

FILLMORE CITY GENERAL UTILITY POLICY

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ARTICLE I. UTILITIES

All residents and businesses located in the city limits shall connect to all city services.

ARTICLE II. UTILITY EXTENSIONS

A. SERVICE EXTENSION AGREEMENT

Customers wishing to extend utility services to their property may make application to Fillmore City and agree to the following conditions:

- (1) Pay the cost of extending the service lines and meter installation. The cost for electrical extensions will be estimated by Fillmore City's electrical maintenance contractor. Fillmore City pays the contractor for the services and then bills the customer for reimbursement. Customers will pay for any expansion that requires upgrades of transformers, meters, etc. Water and sewer extensions are typically the sole responsibility of the customer who will hire and pay the contractor directly.
- (2) Relinquish ownership of the lines and meter to Fillmore City upon completion.

(3) Comply with city installation standards and pass a city inspection prior to receiving services. Private contractors may perform the construction work for water and sewer extensions.

B. SERVICE CHANGE

Should Fillmore City elect to move or extend utility service lines, the city will bear all costs to make the change up to the customer property line.

C. CONSTRUCTION

No construction will be allowed over or under any city utility line; utility easements must remain free of obstruction for system maintenance and repairs.

ARTICLE II. USE OF SERVICES

A. SERVICE CONNECTIONS FOR CULINARY WATER, SEWER, AND ELECTRIC

(1) Residential Land Use

a. Single Family Residence. A single family residence, including the lot or parcel on which such residence is located, shall be limited to one connection per utility. In the event an accessory building is legally permitted and constructed on the same parcel, the existing utility connection shall be extended to service the accessory building. A separate connection for an accessory building is prohibited. Utility connections shall not be shared between or among more than one lot or parcel. If an accessory building becomes a primary building through future subdivision, the applicant must install separate utility connections from city mains prior to such subdivision.

b. Multi-Family Residence - Individual Owned Units. In multi-family residential buildings where units are individually owned, e.g., twin homes or town homes, each unit is required to have one connection per utility. Utility connections shall not be shared between or among units.

c. Multi-Family Residence - Common Ownership of Units. In multi-family residential buildings where a building, and its units, are under common ownership, e.g., apartments and duplexes, each unit is required to have one connection per utility except as provided in subsection (2).

(2) Other Land Uses and Exception for Large Multi-Family Residence under Common Ownership.

a. For industrial and commercial land uses, multiple connections may be permitted upon review and recommendation by the City's engineering department.

- b. For large multi-family residences under common ownership, i.e., apartments with twelve (12) or more units, shared connections may be permitted upon review and recommendation by the City's engineering department.

B. PAYMENT FOR SERVICES

- (1) Accounts using water for outside purposes only, will not be charged for sewer, garbage, or electric.
- (2) To equalize the burden of overhead for utilities, a surcharge of 10% (ten percent) is levied on utilities supplied outside the city limits with exception of culinary water and sewer.
- (3) Minimum charges
 - A. Garbage – The garbage minimum shall be charged each month when the residence is occupied, whether on a full or part-time basis. If the home is vacant, for whatever reason, the garbage fee shall not be charged. When a new home is under construction, the homeowner shall be charged the garbage fee unless the builder or homeowner informs Fillmore City that the builder has contracted with Millard County for a dumpster. If a dumpster is delivered to the home site, the appropriate fees are paid directly to Millard County. (03/21/06)
 - B. Electric – The electric minimum charge shall apply if the meter is on. If the electric service to the premises is terminated, no further charges will accrue and the applicable turn-off fee will be charged. When electric service is restored to the premises, the applicable turn-on fee will be charged. (03/21/06)
 - C. Water & Sewer – Water and sewer charges both shall apply if the water meter is on. If the water meter is on, the minimum for that meter shall be charged to the occupant or owner of the property. In the instance where there are multiple units per building, each unit shall be accessed the minimum fee if occupied. If a unit is vacant, the water and sewer for that particular unit shall not be charged. If an entire building is vacant and the meter is turned off, no water and sewer fees shall be charged to any of the units. For the water and sewer service to be terminated, the city shall shut the meter off and charge a one time shut-off fee. This fee will be for turning the meter off and subsequently on. (03/21/06)

C. METERS

- (1) Meters are to be located on the property line, closest to the street, accessible to authorized representatives of Fillmore City.

(2) Meters may be tested upon customer request; if the meter is found to be measuring service incorrectly, the billing will be adjusted as may be deemed equitable. A \$10.00 service charge for an electric meter test shall be assessed if the meter is found to be accurate. If the meter is faulty, no fee will be charged.

(3) If a meter fails to register consumption during a given period for any reason, the bill will be based on the consumption for the same period in the preceding year.

D. REPAIRS

Customers are to maintain and keep their systems in good condition. (This does not give the customer the implicit right of encroachment on public right of way.)

Damage to service lines that are caused by the customer, or located on the customer's side of the water meter, will result in repair costs being assessed to the customer. Fillmore City will not be financially responsible for any damage that occurs past the point of the location of the water meter.

E. CUSTOMER OBLIGATION

(1) The customer must sign a utility service agreement and agree to the following:

(a) Pay all charges for usage, assessment, service, improvements to and extensions of the system necessary to meet the customer's requirements during the life of the contract.

(b) Pay a non-interest bearing security deposit as specified in the electric policy.

(2) Customers must inform the city of any change of address. The contract will remain binding despite any change in the point of delivery of service within the city limits.

(3) Requests for a change of service must be submitted to the Fillmore City Office on a Utility Service Change Request Form and signed by the customer, specifying the service(s) affected, the type of change, and the effective date of the change.

F. VIOLATIONS

(1) Use of Fillmore City utility services without payment is unlawful.

(2) A service turn on by a customer following disconnection by the city is unlawful.

(3) Meter tampering is unlawful.

(4) The use of service by another premise, or by an unauthorized person is unlawful. Unauthorized use of services is just cause for termination of such service.

(5) Wasteful usage of utility services through faulty equipment or practices is unlawful.

G. LIABILITY

If the services are interrupted or curtailed due to circumstances beyond Fillmore City's control, Fillmore City is not liable for damages incurred due to the stoppage or curtailment.

H. UTILITY EXTENSION COST RECOVERY (Ordinance 05-11; 10/04/05)

The cost recovery program is addressed in Fillmore Municipal Code under the following:

Electric	3-4-214
Water	3-5-307
Sewer	3-6-207
Roads	5-1-205

ARTICLE III. BILLING ADJUSTMENTS

Utility bills for heads of households who are deployed for active military duty may be adjusted for an amount not to exceed \$200 each month for the duration of their deployment. A written request must be submitted to the city office prior to the departure date.

Customers are obligated to pay the full amount on the customer's bill, despite damage to the service lines, including, but not limited to, leaks in water service lines or similar occurrences which occur without any fault on the part of the customer, which may result in an increased charge to the customer's bill. Fillmore City will not consider reducing the bill, in accordance with any increased charges unless damage to lines or pipes are the result of 1) the actions (or inactions) Fillmore City should have taken (or not taken), as determined by a majority of city councilmembers taking into consideration Fillmore City ordinances and policies, (noting that Fillmore City expressly does not have a responsibility to generally maintain customer service lines), or 2) the customer's meter is found to be measuring service incorrectly, pursuant to Article 2, Part C, of this Policy.