

CHAPTER 52: TOWN UTILITIES

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GENERAL PROVISIONS

§ 52.01 ELECTRICAL, WATER, OR SEWER ACCOUNT.

(A) The applicant for electrical, water, or sewer services within the town's service area will be liable for the payment of all such services furnished.

(B) Upon failure of the customer to pay the amount charged for electrical, water, or sewer services within the time set forth on billing, such services may be discontinued without prejudice to the right of the town to recover for the services rendered before discontinuance. Services will not be restored until the account is paid. (Ord. passed 8-17-89)

§ 52.02 RATES AND CONNECTION CHARGES.

Electrical, water, or sewer rates and connection charges shall be determined from time to time by the Board of Aldermen which shall be kept on file in the office of the Town Clerk.
(Ord. passed 8-17-89)

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§ 52.03 WHEN METERS READ, BILLS PAYABLE.

Meters shall be read monthly and bills shall be payable on or before the due and cut-off dates indicated on the bill.

ELECTRIC SYSTEM

§ 52.15 BOARD TO REGULATE.

The Board of Aldermen shall have complete control and prescribe all rules and regulations for the operation of the town's electric power system. The Board may elect some qualified person to supervise the electric power system, set his compensation, and prescribe his duties.
(Ord. passed 8-17-89)

§ 52.16 PERMIT REQUIRED.

No person, firm, or corporation shall connect with the electrical system in the town until they have obtained permission from the town to so connect and paid appropriate fees to the Town Clerk.
(Ord. passed 8-17-89)

§ 52.17 WORK ON ELECTRICAL SYSTEM.

All work on the electrical system and all connections or disconnections thereto shall be performed by the authorized employees of the town or their representatives or electricians approved by the town. All work shall be performed in accordance with the electrical code of the town and the amendments thereto that the Board of Aldermen may from time to time adopt.
(Ord. passed 8-17-89)

§ 52.18 TAMPERING WITH LINES OR METERS.

No person shall tamper, harm, or in any manner manipulate the electrical lines or meters. Persons violating this section shall be subject to the penalties set forth in §52.35 (G). (Ord. revised 3-19-19)

§ 52.19 ACCESS TO PREMISES.

(A) Duly authorized agents of the Town of Fremont shall have access at all reasonable hours to the premises of the consumer for the purpose of installing or removing town property, inspecting piping, reading or testing meters or for any other purpose in connection with Fremont's service or facilities.

(B) Each consumer shall grant or convey or shall cause to be granted or conveyed to the town of Fremont a perpetual easement and right-of-way across any property owned or controlled by the consumer wherever said perpetual easement and right-of-way is necessary for Fremont water facilities and lines so as to be able to furnish services to the consumer. (Ord. passed 06-21-2022)

CHAPTER 52: TOWN UTILITIES

DEPOSITS

§ 52.30 RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL CUSTOMERS.

(A) Applicants for new electrical, water, or sewer services or reestablishment of such services shall be required to complete an application form provided by the Town Clerk, and to make a deposit guaranteeing payment of charges for services. The amount of the deposit shall be determined from time to time by the Board of Aldermen and the schedule shall be kept on file in the office of the Town Clerk.

(Ord. Revised 5-21-19)

§ 52.31 REFUND POLICY.

Deposits of customers will be retained by the town until services are terminated and applied to the final bill. (Ord. revised 5-21-19)

§ 52.32 EXEMPTIONS.

Churches, colleges, public schools, hospitals, and local, state, or federal agencies shall be exempt from furnishing deposits for electrical, water, and sewer services.

(Ord. passed 8-17-89)

§ 52.33 FINAL DISPOSITION.

For customers whose deposit for electrical, water, or sewer services have not been refunded and whose services have been terminated, the deposit shall be applied to any unpaid charges or indebtedness to the town and any balance refunded.

(Ord. passed 8-17-89)

§ 52.34 VOLUNTARY DISCONTINUANCE OF SERVICE.

Customers desiring to discontinue electrical, water, or sewer services must do so through a disconnect form attained at town hall at least 24 hours prior to the discontinuance and the customer will be responsible for all service consumed until the time of disconnection. (Ord. Revised 6-16-26)

§ 52.35 INVOLUNTARY DISCONTINUANCE OF SERVICE.

(A) The town will discontinue electrical, water, and sewer services for any one of the following reasons:

(1) If payment for electrical, water and sewer services is not received at the Town Hall by the bill due date, a \$5 minimum or 5% of the bill for all utility services, whichever is larger, will be charged as a late payment fee. If payment has not been received by 1:00 p.m. on the cut-off date of the billing month as established by the Board of Alderman/Alderwomen, all utilities will be disconnected at the convenience of the town. A \$50 cutoff fee will be charged to the bill. The cutoff fee and all delinquent charges must be paid prior to reinstatement of electrical, water, or sewer services; or

(2) Failure to make a required deposit guaranteeing payment of charges for electrical, water, or sewer services or failure to increase a deposit when required by these rules; or

(3) Refusal of access to premises; or

(4) Damage to or loss of town property for which the customer is responsible; or

(5) A check submitted for payment that is returned for “non-sufficient” funds or “account closed” will result in discontinued electric, water, or sewer services at the convenience of the town. To reconnect the electric, water, or sewer services a \$35 Returned Check fee plus a \$50 Cut-Off fee (if services have been disconnected) in addition to applicable late fees, all delinquent charges, and deposit must be paid. Upon two checks being returned for “non-sufficient” funds or “account closed” within the prior 24 months, the Town will not accept a check for payment for bills for electrical, water, and sewer services for the following 12 months. (Ord. Revised 6-16-26).

