

CITY OF COCOA UTILITIES HANDBOOK  
EXHIBIT B  
CUSTOMER SERVICE DIVISION POLICY MANUAL

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## **1. NEW ACCOUNTS**

In compliance with our Identity Theft Program, any customer establishing a new account will be asked to present a driver's license and social security number for identification and fill out a New Service Application. The social security number is used only for identity verification and as a tool for debt collection. Another form of picture identification may be acceptable if the customer does not have a driver's license. In the event the customer wishes to request new service by mail, telephone, email, facsimile, or online ([www.cocoafl.org](http://www.cocoafl.org) City Services | Utilities Customer Service | New Service), the New Service Application must be notarized and legible copies of the customer's driver's license and social security card must be submitted. If the copies are illegible or the application not notarized, the paperwork will be returned to the customer, delaying the connection process. If you are an existing customer and wish to transfer service and we do not have identification on file, you will be required to fill out an application for service and provide identification.

## **2. MULTI-UNIT PROPERTIES**

Accounts of multi-unit properties with one meter serving more than one unit must be carried in the owner's name.

## **3. DEPOSIT**

If applicable, a customer is billed a deposit on the first bill. If a customer has a previous bad debt, the City requires that the deposit be paid up front when the account is established.

If a residential account is processed for non-payment and the account no longer has a deposit, a new deposit will be billed to the account. Commercial accounts processed for non-payment will have their deposits reviewed and updated.

## **4. TRANSFER OF DEPOSIT**

A customer requesting a deposit transfer will be allowed a period of 14 days when service will be on at both locations under the same deposit. All past-due charges must be paid before making a transfer. After 14 days, the deposit at the previous address will be transferred to the new account and the old account will be terminated.

Businesses, condominiums, and apartments require new deposits. However, if a business is sold and deposits are included in the sale of the property, the City will transfer the deposit upon receipt of a notarized letter from the original depositor. The City has the option to review the deposit and adjust the amount for current charges.

A name can be changed on an existing account in the event of death, divorce or marriage. In the case of death, a name on the account can be changed to the surviving spouse with a copy of the death certificate or to the beneficiary of the estate with a copy of the will. In the case of divorce, the customer must present a notarized letter authorizing the name change or the customer may come into the office and sign the existing deposit over to the ex-spouse. (To change the name on the account in the case

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of marriage, present a marriage certificate and drivers license.) If the account is in good credit standing, the City will accept the same amount of deposit already on the account.

## **5. NEW CUSTOMER**

It is the responsibility of the new customer to notify the City that he/she will occupy a business or residence that presently is being provided service by the City's utility system and to establish a new account.

## **6. UNAUTHORIZED WATER USAGE**

When utility services are provided to a property with no active utility account (e.g. vacant or abandoned property), a utility account will be activated in the name of the property owner, as reflected in the records of the Brevard County Property Appraiser, and the property owner shall be responsible for any rates, fees, and charges accrued for the services provided to the property. If a property owner can properly demonstrate that it is not receiving the benefit of the utility service (i.e. property is being leased to tenant), and the account is 30 days or more in arrears, the City shall discontinue utility service to the property until the party receiving the benefit of the utility service establishes a new account consistent with the requirements of this policy manual. The property owner is responsible for supplying the City with a notarized lease of who is receiving benefit. If the property owner is in the office, an appropriate picture I.D. will suffice. Property owners who are unable to demonstrate that another party is receiving the benefit of the utility service on their property shall remain responsible for any rates, fees and charges accrued as a result of utility services provided to their property.

Prior to the City activating a new utility account in the name of a tenant renting a particular property, the property owner shall be responsible for paying any outstanding debt for utility services provided to the property from which the owner directly benefited. Further, any tenant applying for utility services on a particular property shall be responsible for paying any outstanding debt, deposits and administrative fees for any utility services incurred by that same tenant on any property.

If no one claims responsibility for the water usage and the account remains delinquent, the meter will be removed.

