at my _____ Business _____ Residence located at:

I am aware that a waiver may be granted only under the following conditions:

If a commercial or residential structure is located on a premise that is separate from a commercial or residential premise; and if said structure is strictly used for storage purposes only; the owner of the structure may apply to the billing department for a waiver of service. The owner must certify that the structure is for storage only in order to receive the waiver. The waiver shall be reviewed; and may be approved by the City Administrator. Any denials by the Administrator may be appealed to the Governing Body by the applicant.

I, _____, do hereby certify that the structure located at

_____, is only used for business or residential storage, and therefore trash or solid waste will not be generated from this premise.

Signed: _____ Account Number _____

This waiver shall be in effect from the date hereof to the date service is discontinued upon my request; or if done so by the Public Works Division.

Exhibit I

**City of Gothenburg/Public Works Division
409 9th Street
Gothenburg, NE 69138
(308) 537-3668**

As of the 25th day of _____, I would like my trash hauled by:

___ Schaben Sanitation 537-3840

___ Dan's Sanitation 537-7100
1-800-462-1645

___ Mike's Sanitation 930-0031 or 930-3012

Print Name: _____

Address: _____ Date: _____

Signature _____

Office use only: Acct. # _____

Date changed: _____

Date Received in Office: _____