

 Holly Springs, N.C.	P-0XX	
	Title of Policy	
	Prepared By:	Tina Stroupe
	Department:	Finance
	Date Approved by Council:	May 20, 2025
	Effective Date:	May 20, 2025
	Supersedes Old #:	N/A
	Old Effective Date:	N/A

SECTION I: PURPOSE

SECTION II: AUTHORITY

The enactment of standard utility policies requires the approval of the Town Council. As fee schedules, rates and other specific policies are updated, it will be the responsibility of the Town Manager, Finance Director and Customer Service Manager to ensure revisions in the policy manual. Most changes other than fees and rate schedules are delegated to the Town Manager, Finance Director and Customer Service Manager without requiring prior approval of the Town Council. However, the Town Council will be kept informed regarding material changes.

The Town Manager is Holly Springs' chief administrator. Among other duties, he ensures that all laws of the State, the Town charter and the ordinances, resolutions, and regulations of the Town Council are faithfully executed with Holly Springs. This position also annually submits to the Town Council and makes available to the public a complete report on the finances and administrative activities of the Town at the end of the fiscal year.

The Finance Director is the Town's accounting officer and as such maintains a general accounting system and records readily reflecting its financial condition. The Customer Service Manager's responsibilities include meter reading, billing, collections and oversight of the Town's customer service policies and procedures.

SECTION III: SCOPE

1. This Policy is not meant to be all-inclusive but offers directions and guidance for the Town Manager and employees of Holly Springs.
2. The intent of this Policy is to provide a helpful guide with uniform procedures for providing utility service. The Town desires to treat its citizens in a fair and equitable manner while recognizing that each customer has distinct needs and requirements.
3. Employees of the Town -make decisions with empathy and understanding, listening carefully to the needs and requirements of individual customers.
4. This Policy will serve as a guide for a reasonable response to customer needs while meeting the requirements of good business practices on the part of the Town.

SECTION IV: CUSTOMER CARE POLICY STATEMENT

The Town treats its citizens in a fair and equitable manner while recognizing the distinct needs and requirements of each customer. To provide some uniformity of service, the

Town has adopted a customer care service policy. This most recently adopted version of the Customer Care Policy will serve as a reasonable response to customer needs while meeting the requirements of good business practices for the Town.

SECTION V: CUSTOMER CARE POLICY

APPLICATION OF POLICY

1. These policies apply to every customer or applicant for utility service. Copies of these policies are available online at <http://www.hollyspringsnc.gov/customercarepolicy> or at the Holly Springs Town Hall, 128 S. Main Street.
2. These policies may be revised, amended, or otherwise changed from time to time by the Town Manager.
3. The Town is not responsible for any damage caused by turning on or off the Town's utility services.

NO PREJUDICE OF RIGHTS

The Town and its customers may choose not to exercise the rights outlined in these policies or available by law at any given time. However, this does not preclude either party from exercising those rights in the future.

UNIQUE RIGHTS AND RESPONSIBILITIES

The customer and the Town have unique rights and responsibilities in connection with utility service. These responsibilities and rights are detailed throughout this manual, some of which are summarized here.

CUSTOMER RESPONSIBILITIES

1. Ensure that the Town receives payment for all bills on or before 5pm on the "Due Date" shown on each monthly bill (no late fees or delinquent fees assessed).
2. Allow Finance, Meter and Public Works personnel access to the property to set up and maintain service.
3. Notify the Finance Department of questions, complaints, and disconnections of services.
4. Be aware of and provide access to property owned by the Town such as the water meter at the customer's home/business and safeguard it.
5. Customer shall immediately report any leaks or problems with service to the Finance department during normal business hours or the Town's emergency (911) or non-emergency number (919-557-9111). A customer's prolonged absence from the property shall not relieve a customer of this duty and the customer shall be responsible for all loss of water or damage occurring because of a problem with the customer side of the utility service.
6. Customer shall pay any known delinquent balance as soon as possible and before the next bill is due to avoid interruption of service.
7. Customer shall inform the Finance department of any changes to their contact information, such as phone number and email.

