

**WASHINGTON TOWNSHIP REGIONAL SEWAGE DISTRICT
RESOLUTION NO. 2014-RS-_____**

WHEREAS, the Washington Township Regional Sewage District has enacted certain resolutions to formalize its collection of delinquent sewer bills;

WHEREAS, the Board of Directors has determined it appropriate to modify its procedures with respect to collection of delinquent sewer bills, filing of suit to collect delinquent sewer bills, the use of liens on property, and the propriety of discontinuing service to properties;

NOW, THEREFORE, BE IT RESOLVED that the Board adopts the following policy regarding efforts to collect delinquent bills for sewer service;

Section 1. Procedure for Collection of Delinquent Sewer Bills

- a. Delinquent bills shall be referred to the District's attorney once :
 - i. a customer's bill has been delinquent for sixty (60) or more days; and
 - ii. the outstanding bill is greater than or equal to two hundred dollars.
- b. Once a delinquent bill has been referred to the District's attorney, the attorney shall send a letter to the customer demanding that the account be brought due and the delinquent bill paid in full within thirty (30) days. If a delinquent bill is owed with respect to rented property, the District's attorney shall send the letter to both the renter of the property and the owner of the property.
- c. If, after the attorney's demand, the customer's bill is not paid in full, the District shall authorize the attorney to file suit in small claims court to collect the unpaid amount.
- d. The District shall, at all times, before and after suit is filed, retain discretion to negotiate with customers to make alternative agreements for payment and to settle or dismiss any claims filed by the District's attorney.
- e. The District's attorney shall seek a judgment against the owner of the property associated with the delinquent bill for the maximum amount recoverable by law in court.
- f. Once the Court has entered judgment, the District's attorney is authorized to take actions necessary to execute on the judgment, including, but not limited to, garnishing wages, bank accounts, and other property.

Section 2. Liens

- a. If a judgment for delinquent sewer bills remains unsatisfied for ninety (90) days or more, the District shall file a lien on the property pursuant to the procedure set forth in the Indiana Code.
- b. The District shall re-file a lien as it deems appropriate, but at least yearly, if additional fees and penalties accrue and the delinquent bill is not fully paid during that period of time.

Section 3. Discontinuing Service

- a. If a judgment for delinquent sewer bills remains unsatisfied for ninety (90) days or more, the District shall initiate procedures to discontinue service to the property associated with the delinquent bill by notifying the property owner that the District will notify the Health Department of its intention to discontinue service to the property.
 - i. The notice shall specifically specify that the Health Department will cause water service to be discontinued if it receives such a notice.
 - ii. The notice shall specifically specify that notification of the Health Department is a necessary prerequisite to discontinuance of sewer service.
 - iii. The notice shall state the date(s) and time(s) of the next regularly scheduled meeting of the Board of the District. The notice shall always be sent so as to give the property owner at least fifteen (15) days' notice of the next meeting of the Board.
 - iv. The notice shall state that if the person wishes to oppose discontinuance of sewer service that he or she will have an opportunity to be heard by the Board the next Board meeting and to show cause why sewer service should not be discontinued.
 - v. The notice shall further state that sewer service may be discontinued at any time after the next Board meeting.
- b. The Board shall give a property owner notified of the possibility of discontinuance of sewer services pursuant to Section 3(a) an opportunity to show cause why sewer service should not be discontinued. If the Board determines after such hearing that the property owner has not shown proper cause, it shall send a letter to the Health Department stating the District's intention to discontinue sewer service to the specified property.

- c. After sending the letter specified in Section 3(b) to the Health Department, the District shall authorize reasonable and appropriate acts necessary to discontinue to sewer service to the property associated with a delinquent bill.

ADOPTED on this ____ day of _____, 2014.

Ronald L. Repp, President

C.T. Steele

Gary Jackson

Austin Wiggam

Todd Webb