

**VILLAGE OF PERRYSVILLE/BOARD OF PUBLIC AFFAIRS
P.O. BOX 67 PERRYSVILLE, OHIO 44864**

**I. WATER SERVICE TERMINATION POLICY; CUSTOMER'S DUE
PROCESS RIGHTS**

(Adopted by the Board of Public Affairs, August 23, 2007)

The Village of Perrysville has the duty and responsibility to provide its customers with notice and an opportunity to be heard prior to termination of service, unless the reason for termination is an emergency, repairs, theft of water, or tampering with a meter. Nothing contained in this policy shall prohibit the VILLAGE OF PERRYSVILLE from terminating water service to one or more customers because of an emergency, repairs, and theft of water or tampering with a meter. The VILLAGE OF PERRYSVILLE shall comply with such other laws and rules as may apply regarding notice, duration and the like. In all other cases of termination, the customer shall have the following rights:

- A. A customer shall have the right to a hearing, prior to termination of water service, before one or more members of the Water Review Board, at which the customer may contest the reason(s) for termination of service.

- B. A customer or the customer's representative shall have the right to request a hearing within ten (10) days of receipt of notice of termination through either of the following methods:
 - (1) In writing, addressed to the Water Review Board at: Village of Perrysville Attn: Board of Public Affairs, P.O. Box 67 Perrysville, OH 44864. A written request for a hearing should identify the reason for the customer's objection to the termination of water service. Failure to state the reason for objecting does not preclude a customer's right to a hearing;

 - (2) In person, at the offices of the Village of Perrysville, at: Village of Perrysville 131 North Bridge St. Perrysville, OH 44864.

- C. If the customer requests a hearing by telephone, the customer must be informed of the two methods for requesting a hearing; that a request for a hearing by telephone is not permitted; and that a form for requesting a hearing is available at the office for pick up.

- D. Written notice must be given personally or sent by U.S. Mail to customers whose services are to be terminated for any reason, other than the exceptions noted above, that they may request a hearing to dispute the proposed termination prior to actual termination of service. The notice shall be sent to the customer's address as shown on The Village of Perrysville's books and records, if the service address is different, to the service address also. The notice shall clearly state the reason for the proposed termination and shall include Exhibit A, to advise the customer of the above rights.

- E. The Village of Perrysville must provide the opportunity for a hearing at which all pertinent facts are available. The customer must be given opportunity to hear any facts, evidence or testimony, which are used by the Water Review Board in reaching its determination. Therefore, only the facts, evidence and testimony, which are presented at the time of the hearing, can be considered by the Board.

II. COMPOSITION OF WATER REVIEW BOARD

The Board shall be comprised of one or more of individuals who must have the following qualifications:

- A. Be impartial (that is, persons other than those who made or approved the potential termination under review and other than subordinated of such persons);
- B. Posses knowledge of the procedures of THE VILLAGE OF PERRYSVILLE;
- C. Be a member of the Board of Public Affairs.
- D. Be a supervisory or professional employee, i.e. water department employee, water department clerk.
- E. Be available to perform all of their duties in connection with the Board in a timely manner.

III. HEARING PROCEDURES

Due process shall include the right to a hearing before the Water Review Board at which the customer may (1) have the assistance of a representative; and (2) may present documentary and oral information for the Board's consideration. The customer or his representative shall be entitled to reasonable access to the Village of Perrysville business records concerning the affected service address in order to prepare for the meeting, which right of access includes the right to obtain copies of documents found therein upon payment of the actual cost of copying. The Water Review Board shall consider the facts provided at the hearing by both the customer and the Village of Perrysville, and shall make a written decision, which shall include the reasons for the decision. A copy of the decision shall be delivered personally or by U.S. Mail, postage prepaid, to the customer and his representative.

Due process hearings shall be held within a reasonable time after a verbal or written request has been made, but will not be held so quickly as to deny the customer an adequate opportunity to seek assistance or to prepare for the hearing, in light of his circumstances. Five (5) business days shall generally constitute reasonable time. The hearing decision shall be delivered to the person within a reasonable time after the hearing. If a hearing is requested prior to actual disconnection of service, no disconnection may occur until seven (7) days after the hearing decision has been delivered to the person who requested the hearing.

IV. TERMINATION PROCEDURE

All accounts 30 days delinquent and over shall be scheduled for termination. All accounts 30 days delinquent will be sent a letter stating that service will be disconnected. This document from hereon shall be known as Exhibit A. This document shall state the date of termination along with the reason for termination. The Billing Clerk will determine the termination date. This time shall be no sooner than ten (10) days and no longer than twenty-one days (21) days from the time the account is 30 days delinquent.

Once service is terminated a twenty-five (\$25.00) restorer will be charged to the account. Account must be paid in full before service will be restored. Partial payment will not stop the termination process. Water service will not be restored after regular business hours or on the weekends or holidays.