CUSTOMER RIGHTS

1. If an owner of a residence is otherwise required to pay a deposit, they have a right to request a refund of their deposit by applying the deposit to their utility account if they pay their bills promptly for one year or upon properly terminating service from the Town. For rental and commercial applicants, the deposit is kept until the account is closed.

2. If the customer received an unusually high bill and requires additional time to pay, the customer may be entitled to a payment plan with installment payments designed to pay the account in full within 6 months maximum. The customer must not have defaulted on any previous payment plans and must not be in a current payment plan. If the Finance Director authorizes a payment plan, Customer shall enter into an agreement with the Customer Service Manager or designees.
3. A customer may be entitled to a payment extension if customer notifies the Town one day prior to the cutoff date, usually the 14th of the month.
4. The customer may request their historic billing and usage information and any other publicly available additional information if needed. If the customer wishes for additional testing of the meter, the Town may charge a fee.

MUNICIPAL RESPONSIBILITY

The Town will consider the following principles when applying its policies and procedures:

1. Notify the customer of the disconnection date on every monthly utility bill. Customers who fail to pay their bill by the disconnection date can expect to have their service interrupted on that date.
2. Use best reasonable efforts to:
 - a. Avoid disconnection for non-payment during extreme weather conditions.
 - b. Avoid disconnection for non-payment on Friday, on a weekend or on a Town holiday.
3. Provide and explain rate schedules, how meters are read and other reasonable information.
4. Respond to questions or complaints from customers.
5. Provide historic billing and usage information for the customer's own account when requested by a customer.

CUSTOMER PRIVACY

Customer billing data is not considered a public record. Removing this information from public records does not automatically make it confidential. North Carolina public records law governs the disclosure of any utility billing information. The Town may, under certain circumstances such as compliance with a court order or, be compelled to provide customer information that is otherwise not a public record. Any billing data that is made available electronically will be treated in the same disclosure policy that applies to hard copy records. The Town may provide such billing information under the following circumstances:

- (1) If the Town determines will be useful or necessary to assist bond counsel, bond underwriters, underwriters' counsel, rating agencies or investors or potential investors in making informed decisions regarding bonds or other obligations incurred or to be incurred with respect to the public enterprise.
- (2) If the Town determines it is necessary to assist the city, county, State, or public enterprise to maintain the integrity and quality of services it provides; or
- (3) If the Town determines that is necessary to assist law enforcement, public safety, fire protection, rescue, emergency management, or judicial officers in the performance of their duties.

The customer will be provided with a privacy statement at the start of new service with the Town consistent with the provisions of this policy.

ESTABLISHING AND BILLING OF SERVICES OFFICE AND SERVICE HOURS

The Finance Department is in Town Hall, 128 S Main Street, Holly Springs, NC 27540. This department is available to serve its residents when water, sewer, trash, recycling and yard waste collection services are established or terminated by residents of Holly Springs.

Town Hall is open from 8 a.m. to 5 p.m. Monday through Friday. Both Customer Service and routine service work will be performed from 8 a.m. to 5 p.m., Monday through Friday except for municipal holidays.

REQUEST FOR SERVICE

1. **Original Application for Service:** Any customer requesting services must complete an application for service at Town Hall or online at www.hollyspringsnc.gov. The customer will need to provide photo identification, a social security number (or Federal Tax ID number in the case of a business account), closing settlement statement or copy of recorded deed (if owner), executed rental agreement (if renter), and a signed application.

The Federal Privacy Act of 1974 prohibits municipalities from denying "to any individual any right, benefit or privilege provided by law because of such individual's refusal to disclose the social security number."

Additionally, any Town employee who requests disclosure of a social security number must inform the individual of the following: (1) Whether the disclosure is mandatory or voluntary, (2) what statutory or other authority the number is requested and (3) what uses will be made of the number.

Thus, any request for a social security number on any utility service application should be accompanied by a statement such as, "your social security number is being requested for verification of your identity and to perform a credit check. There is no statutory or other authority requiring you to give your social security number, but if you do elect not to disclose it, you will need to provide an alternative method of identification satisfactory to the Town.

