

DELINQUENT UTILITY POLICY

Town of Wilmington

The Town understands that it can sometimes be difficult for people to pay their utility bill, however it is the responsibility of all ratepayers to pay their required share or others are required to pay higher rates to make up the difference. This policy is designed to give clear instructions as to how to avoid being delinquent, provides a system by which people can become whole if they become delinquent, and outlines the steps the Town of Wilmington will take if a ratepayer does not meet their obligations to the town and its citizens.

U.S. postmarks are accepted as on-time payments, upon date the bill is due.

On each month utilities are delinquent, the Town will send a notice to the delinquent ratepayer. Interest is added on the fifteenth day of each month, before the notice is mailed. The Town approved interest rate is one percent (1%) per month for the first three months, and thereafter it is one and one-half percent (1.5%) per month, starting from the due date of each installment.

For those properties on both Town water and sewer, the town will follow 24 V.S.A., Chapter 129 for collection of outstanding bills once they are forty (40) days delinquent.

For properties that are only on Town sewer or those that have not paid even after shutoff and are more than one (1) year delinquent, the Town will notify the ratepayer of the date by which full payment must be received or payment arrangements made. It is the responsibility of the delinquent ratepayer to respond to the notice, or the Town will initiate the steps to collect either by taking the property to tax sale or utilizing other statutory methods to collect payment. Payment arrangements may be agreed-to provided it will pay the bill in-full within one (1) year. Current bills will also need to be paid in-full as they become due. A signed repayment plan must be approved by and filed with the Finance Officer to establish payment arrangements.

If no arrangement is made by the specified date or ratepayer defaults on their repayment plan, then the Town will either start tax sale proceedings and/or utilize other statutory methods to collect payments.

If the Town utilizes a tax sale, the Town will begin the following actions to sell as much of the property as is necessary to pay the delinquent utilities, and fees:

The collector will proceed with the tax sale according to the procedures specified in 32 V.S.A. § 5252, as authorized by 24 V.S.A. § 3408.

Costs of preparing and conducting the sale, including legal fees up to a maximum of 15% of the amount of the delinquent utility, will be charged to the delinquent ratepayer.

Unless a property owner makes a written request for partial payments to be applied to the principal due, partial payments will be applied first to the interest portion of the amount due, and the remainder will be divided proportionally between the principal amount of the utility charge and the fee. Penalties and interest will continue to accrue monthly until an account is current and paid in full. If a payment is made within 20 days of a scheduled tax sale, certified funds will be required.

The minimum bid at tax sale will be the amount necessary to satisfy the amounts owed to the Town, including utility charge, interest, penalties, legal fees, and legal expenses. Pursuant to Vermont law, the taxpayer has one year to redeem a property sold at tax sale by paying to the Town the amount paid by the successful bidder at the auction, plus monthly interest of 1% on the high bid.

If a property is being sold for delinquent utility charges, the property owner may request in writing, not less than 24 hours prior to the tax sale, that a portion of the property be sold. Such request must clearly identify the portion of the property to be sold, and must be accompanied by a certification from the Vermont District Environmental Commission that the portion identified may be subdivided and meets minimum lot size requirements. In the event the portion identified by the property owner cannot be sold for the utility charges and costs, then the entire property may be sold to pay such utility charges and costs.

Tax abatement is a process by which a ratepayer may ask to have their bill lessened, moderated or diminished. Abatement requests should be sent to the Town Clerk and are heard by to the Board of Abatement, which is made up of the Board of Civil Authority plus the Assessor and Town Treasurer. For information on abatement of taxes see Vermont Statute 24 V.S.A. §1535.

The foregoing Policy is hereby adopted by the Selectboard of the Town of Wilmington, Vermont, this 18th day of February, 2025 and is effective as of this date until amended or repealed.

Selectboard Members