## **7. TRIP CHARGE**

Seasonal customers are encouraged to turn off/turn on the water supply at the house valve. If a customer insists that the City turn off/turn on the service, a Trip Charge will be added to the monthly bill subsequent to each trip...one to turn off the service and one to turn on the service. A Trip Charge will be billed for any customer-requested field service except to initiate or relocate service (covered by other charges), for customer-requested re-read (see #12), and to turn off/turn on for leak repair (courtesy of the City).

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## **8. SEASONAL CUSTOMERS**

All (property owners) on seasonal accounts, occupied part of the year will be billed a monthly base charge for all services provided to the property. The monthly base charges are the fixed availability costs of supplying the service to the customer and/or the annual cost of service. Seasonal customers should not request the account be temporarily terminated. If this occurs, the account will be back billed for up to one year base charges and administration fees.

## **9. METER CHANGE CONSUMPTION**

If a meter is removed and a new meter installed for any reason between billing periods, the combined consumption recorded on both the old and new meters will be billed to the customer on the next regular billing date.

## **10. WATER RUNNING**

The City is not responsible for investigating, informing, or prosecuting due to theft, water loss on the customer's side of the meter. As a courtesy, the City makes a reasonable effort to inform the customer of water loss on the customer's side if noticed during routine meter reads or maintenance.

When the City turns on water service and the field service representative notices that the meter is turning, the water will be immediately turned off and a notice will be left advising the customer why the water is not turned on. When requesting service to be turned on, it is the responsibility of the customer to make sure all valves, faucets, and hoses are turned off. In the event the City does not detect the running water, the City is not responsible for water loss or damage.

## **11. MULTIPLE METERS**

If more than one meter (with the same service) is located at any one property, an account will be established for each meter. Each account will be subject to impact fees, connection charges, deposits, administrative charges, minimum consumption, and other applicable charges for the particular meter as set forth in Exhibit A: Rates, Fees, and Charges.

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## **12. CUSTOMER-REQUESTED RE-READ**

If a customer feels that a meter has been read incorrectly, the customer may request a special meter reading ("re-read") for a minimal charge as set forth in Exhibit A Rates, Fees, and Charges. If an incorrect reading has been made, the customer will not be charged for the re-read and will be issued a corrected bill with the corrected reading. If a leak on the customer's side is discovered at the time the City performs the re-read, the customer will be notified. If the billed reading was correct, the customer will be billed a Customer Requested Re-read Charge on the next monthly bill. Under no circumstances does the City reimburse customers for reading their own meter.

## **13. HIGH/EXCESSIVE CONSUMPTION**

There are a variety of circumstances which may cause a customer to have an isolated water bill in excess of the customer's normal range for monthly water consumption. These can include, but are not limited to, plumbing leak, faulty toilet, faulty hot water tank, hose bib left on, and water theft. Once the high consumption bill has been received by the customer and upon receipt of a completed High Consumption Water Credit Application ("Application"), the City may make an adjustment to the water bill in accordance with this policy.

To qualify as excessive consumption, the customer's water consumption must be at least 50% greater than the most recent six-month average and the calculated credit must be over \$50.00 for the billing period in question. Pool fills, including those caused by defective pool equipment and those necessitated by pool repairs do not qualify for the high consumption water credit.

Sewer bills may be adjusted down to the customer's average, if it is determined that the excess water did not go through the sewer system, depending on the circumstances and type of service. Customers served by a sewer utility other than the City of Cocoa must contact the other sewer utility to determine their policy on adjustments.

Cocoa reuse water bills with high consumption may be recalculated to allow a once a year credit due to leak. The 30,000 gallons which is included in the base rate shall be divided into the high consumption. That figure will then be multiplied by the current base rate to calculate the adjusted billing. The reuse high consumption credit will follow the same guidelines as the water high consumption credit.