2. **Accounting Information Changes:** Any changes of account information, mailing address, account name etc. should be made in writing by the account holder to prevent mistakes. Changes will be made over the phone in the event it is clear a typographical error was made.
3. **Commercial and Industrial Accounts:** Accounts established for non-residential service will require a Federal Tax ID number and a signature by a duly authorized representative of a business entity. For a business not operated by a recognized legal entity the account will be listed in the name of the responsible person (owner, manager etc.) That person accepts the responsibility for payment of the account.
4. **Deposit Requirement & Account Service Charge:** A customer will be required to pay a one-time, non-refundable Utility Set Up Administrative fee to begin utility service in the amount established in the Town's budget. Additionally, a new account will require a deposit in the amount established in the Town's budget.

5. **Time of Application:** The Town of Holly Springs requires at least 3 business days for connection of services. Any request for next day service will be evaluated for availability and if deemed available, will require a non-refundable fee established in the Town's budget.

CONECETION SCHEDULING

Connection to the Town of Holly Springs water utility system is available only during normal business hours, Monday through Friday, 9 to 5 pm (holidays excluded).

New Service: Once the application has been submitted with all necessary support documentation and deposit payment (*if applicable*), it will take (3) business days for activation. The day of submittal is not included in the (3) business day activation period.

Next business day service activation is available for a non-refundable fee and is based on scheduled workload allowance.

Existing Service: If services have been cut off due to non-payment, reconnection of service may take (2) business days for reconnection once outstanding balance has been paid in full.

PRIOR DEBTS

The Town may refuse to furnish new service to an applicant who is indebted to the Town for service previously furnished at any address in Holly Springs. The Town may also refuse service to an applicant requesting service at an address where the owner of those premises is delinquent in paying at that address if that person is a member of the same household as the applicant. However, if the delinquent customer is not the owner of the premises to which the services were delivered; payment of the delinquent account will not be required before providing services at the request of a new and different tenant or occupant of the premises.

CUSTOMER DEPOSITS

1. *Need for a Deposit:* Town employees are charged with the responsibility of prudent management of the Town's finances. A deposit for utility services may be collected as security, so all bills will be paid in full by their due date.
2. *Amount of Deposit:* The deposit amount for residential customers will be a fixed rate determined by the Town Council per the Town's fee schedule.
3. *Deposits for Short Term Service:* Any person requesting services to either clean or show a residence for rent or sale will be required to provide a deposit as stated in paragraph 2 above.
4. *Future Deposits:* Any customer whose service is involuntarily terminated for non-payment, meter tampering or other reasons will be required to pay a deposit, or an additional deposit as specified above, prior to reconnection. This includes all customer accounts.

REFUNDING OF DEPOSITS

1. *Prompt Refund:* A deposit will be refunded when service is voluntarily discontinued and the outstanding move out balance is paid in full. Any credit will be refunded via check 15 business days after the account has been closed.

2. *Refund Requests:* If a customer demonstrates good credit after receiving 12 months of service, the customer may request a deposit refund. The refund will be credited to the customer's utility account. No check will be generated unless the account is closed, and a refund is due.

WATER AND WASTEWATER RATES

Establishing Rates: The Town 's rates are set by the Town Council each fiscal year and are adopted as part of the annual budget. Rate charges include an access fee for water, wastewater and irrigation or reclaim water meters. These charges are billed regardless of consumption. The rates are designed to be fair, reasonable, necessary, uniform, and non-discriminatory.

NON-METERED RATES

The Town's utility billing also includes charges for garbage, recycling, yard waste and stormwater. These rates are set by the Town Council each fiscal year and are adopted as part of the annual budget. The rates are designed to be fair, reasonable, necessary, uniform and non-discriminatory. Residents are charged for these services whether they choose to use the service or not. Residents may not opt out of these services.

Please refer to our current Fiscal Year Budget for the approved Water Fee Schedule.

BILLING CYCLE INFORMATION

The Town bills monthly for water, wastewater and non-metered consumption and currently has one billing cycle.

