

ORDINANCE NO. 946-21
VILLAGE OF TONTOGANY, WOOD COUNTY, OHIO

**ORDINANCE SETTING FORTH PROCEDURES FOR ELECTRIC UTILITIES
SHUTOFF**

WHEREAS, the Village of Tontogany is a statutory village located in Wood County, Ohio, and

WHEREAS, Ohio Constitution Section XVIII, Article 3, gives the Village powers of local self-government, and

WHEREAS, Ohio Administrative Code Section 4901:1-18-06 allows for the disconnection of electric, gas, and natural gas utilities when an account is delinquent, and

WHEREAS, the Village of Tontogany has an interest in keeping all customer electric accounts current.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Tontogany, Wood County, Ohio that:

Section 1: The Village will collect amounts owed to it for use of the municipally-owned and operated electricity system.

Section 2: To the extent that an account is deemed delinquent, the Village shall engage in disconnection procedures as permitted by Ohio Administrative Code 4901:1-18-06.

Section 3: Electric utilities disconnection procedures are set forth in the attached Exhibit A.

Section 4: It is hereby found and determined that all formal actions of this Council Concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that results in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

Vote on Passage: Ayes 6 Nays 0 Abstain 0

Passed this 17TH day of JANUARY, 2022

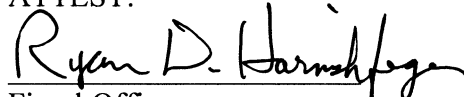


Mayor



President of Council

ATTEST:



Fiscal Officer

EXHIBIT A

ELECTRIC UTILITIES DISCONNECTION PROCEDURES

1. As stated in Ohio Administrative Code 4901:1-18-04, an account will be considered delinquent and subject to disconnection if the account meets one of the following criteria:
 - a. The customer has not made full payment or arrangements for payment by the due date, for any given bill containing a previous balance for regulated services provided by the utility company.
 - b. The customer is in default on an extended payment plan.
 - c. The customer fails to make the initial payment on an extended payment plan.
2. If an account meets any one or more of the definitions of delinquency listed in Section 1 of this exhibit, service will be disconnected with at least fourteen days written notice, followed by either in person at the customer's premises or by securely attaching the notice to the premises in a conspicuous manner on the day of the disconnection, in the format provided in Exhibit B:
3. Disconnection of services shall be done no later than 12:30 pm on the day before a day that all services necessary for reconnection are not regularly performed or available.
4. Disconnection of services shall be done during normal business hours.
5. Disconnection shall not occur between the Dates of November First and April Fifteenth unless the Village complies with each of the following requirements:
 - a. Makes contact with the customer or other adult consumer at the premises ten days prior to disconnection of service by personal contact, telephone, or hand-delivered written notice. Utility companies may also make contact by sending the notice by regular, U.S. mail; however, such notice must allow three calendar days for mailing. This additional notice shall extend the date of disconnection, as stated on the fourteen-day notice required by paragraph (A) of this rule, by ten additional days.
 - b. Informs the customer or adult consumer that sources of federal, state, and local government aid for payment of utility bills and for home weatherization are available at the time the utility company delivers the notice required in paragraph (A) or (B)(1) of this rule, and provides sufficient information to allow the customer to further pursue available assistance.
 - c. Informs the customer of the right to enter into any of the payment plans set forth in paragraph (B) of rule 4901:1-18-05 of the Administrative Code, or to enroll in PIPP plus. If the customer does not respond to the notice described in paragraph (B)(1) of this rule, or refuses to accept a payment plan or fails to make the initial payment on a payment plan referenced in this paragraph, the utility company may disconnect service after the ten-day notice expires.
6. The Village of Tontogany shall not disconnect residential service for nonpayment for either of the following situations:
 - a. If the disconnection of service would be especially dangerous to the health of any consumer who is a permanent resident of the premises.
 - b. When the disconnection of service would make operation of necessary medical or life-supporting equipment impossible or impractical.
7. For any citizen seeking to avoid disconnection under section 6 of this exhibit, a medical certification must be certified by a by a licensed physician, physician assistant, clinical nurse specialist, certified nurse practitioner, certified nurse-midwife, or local board of health physician within 7 days of the customer asserting the Medical circumstance. The form utilized by the healthcare professional must be the "medical certification form" posted on the Public Utilities Commission of Ohio website.

EXHIBIT B
DISCONNECTION NOTICE
[Insert Village Letterhead]

[Date]

[Name]

[Address]

Account Number:

Delinquent Amount:

Dear Resident,

You are receiving this notice because the account with the Village of Tontogany for utilities services at [address] is currently delinquent in the amount of [\$]. As a result of this delinquency, your utilities are scheduled to be disconnected on or after [day], [month], [year], fourteen (14) days from the date this document was initially served upon you.

To avoid disconnection of your utilities, we ask that you contact the Village of Tontogany at (419) 823-9013, or at the Village Office at 18545 Main Street, P.O. Box 238, Tontogany, Ohio 43565, immediately to discuss payment options. Failure to pay the delinquent amount or make other arrangements before shutoff may result in an additional charge of \$100.00 for reconnection. If disconnection of service would be especially dangerous to the health of the persons utilizing the utilities, please contact the Village of Tontogany immediately. A listing of the Village of Tontogany's authorized payment agents is available by calling the Village's telephone number above.

If you have a complaint in regard to this disconnection notice that cannot be resolved after you have called the Village of Tontogany, or for general utility company information, residential and business customers may contact the public utilities commission of Ohio (PUCO) for assistance at 1-800-686-7826 (toll free) from eight a.m. to five p.m. weekdays, or at <http://www.puco.ohio.gov>. Hearing or speech impaired customers may contact the PUCO via 7-1-1 (Ohio relay service). PUCO is available to render assistance with unresolved complaints.

The Ohio consumer counsel (OCC) represents residential utility customers in matters before the PUCO. The OCC can be contacted at 1-877-742-5622 (toll free) from eight a.m. to five p.m. weekdays, or at <http://www.pickocc.org>. OCC is available to render assistance with unresolved complaints of residential customers.

Respectfully,

[Name]

[Title]

The Village of Tontogany