

Colorado Springs Stormwater Enterprise



Business Rules and Customer Procedures

July 2, 2009

Colorado Springs Stormwater Enterprise Business Rules, Customer Procedures and Internal Processes

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Colorado Springs Stormwater Enterprise Business Rules

Purpose

The purpose of the Colorado Springs Stormwater Enterprise (Stormwater Enterprise) Business Rules is to inform property owners, as defined in Ordinance 05-192 (Customers), of the administrative rules and procedures that apply to them. The following topics encompass the most common issues dealt with by the Stormwater Enterprise. This document is to provide guidance only. If any conflict exists between this document and the City Code, the City Code shall prevail.

These procedures are dynamic in nature and may change at any time without public notice. The current version is available on the Stormwater Enterprise website at:

www.springsgov.com/stormwaterenterprise

Disclaimer

The contents of these Business Rules do not create an express or implied contract between the Stormwater Enterprise and the Customer. The Business Rules are intended to provide supplementary information and guidance to Customers relating to the Stormwater Enterprise business rules found in the Code of the City of Colorado Springs (Chapter 14, Article 8 Stormwater Enterprise).

The Stormwater Enterprise Manager retains the sole right to modify, suspend, interpret, or cancel in whole or in part any of these Business Rules.

Organization

The Business Rules have been grouped into seven major categories as follows:

- Customer Service
- Payments
- Billing
- Collections
- Appeal of Fee Determination
- Release of Information
- Operations

Customer Service

Customer Service Center

Rule:

Customers may contact the Stormwater Enterprise as follows:

Walk-in Customers:

Stormwater Enterprise Customer Service Center
City of Colorado Springs
City Administration Building
30 S. Nevada Avenue
Suite 504, 5th Floor
Colorado Springs, CO 80903

Payment/ Billing Address:

Stormwater Enterprise
City of Colorado Springs
P.O. Box 173385
Denver, CO 80217-3385

Correspondence Address:

Stormwater Enterprise, MC 521
City of Colorado Springs
P.O. Box 1575
Colorado Springs, CO 80901-1575

Stormwater Enterprise Customer Service Center

Phone: (719) 385-5913
Fax: (719) 385-5570
Email: stormwaterenterprise@springsgov.com
Website: www.springsgov.com/stormwaterenterprise

Business hours for the Stormwater Enterprise Customer Service Center are Monday through Friday, 8:00 a.m. to 5:00 p.m. The Customer Service Center is closed on all City holidays.

Customer Procedure:

Incoming telephone inquiries are answered by our Customer Service Representatives. If all available Customer Service Representatives are currently handling Customer inquiries, overflow telephone calls will be directed to voice mail.

All voicemails, emails and faxes that are received outside of business hours will be addressed by the Customer Service Representatives in the order they are received. Inquiries that are received outside of normal business hours will be returned within 3 business days.

Walk-in Customers may visit the Customer Service Center during business hours to address inquiries in person with a Customer Service Representative.

Language Interpretation/ for Non-English Speaking Customers

Rule:

Interpretive language services will be provided for non-English speaking Customers. The Stormwater Enterprise has contracted with Language Line Services to provide interpretive language services for non-English speaking Customers.

Customer Procedure:

Customers may request translation/interpretation services from the Customer Service Representative.

Payments

Payment Options

Rule:

Payments may be made through U.S. mail, deposited in Colorado Springs Utilities drop boxes, deposited in the Stormwater drop box located in the lobby of the City Administration Building at 30 S. Nevada Avenue, or delivered in person to the Stormwater Enterprise Customer Service Center.

