

Water and Sewer Service Deposits and Liens

Pursuant to Sections 15.2-2118 and 15.2-2119 of the Code of Virginia, the Smyth County Board of Supervisors amended Chapter 53 (Utilities) of the Smyth County Code to establish a new procedure for the collection of water and sewer charges from owners and tenants as follows, effective July 1, 2014:

- For owners, unpaid charges, penalty and interest thereon shall become a lien on the real estate ranking on parity with taxes and shall attach if the user is also the owner or the owner negotiated an agreement providing water or sewer to a rental unit. Liens are discharged by a certificate of satisfaction recorded after full payment is made.
- A tenant's refundable security deposit of \$150 for water and/or sewer service will be required and held until termination of the lease provided an authorization form is signed by the real estate owner/landlord. Reasonable collection measures of unpaid tenant bills by use of deposits and debt set-off will occur before owner lien attachment. New tenants may apply for service if prior charges are in dispute.
- Billing disputes must be resolved within one (1) year of billing. Notice of water service interruptions is required, but there is no liability for interruption of service.