BILLING INFORMATION FOR CUSTOMERS

1. Bills are mailed or sent via e-mail to customers on the last business day of each month. The Town is not responsible for failure of delivery of said bill via the US Postal system or failure of delivery via email.
2. The bill is past due if not paid by 5 P.M. on the 25th of the following month unless the customer already has a past due balance. Those with a past due balance are due by 5 P.M. on the 15th of the following month to avoid disconnection.
3. Customers with balances on their accounts greater than \$5.00 after 5 P.M. on the 25th will be assessed a late fee.
4. Customers with past due balances on their account after 5 P.M. on the 15th of the following month will be assessed a delinquent fee. *

**All charges including the delinquent fee will be payable via credit card by 7 A.M. to avoid disconnection of services. To be reconnected, a customer must pay their bill in full for services can be restored. There is no after-hours reconnection unless it is deemed a mistake by the Town.*

LATE FEE WAIVERS ON WATER BILLS

The Town may consider waiving the most recent late fee on a past-due water bill under the following conditions:

1. Eligibility Duration: The customer must have maintained water service with the Town of Holly Springs for at least 12 months before the month in which the late fee was charged.
2. Payment History: The customer's payment record for the 12 months prior to the late fee must show no other late payments. Note that a waiver can be granted only once within any 12-month period.
3. Request Submission: The customer must submit a written request for the waiver to the Town's Finance Department within 30 days of the late fee being assessed. The request should be submitted online through the Town's website; the necessary form is available on the Finance page under the Forms section. Alternatively, you can search for "Request for Waiver of Late Fee" on the official Town of Holly Springs website. Please note that the Town will only consider waiving the late fee itself, not any delinquent or returned check fees, unless the error was made by the Town.

NOTICES

The Town of Holly Springs will make courtesy efforts to notify residents when their Water Utility balance becomes delinquent. These notifications may include voice calls and text messages to the phone numbers on file. The Town reserves the right to discontinue these notifications at any time. It is the resident's responsibility to be aware of the Water Billing policy and payment due dates.

TRACKING WATER USAGE, DETECTION OF LEAKS & MORE

Customers can view and track their water usage, quickly detect leaks and learn tips to save money on their water bill by utilizing the WaterSmart Portal at hollyspringsnc.watersmart.com/index.php/welcome. The portal provides:

- Detailed household usage trends
- Configurable alerts and notifications for issues such as potential leaks help you identify problems before receiving a bill, so you don't have to wait to discover a leak.
- Customized recommendations for cost savings and conservation tips

BILLING POLICY

If the Town of Holly Springs has overcharged a customer for water utility service, the Town will correct the error subject to the following procedures:

1. If the Town has overcharged a customer, the Town will refund or credit the customer's account the amount that was overcharged as soon as practicable.
2. If the period over which the mistake occurred can be determined, the Town shall credit or refund the excess amount charged for the account for that entire interval, provided that such time period shall not exceed one year.
3. If an over charged customer owes a past due balance to the Town, the Town will deduct that past due amount from any refund or credit due the customer. If an overcharged customer owes the Town on another account, the Town will apply the credit to the past due account.
4. If the Town has undercharged a customer for utility service, the Town will collect the additional amount due the Town in installments over the same amount of time as the undercharge, provided that the period for which the undercharge shall be calculated and time period for collection shall not exceed one year, unless otherwise approved by the Director.

5. If an undercharge has occurred because of tampering or bypassing a meter or because of other fraudulent or willfully misleading action of the customer, the Town may collect the entire undercharged amount in a lump sum and seek other rights and remedies as are permitted by law.

BILLING ADJUSTMENTS

To be eligible for a water leak adjustment, customers must report the leak within 60 days of leak by submitting the *Leak Adjustment Request Form*.

A leak adjustment may be granted when the customer meets **all** the following conditions:

1. Customer account must be current with no outstanding balance.
2. Proof the leak was repaired (copy of plumber's repair bill or a sales receipt from a plumbing supply store is acceptable)
3. Leak occurred on the customer's side of the meter.
4. Excess amount of water usage to qualify for a leak adjustment (the water usage must exceed twice the monthly average)
5. One adjustment allowed in a rolling 12-month period.