It is the customer's responsibility to correct the problem causing the excessive consumption as soon as it is discovered. Water loss is an expense to the City and the high consumption credit is a courtesy to assist the customer with an extraordinarily high water bill. It is not intended to compensate for the customer's failure to correct plumbing problems. A residential account that is a primary residence will not be limited to the number of high consumption credits allowed in a lifetime, but each instance will be reviewed by City management to determine the validity of the request. The same policy will be applied to all Governmental accounts however excessive repetitive leaks will not be eligible for high consumption credits. All commercial accounts will be limited to a maximum of two per lifetime. The number of adjustment follows the customer, not the property

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The customer must submit a High Consumption Water Credit Application to the Customer Service Division. The Application is available by calling 321/433-8400 or on line ([www.cocoafl.org](http://www.cocoafl.org) City Services | Utilities Customer Service | High Consumption Credit Application). Documentation that the problem causing excessive consumption has been corrected must accompany the request. High consumption of an unknown cause may qualify for the high consumption credit under certain circumstances to be determined by City management.

Upon receiving the Application, the City will calculate the credit on the customer's most recent six month average. The adjusted billing will be based on **all** of the consumption over the average to bill at the **FIRST tier rate**. If the customer can provide documentation that the leak was not detected immediately and the high consumption ran into the second month's bill, they may receive another adjustment for this same incident, but will not receive an adjustment into the third month. The City will adjust for excessive consumption for one incident on no more than two consecutive bills.

Application for the high consumption credit does not affect the due date of the bill. Therefore, to avoid late fees and loss of service, payment or application for payment extension must be made by the date indicated on the bill.

#### **14. PAYMENT EXTENSION**

In the event that a customer has difficulty paying a monthly water bill, a payment extension may be granted. The customer must visit the Customer Service Division and provide current identification before water service has been discontinued and request a payment extension from management. A payment extension may be granted for up to a four-month period depending on the amount due and the individual circumstances. If a payment extension is granted, the customer must sign the payment extension form with the terms and duration of the agreement. The customer must also agree to pay the current bill with the extended amount. Failure to fulfill the terms of the agreement will result in discontinuance of service until payment is received in full. A customer is allowed only one payment extension per twelve-month period. However, due to unforeseen and unusual circumstances, management may grant more than one payment plan or extension per year.

#### **15. ADJUSTMENTS**

The City is not responsible for the customer's plumbing system beyond the point of service (the meter and backflow prevention assembly). If a customer has excessive water loss on his/her side of the meter that was not processed through Cocoa's sewer system and repair or correction has been made within a month, the City may adjust the Cocoa sewer bill to reflect the average sewer bill. The customer must submit proof of the repair. If the high consumption falls between two billing cycles, the City will adjust both sewer bills down to the average of those two months.

In the case of a misapplied payment, the customer must furnish the City with a copy of the front and back of the canceled check, credit card statement or a cash receipt. A payment extension will be granted if time is needed to produce the document. An adjustment will be made upon verification.

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For a customer of Cocoa's waste water system, the City will allow one pool fill sewer adjustment per twelve-month period. The customer must submit in writing the request for the pool fill sewer adjustment within 30 days of the date of the bill for which an adjustment is requested. The City will adjust a sewer bill to reflect the customer's average sewer consumption.

Adjustments for incorrect billing and credit adjustments may be made up to, but not exceeding, a period of 12 months.

## **16. ESTIMATED BILL**

If a meter reader is unable to read a meter because of a bad dog, scratched case, car over meter, weather conditions, or personnel shortages, the City will estimate the water consumption for the month. If we are able to obtain a reading, the next month's current reading will reflect any adjustments. In the case where cars or other obstacles prevent reading for two months in a row, the customer will be sent a letter to remove the obstacle before the process of towing or removing of the meter begins. These processes are at a cost to the customer. The City does not reimburse customers for reading their own meter.

If a reading does not fall within a reasonable range of a customer's average, the City may choose to average the current month's bill and send a field service representative out for a re-read. If the re-read is a true reading, the City will make a reasonable effort to inform the customer of the situation and the true reading will be reflected on the next bill.

## **17. STUCK METER**

If the City suspects that a meter may be malfunctioning or stuck, a letter is sent to the customer to inquire about the change in water usage. If a customer indicates that the property is occupied, the City will send a maintenance crew to check out the meter and replace it, if necessary.