Customer Procedure:

- 1) Checks and Visa or MasterCard are accepted for payments made through the U.S. Mail, Colorado Springs Utilities drop boxes or the Stormwater drop box located in the City Administration Building lobby. Cash payments are accepted in person at the Stormwater Customer Service Center.
- 2) There will be a \$1.00 (one dollar) service fee charged for Visa or MasterCard payments.
- 3) Any payments made through the Colorado Springs Utilities drop box must be made only for the Stormwater Enterprise and not include checks for both Colorado Springs Utilities and Stormwater Enterprise in the same envelope. Drop boxes can be found by going to the www.csu.org under FAQ/Where Can I Make My Payment?
- 4) Payments can be made for more than the balance due. Any additional amounts paid will be applied to the next quarterly invoice(s).
- 5) A 5% discount will be offered for those who wish to pay their current balance due plus three quarters in advance.
- 6) Other options are available if you are unable to pay your stormwater fee by its due date. Please contact the Customer Service Center for information regarding payment plans for financial hardship.

Accounts Receivable – Refunds/ Transfers

Rule:

There may be times when refunds are requested. Each refund will be reviewed on a case-by-case basis.

Customer Procedure:

- 1) A request for refund must be made in writing and should include a copy of the check and a signature from the signer of the check. Once this is received, the Stormwater Enterprise will research the payment and determine if a refund should be made.
- 2) Additional payments will normally be applied first as an advance payment and applied to the next bill on the account.
- 3) If the payment was made to the Stormwater Enterprise in error (i.e. a payment for another entity was sent to the Stormwater Enterprise), a check will be issued for the amount of the payment made, less any outstanding balance due on their account. It will normally take 15-30 business days to review and process a refund after the written request, and copy of check and payment has been received.
- 4) If a request is made to transfer amounts between two customer numbers owned by the same party, the owner of record may contact the Stormwater Customer Service Center to request a payment transfer. If a transfer is requested between accounts owned by different parties, this request must also be in writing and signed by the signer of the check to be transferred. Once the request is received, the Stormwater Enterprise will research the request and determine if a transfer should be made. If there is a concern with the transfer, the customer will be contacted.

Billing

Changes to Customer Information

Rule:

Changes to Customer information may occur for the following:

- 1) Ownership changes: The owner of a parcel changes from one person or entity to another.
- 2) Mailing address change: The owner of a parcel moves but the ownership of the parcel does not change.
- 3) Name changes: The owner of the parcel changes their name.
- 4) Third Party: The owner of a parcel requests that a third party, such as a tenant or management company, receive the Stormwater fee.

Customer Procedure:

- 1) Ownership changes are recorded with the El Paso County Assessor. The Stormwater Enterprise downloads updated ownership information from the El Paso County Assessor on a monthly basis. If an ownership change has not yet been recorded by the El Paso County Assessor, the customer should contact the office of the El Paso County Assessor at (719) 520-6600.
- 2) Mailing address changes will be received from Customers through the Stormwater Customer Service Center by mail, email, fax, lockbox, payment coupon, or walk-in. A change of address form may be obtained from either the Customer Service Center, by downloading the document from the internet and sending it in, or by marking the “new address” box on the payment coupon and completing the information and signing it. All address changes require a signature of the property owner, or designated agent.
- 3) Name changes are recorded by the El Paso County Assessor. The Stormwater Enterprise downloads updated ownership information from the El Paso County Assessor on a monthly basis. If a name change has not yet been recorded by the El Paso County Assessor, the customer should contact the office of the El Paso County Assessor at (719) 520-6600.

Collections

Billing Collections

Rule:

Stormwater Enterprise invoices are due thirty (30) days after the date of issuance, as reflected on the invoice.

Customer Procedure:

Contact the Customer Service Center to determine the current balance due and what arrangements for payment can be made for outstanding balances.

Late Fees

Rule:

Effective January 1, 2008, late fee charges may be assessed on invoices that are not paid in full by the due date on the statement. The late fee charge is 6% per annum (0.5% per month) from the due date to the date of payment.

Customer Procedure:

Late fees will be added to the customer's next quarterly statement.

Returned Payments

Rule:

A twenty dollar (\$20) returned payment fee will be charged by the Stormwater Enterprise on all returned check and credit card payments.

Customer Procedure:

After notification of a returned payment, a payment is due within five (5) working days.