(B) When the town discontinues electric, water, or sewer services, service will be reinstated only after all bills for prior electrical, water, and sewer services due are paid in full and applicable deposit, fees, and penalties have been paid.

(C) It is the policy of the town to discontinue service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills is provided. All bills shall contain, in addition to the title, address, and telephone number of the town official in charge of billing, clearly visible and easily readable provisions to the effect that:

(1) All monthly bills are due and payable on or before the penalty due date indicated on the face of the bill. Service shall be discontinued for nonpayment on the cut-off date shown on the face of the bill;

(2) If any bill is not paid by the penalty due date, a penalty as established by the town budget ordinance will be added if paid prior to the cut-off date;

(3) An additional penalty as established by the town budget ordinance will be added if the bill is not paid by 1:00 p.m. on the cut-off date.

(4) Failure to receive a bill does not alter these rules.

(D) Any customer disputing the accuracy of a bill shall have the right to a hearing. At that time customer may be represented in person and by counsel or any other person of customer’s choosing and may present orally or in writing customer’s complaint and contentions to the town official in charge of billing. This official shall be authorized to order that customer service not be discontinued and shall have authority to make a final determination of customer's complaint. All disputed bills must be presented at town hall a minimum of three (3) business days before the due date set forth by the Board of Alderman/Alderwomen.

(E) In the absence of payment of the bill rendered or a request for a hearing as provided above, service will be discontinued at the time specified.

(F) Requests for delays or waiver of payment will not be accepted; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or a resort to the hearing procedure provided herein, service will be discontinued at the time specified.

(G) Electric or water meter tampering, altering, or adjustments are unlawful, shall result in immediate termination of service and will result in a charge and other enforcement actions as hereinafter set out. The customer shall be assessed a public utility cost recovery fee of \$500 for the first offense, plus the cost of the estimated water loss of the Town. This amount shall be the minimum amount assessed. Should damages, repair costs, labor costs, administrative expenses, engineering expenses, water loss, emergency response costs, or other expenses incurred by the Town as a result of the violation exceed this amount, such additional charges will be assessed against the violator. All fines and charges assessed as well as a reconnection fee must be paid in full prior to reconnection of the utility. A second offense shall subject the offender to criminal penalties as set forth in the North Carolina General Statutes as well as a public utility cost recovery fee and additional charges set for herein. (Ord. Revised 6-16-26)

(H) A customer may have a late payment fee waived if the customer has lived in town 24 months with only one prior late payment.
(Ord. passed 8-17-89; Am. Motion passed 4-18-95) (Ord. revised 3-19-19)

§ 52.36 PAYMENT OPTION FOR SERVICES.

(A) The town will provide budget billing for payment of electrical, water, and sewer services to a residential household if the following conditions are met: (Ord. revised 3-19-19)

(1) A customer must have an account with the town for a period of one year prior to becoming eligible. The account in question may not have more than one late payment during the prior 12-month cycle.

(2) The person responsible for the account agrees to 11 equal monthly payments to the town based upon an average estimated monthly bill determined from charges incurred over the previous 12 months. The twelfth payment shall be a balance paid in full or a credit provided by the town for the difference of the prior 12 months of actual expenditures for electrical, water, or sewer services compared with the amount paid by such individual during the prior 11 months of equal payment.

(a) The 11 months of equal payment shall begin with the first billing period after acceptance of the application. The twelfth month shall be used to settle the account.

(B) To qualify for this payment option, the person responsible for the account must make application with the Town Clerk at the town hall during regular business hours. The Town Administrator is authorized to approve applications which comply with the above requirements.
(Ord. passed 8-17-89; Am. Ord. passed 8-23-94)

§ 52.37 POSTMARKS ON PAYMENTS.

Payments on utility bills through the mail will be accepted that are postmarked no later than the due date set forth by the board. Envelopes so postmarked that arrive after the due date must be retained for auditing purposes. Those customers with acceptable postmarks will not be assessed late charges.
(Motion passed 10-12-89) (Ord. revised 5-21-19)

§ 52.38 PAYMENT BY VOUCHER GRANTED TO CERTAIN CUSTOMERS.

Payment of a bill by a voucher from approved ministries, departments, or others will be acceptable. Accounts with vouchers will still be subject to late fees.
(Ord. passed 1-16-90) (Ord. revised 3-19-19)

§ 52.39 SCHEDULE OF UTILITY DEPOSITS.

The model of the Schedule of Utility Deposits is available for public inspection during the normal hours of the Town Clerk's office.
(Ord. passed 7-20-93)