When a meter is stuck or malfunctioning, the City will back bill the customer with the average monthly consumption for the months that the meter did not register correctly. The back billing may go back 12 months. Although the City makes every reasonable attempt to detect a stuck meter as soon as possible, it is difficult for the City to determine if the zero consumption is due to vacancy or meter malfunction. Therefore, the City depends on the customer to inform the Customer Service Division if he/she is billed zero consumption on an active account.

## **18. RETURNED CHECKS / BANK DRAFTS / E CHECKS / CREDIT CARDS ELECTRONIC CHECKS**

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If a customer's payment is returned to the City as unpaid due to insufficient funds, closed account, incorrect account number or for some other reason, the City will send a letter advising the customer of this situation. The customer has ten days from the date of the letter to replace the payment with cash or a money order. A Service Charge will be applied to the next bill. If the returned payment was originally presented to the City for services that were turned off for non-payment or in the process of turn off for non-payment, to pay large past due balances in order to transfer water accounts or to prevent or restore a meter removal, the City may immediately disconnect or remove the water service without notification to the customer, waiving the 10-day grace period. To restore service on meter removals, only cash or money order will be accepted as payment to restore service. All accounts with two returned payments within one year will be made a cash only account up to one year from the date of the last return.

A check that is incorrectly filled out does not reflect payment received and may be returned to the customer. It is the customer's responsibility to make arrangements to ensure that substitute payment will reach the City before the due date. All delinquent procedures and service charges will apply.

If a customer's check is returned due to bank error, the customer will be charged the Service Charge to cover the City's cost of processing. It is the customer's responsibility to recover the service charge from his/her banking institution.

## **19. NUMBER OF BILLING UNITS**

The number of billing units is based on the number of kitchen facilities. Occupancy is not a determining factor in the billing unit.

## **20. FINAL METER READING**

When a customer terminates service, the City will take a final meter reading and prepare a bill from the last regular meter reading date to the final meter reading date. The Fixed Monthly Charge (base rate) is prorated. The deposit, if any, will be applied to the outstanding amount owed. Any excess deposit will be refunded. Charges in excess of the deposit will be billed. The customer is responsible for supplying the City with a correct forwarding address and for making timely payment of any final charges due.

## **21. LIEN FOR DELINQUENCY**

As promulgated in detail in the City of Cocoa Code of Ordinances, all past due and outstanding utilities rates, fees, and charges assessed shall be a lien upon the property with which such rates, fees, and charges are associated. The owner of every building, premise, lot, or house shall be obligated to pay the fee for all services provided for his/her premises, which obligation may be enforced by the City by action of law or suit to enforce the lien in the same manner as the foreclosure of mortgages. In the event of such action, the City shall be entitled to recover all court costs and reasonable attorney fees for such collection. In the case that a tenant in possession of any premises or building shall pay said charges, it shall relieve the land owner from such obligation and

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lien; but the City shall not be required to look to any person whatsoever other than the owner for the payment of such charges.

All lien searches should go through the City Clerks office.

## **22. COLLECTION**

In the event that a customer has an outstanding balance on another City account, the City will transfer the outstanding balance to the current account. All delinquency procedures and service charges will apply.

*Ordinance 21-2004:* The City shall be entitled to recover all costs, including but not limited to reasonable attorney's fees and/or collection service charges, incurred in collecting delinquent utility fees and charges. Any fee or charge due under this section which shall not be paid when due may be recovered by referring the account to a third party collection agency and/or by bringing an action at law. In addition to any other remedies or penalties provided by this section, failure of any user of the City's utility system to pay said charges promptly when due shall subject such user to discontinuance of such service. The City Manager or the City Manager's designee is hereby empowered and directed to enforce this provision as to any and all delinquent users.

## **23. DELINQUENT ACCOUNTS**

An account not paid by the cut-off date will be subject to non-payment processing and the associated charges will apply. Payment must reach the Customer Service Division by 3:30 p.m. to ensure turn-on on the same day. Payment on a delinquent cut-off after 5:00 p.m. may be deposited in the after-hours drop box and turn-on will be scheduled for the next business day. A customer, who makes a payment in the drop box, automated phone system or online should call 321/433-8400 the following business day to insure the reconnection of the service. Delinquent turn-on will be scheduled according to route efficiency. Delinquent turn-on after hours is prohibited.