Bankruptcy

Rule:

In the event a Customer declares bankruptcy, the customer should notify the Customer Service Center immediately and provide a copy of the bankruptcy filing. Once notice of the bankruptcy filing is received by the Customer Service Center, collection will cease on any past due amounts. The bankruptcy notice and the amount owed to the Stormwater Enterprise will be forwarded to the City Attorney who will send notice of this bankruptcy to all City departments in the event that the party filing for bankruptcy has past due accounts with them. The City Attorney will file a claim for the amount owed in accordance with applicable bankruptcy laws and procedures. While collection efforts for past due amounts will cease pending settlement of the bankruptcy claim, the property will be subject to future billings.

Customer Process:

Notify the Customer Service Center immediately and provide a copy of the bankruptcy filing.

Lien Processing

Rule:

The City Code establishes that nonpayment of the Stormwater fee results in a priority lien being placed against the property. That lien is effective as of the date the fee becomes overdue.

Customer Procedure:

In order to avoid or cure a lien on the property, the Customer must pay all past due amounts. The Customer may contact the Customer Service Center to obtain an exact amount that needs to be paid to avoid a lien or cure a lien.

Appeal of Fee Determination

Rule:

Any Customer that is aggrieved by the administrative determination of the stormwater service fee may appeal to the Director of Public Works in accordance with the section 14.8.109 of the City Code. The Director of Public Works shall have the authority to affirm the fee, modify the fee by reducing the fee or refer the matter to the Stormwater Enterprise Manager for re-determination of the appropriate fee.

Customer Procedure: A Customer that disputes the administrative determination of the Stormwater service fee for their property may appeal the determination to the Director of Public Works by written notice as listed in Ordinance 05-192.

- 1) Written Notice must be filed with the Stormwater Enterprise Manager. Within thirty (30) days of the due date on the first statement from the City to the owner or occupant stating the fee due, a written notice of appeal must be filed with the Stormwater Enterprise Manager and shall contain the following information:
 - a) Name of the property owner;
 - b) Address of the property for which the Stormwater fees is being disputed;
 - c) The fee applied to the property;
 - d) The fee the owner believes should have been applied to the property;
 - e) The methodology used by the owner to determine the fee the owner believes should have been applied to the property in accord with the terms of the City Council resolution setting the fees; and
 - f) Any other information the owner feels is relevant to the owner's appeal.

The Customer must also attach a legible photocopy of that statement to the notice of appeal, and the notice of appeal shall contain an address to which correspondence may be sent to the owner by United States mail, first class postage prepaid or registered.

The owner shall have the burden of proof through the information filed in the notice of appeal.

The Director of Public Works shall have the authority to affirm the fee, modify the fee by reducing the fee or refer the matter to the Stormwater Enterprise Manager for re-determination of the appropriate fee.

- 2) **Appeal to District Court**
Any owner who is aggrieved by the final determination of an appeal by the Director of Public Works, or the Stormwater Enterprise Manager's determination upholding a referred fee, as set forth above, may appeal that final agency action to the District Court pursuant to CRCP 106(a)(4). (Ord. 05-192)

Release of Information

Rule:

The Stormwater Enterprise is committed to protecting the confidentiality of its property owner and billing information and will comply with the provisions of the Colorado Public (Open) Records Act, section 24-72-101, et seq., C.R.S., as amended from time to time.

Customer Procedure:

Property owner information will not be made available for review or inspection except as indicated below:

- 1) A property owner may have access to their own information upon proof of identification.
- 2) Information may be provided to a person other than the property owner if the Stormwater Enterprise receives consent to release such information (Release) executed by the property owner in a form acceptable to the Stormwater Enterprise.

The Release must contain the following information:

- Property owner's name, property and mailing addresses and telephone number;
- Name of the person to whom the information may be released;
- Time frame covered by the Release;
- Specific information to be released;
- Property owner's signature; and

The burden is on the party requesting the information to obtain the Release from the property owner and to provide it to the Stormwater Enterprise.

- 3) A third party may request the fee assessed to a property and balance currently due if they provide the parcel address. No other information will be provided for this type of request, including owner name or mailing address.