No adjustments will be granted where the leak was caused by any of the following:

- Appliances (i.e. refrigerators, ice machines, washing machines, dishwashers, etc.)
- Outside water hoses
- Irrigation
- Spigots
- Cracks in the pool
- Filling pools (unless the Pool Adjustment Form was submitted prior to filling)
- Hot water heaters
- Faucets (sinks, shower heads, bathtubs)
- Seasonal usage such as watering of sod, gardening, whirlpools, washing vehicles, etc.
- Vandalism of unoccupied/occupied home.

Adjustment is available only for wastewater portion of bill. The customer's prior 6-month average usage will be used to calculate the wastewater charges for the high-water bill month in question.

PLEDGES

If your account receives an agency pledge, you are enrolled in a Payment Extension. The agency who pledged money to your account has 30 days to send payment to us to credit your account. It is still your responsibility to pay any remaining balance the agency did not cover, as well as any future invoices that are created. This plan will protect your account from disconnection for the amount the agency agreed to pledge only.

When the pledge is paid, the account protection will end. Any remaining balance left overdue will be your responsibility to pay and you may be disconnected for this remaining balance.

If your water has been cutoff for non-payment and a pledge is placed by an agency, the full balance is required to be pledged for water services to be re-connected.

EXTENSIONS OF TIME FOR PAYMENT OF BILL

If you are unable to pay your past due water bill and would like an extension on the due date, the Town has established the following guidelines:

- You must be a utility customer for at least **12 months**.
- Any prior extensions were completed as agreed.
- Payment extensions may only be paid by cash, credit card or money order. **No checks will be accepted.**

An online form will need to be completed on the Towns website by the 14th of the month. After requesting an extension, the customer will receive a confirmation email outlining the terms of their extension arrangement.

Payment extensions require payment of the **entire balance due** to be paid by **5 p.m.** on the 2nd to last business day of the month. If you fail to pay by then, you forfeit the agreement. The water will be turned off the same day, and an additional \$35 fee must be paid along with the total balance for service to be restored.

If you fail to honor the payment extension, you cannot receive another extension for 12 months.

RETURNED/INSUFFICIENT FUNDS

1. The Town will only accept cash, money order, certified bank check or credit card from any customer having two insufficient funds in connection with Non-Sufficient Funds (NSF) checks or a closed bank account in a one-year period.

If two or more checks are returned on your account within a year's time, we will not accept any checks on your account for one year.

- a. Upon receipt of the first returned check a \$35.00 service charge will be assessed.
- b. Upon receipt of the second returned check the customer will be advised that all bills must be paid in cash, certified check, credit card, or money order and an additional \$25.00 service charge will be assessed. Cash payments, certified checks, credit card or money orders will be required as payment for the next one-year period.
2. The customer's account will be charged for returned checks or if permitted, closed account, other insufficient funds or credit notice, and will be subject to regular collection policies for delinquent accounts.

The Town may pursue other remedies available against customers for returned checks, closed accounts or insufficient funds or credit. The conditions necessary to pursue these additional remedies (e.g. notice and grace periods) should not restrict the Town's actions in pursuing other remedies, such as termination of service.

BILL PAYMENT OPTIONS

To serve the needs of customers, the Town offers several bill payment options. The options available are:

- **Online Bill Pay by visiting www.hollyspringsnc.gov** → Pay my Bill
- **Automated Phone System** Pay with a MasterCard, Visa, or Discover card at 1-844-670-3906 Please have your account number ready.
- **Auto Pay-** Customer can sign up on our online payment portal to auto pay their account using a bank account or credit card. Payment will be withdrawn every 25th of the month. There is no charge for this service, and you will never have to pay a late fee.

- **Mail**

Send payment (checks only, no cash) to the address shown on the return envelope or the following:

Town of Holly Springs

Attn: Finance

PO Box 8

Holly Springs, NC 27540

- **Drive Through Mailbox**

Drop off your payment (checks only, no cash) with your bill in a sealed envelope at the silver drop box in the side parking lot next to Town Hall.