Failure to receive payment by 9:00 a.m. of the cut-off date will trigger the Non-payment Processing Charge even if payment is made before the physical turn-off has been completed. This charge is to compensate the City for actual costs incurred for administrative processing, field services, scheduling and drive time, **regardless if the water is physically turned off.**

If an account has been processed for non-payment of utility services and the customer has not attempted to make the payment or a payment plan has not been approved, the City may proceed with the meter removal process. As a courtesy, a meter removal letter will be sent to the customer allowing 10 days in which to pay all delinquent charges. If there is still no payment received, or payment plan executed, the meter will be removed and the meter removal fee will be applied to the account. Failure to receive this notice does not void the meter removal fee. If payment is made electronically, credit card, or by check to prevent a meter removal and the funds is are returned as insufficient, the

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City will proceed in removing the meter without further notification and the account becomes "cash only".

If the debt has been paid in full, the meter will be re-installed in 1-3 business days.

If no payment was received, the address will be checked for illegal connections monthly. If an illegal connection is discovered, the customer will be assessed an illegal connection fee of 100,000 gallons for each incident.

See Utility Handbook section 1.6, Florida Statute 812.14 Trespass and Larceny With Relation To Utility Fixtures. It is unlawful to willfully alter or tamper with a utility meter, pipe, or other property belonging to the Utility. At the City's discretion, the City may prosecute in criminal and/or civil court any persons who violate this Statute.

## **24. NON-PAYMENT PROCESSING FOR MASTERED METERED MULTI-ACCOUNTS**

It is the policy of the City to make every reasonable effort to avoid termination of service to residential/commercial occupants due to non-payment by the owner, manager or operator.

Procedure:

1. When a multi-residential/commercial customer on a master meter appears on the cut-off list, every reasonable effort will be made to inform the occupants of the pending termination by means of the following:
  - a) At least two written notices posted in each accessible common area and at each point of access to the structure or structures 15 days prior to termination.
  - b) The number of notices and the specific areas posted will be noted on the work order for tracking purposes.
2. The notice(s) shall inform the occupants of the following in plain language using clear wording in English and in bold type:
  - a) The date that the service will be terminated.
  - b) Any occupant has the right to enter into a special agreement with the City to pay the delinquent amount to avoid termination of service. In such cases, the City shall not be liable to reimburse the tenants for any fees paid and any reimbursement shall be a matter solely between the tenant and the owner.
  - c) Instructions of what the occupants are required to do in order to prevent termination.
  - d) The amount due to avoid termination of services.
  - e) The title and phone number of the Utility Billing contact who can assist the occupants in continuing services.
3. The City will notify the Health Department, the Fire Department and Code Enforcement of the pending termination of service.

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- 4 Reasonable efforts will be made to obtain payment from the delinquent customer prior to service termination.
5. If no tenant is able/willing to pay the delinquent bill and the bill remains unpaid 15 days after the notification, the City Manager's office will be notified and service will be terminated on the scheduled termination date.

## **25. APPEAL PROCESS**

In the event that a customer would like to challenge a City policy or procedure, the following process has been established. It is the City's policy that each preceding step must be completed before advancing to the next step.

- A. The customer should first discuss the concern or complaint with the Customer Service Representative.
- B. If the Customer Service Representative cannot resolve the issue, the customer may appeal to the Senior Customer Service Representative.
- C. If the Senior Customer Service Representative cannot resolve the issue, the customer may appeal to the Customer Service Supervisor.
- D. If the Customer Service Supervisor cannot resolve the issue, the customer may appeal to the Utility Customer Service Manager *in writing*.
- E. If the Utility CUSTOMER SERVICE Manager cannot resolve the issue, the customer may appeal to the Finance Director *in writing*.
- F. At this point, if the issue has not been resolved, a *written request* may be made to the Utilities Director. The Utilities Director will respond to the customer in writing.
- G. The customer may appeal the decision of the Utilities Director *in writing* to the City Manager.
- H. The City Manager will render a decision in writing. The City Manager's decision shall be deemed the final decision of the City.

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