- **In Person**

Visit the Finance office on the first floor of Town Hall, during the business hours of 8am to 5pm, Monday to Friday (excluding holidays) at 128 South Main Street, Holly Springs. The customer can pay by cash, check, money order, Visa, MasterCard, or Discover.

TERMINATION OF SERVICES

Customers will be responsible for completing a utility disconnection form when terminating service at their location via the town's website at www.hollyspringsnc.gov. This will provide the customer and Town a record of the termination request.

No disconnections will be accepted over the phone. After an account is closed by either customer request or by the Town of Holly Springs, a final bill will be generated. All funds including deposits, will be applied first against amounts owed the Town on the closed account. Remaining funds will then be used against any amounts owed on any other accounts the customer may have with the Town. When those accounts have been cleared, a check for the remaining money will be issued to the customer for any net credit. Any balance owed to the Town will remain until the balance is paid in full. All legal means of collection for an account in arrears will be taken.

In the event, the customer on file is deceased the responsible parties will have 30 days to transfer or terminate service. If they don't comply the account is closed at the end of the 30 days and a final bill is sent out.

DECEASED CUSTOMERS

The Town offers our sincerest condolences in times like this. In the event an account needs to be transferred to a surviving family member or account executor, a new account application for Utility Services will need to be completed. If a request of transfer has not been received and the Town becomes aware the account holder is deceased, a letter will be sent to the residence informing the household they have 30 days to transfer service or the account will be closed and water will be turned off.

NORTH CAROLINA SETOFF DEBT COLLECTION ACT

The North Carolina Setoff Debt Collect Act ("Act") provides an administrative procedure for the Town of Holly Springs to collect amounts due for utility service from the state tax refunds of customers.

The Act only applies to debts and refunds of at least fifty dollars. The debt to be paid can be one owed the Town of Holly Springs or the sum of any number of valid debts owed the Town. Before submitting the debt for collection by setoff, the Town must first give the customer notice of its intent and the claim for offset must be finally determined as provided in the Act. The notice must explain the basis for the claim and the Town

intends to apply the customer's state tax refund against the amount owed for utility service. The Notice must inform the customer of his rights to contest the matter by filing a request for hearing with the Town within thirty (30) days after the date notice is mailed. The notice must also state that the failure to request a hearing within thirty (30) days will result in setoff of the customer's debt.

If the customer files a written request for a hearing, the Director shall hold a hearing. If the customer wishes to dispute the decision following a local hearing, the customer must file a petition for a contested hearing under Article 3 of the Administrative Procedures Act, within thirty (30) days of receiving a copy of the local decision. Further appeals shall be in accordance with the Administrative Procedure Act, except that the place of initial judicial review will be the Superior Court for the county in which the customer resides.

If the Town has complied with the notice provisions and the debt has been finally determined to be owed, the Town may submit the debt for collection by setoff. The debt must be submitted through a clearing house established pursuant to an interlocal agreement or through the North Carolina League of Municipalities. A collection assistance fee of no more than fifteen dollars (\$15.00) is imposed on the customer on each debt collected through setoff. The claimant agency must notify the Department of Revenue in writing and supply information necessary to identify the customer. If the Department of Revenue determines that the customer is entitled to a refund of at least fifty dollars, then the Department of Revenue must set off the debt owed the Town against the refund. The amount to be setoff is subject to the priorities and claims of other agencies, with the Department of Revenue having priority over all other claimants and State Agency having priority over local agencies.

While the Act provides an alternative way to collect past due utility bills, it is suggested that it be a remedy used together with other debt collection methods. The collection proceedings under the Act do not toll the statute of limitations covering the collection of debt. Therefore, alternative debt collection efforts must still be pursued in a timely fashion.

End of Policy Statement No. P-xx

Adopted by the Holly Springs Town Council on ____, 202x as certified by:

Linda C. McKinney, NCCMC
Town Clerk