

Service Disconnections and Reconnections in the City of Joburg

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02 September 2024

INTRODUCTION

Disruptions in water or power services can pose significant challenges (including health and safety risks) for City of Joburg residents.

Having a clear understanding of the disconnection (and reconnection) procedure can alleviate stress, and expedite the reconnection process. In some instances, knowledge of the correct steps to take might also save a customer unnecessary costs and frustration that comes with being accused of committing the crime of meter tampering.

DISCONNECTION PROCEDURES

Pre-Termination Notice: A Critical Warning

When municipal account payments fall behind, the City issues a Final Demand Notice. This legal notification gives customers a crucial 14-day window to settle their outstanding balances. Failure to comply with this notice (or alternatively failure to raise a valid revenue-related dispute, which ought to result in the disconnection being postponed for investigation of the query lodged) may result in the disconnection of services.

A municipality is lawfully entitled to disconnect the supply of any service to a property, in connection with any unpaid amount in respect of any other service. For example, if your water account is in arrears, your electricity can be cut off (in fact, both your electricity and water could be cut off). Similarly if your property rates are unpaid but your water and electricity accounts are paid up, both your electricity and water could be cut off.

There are (surprisingly) various levels and types of disconnections.

Level 1 Disconnection

In the event of non-compliance with the Final Demand Notice, Level 1 disconnection measures are initiated.

For electricity, this typically involves a straightforward cutoff at the meter. Meanwhile, for water services, (hypothetically) a restricting device is installed to limit consumption to the basic legally prescribed minimum. We use the words “hypothetically” in the paragraph above because residential consumers typically have a constitutional right of access to water, which might render disconnection by the municipality unlawful. For this reason municipalities often take the view that their staff should “restrict” rather than entirely terminate water supply to residential premises; but in the great majority of cases municipalities do not have the physical infrastructure (hardware) available to restrict a customer’s water supply. As a result, instead of the water supply being restricted, it is usually terminated outright (in contravention of the municipality’s own debt collection and credit control by-laws, policies and the provisions of the Constitution).

The above (restriction instead of outright termination) does not apply typically to commercial premises, and further does not apply in municipal jurisdictions where the municipality has not decided to provide a free basic minimum water supply per residential premises. Municipalities are only obliged to provide free water where they have the resources to do so, and so it is possible that one municipality might provide more than another, and that a municipality might provide free water one year but would not have the resources to do so the next. Each case will depend on that municipality’s own tariffs, by-laws and policies and when in doubt, an expert ought to be consulted to confirm whether or not any particular municipality provides free water (and if so, how much) for any particular municipal jurisdiction.

Level 2 Disconnection

If non-payment persists despite the Level 1 cutoff, Level 2 disconnection measures are implemented. This may include more severe actions by the municipality such as removing circuit breakers for electricity, disconnection at the pole (which usually occurs at the top of the pole, which cannot be reached except for by municipal technicians with cherry pickers or special climbing ropes/gear) or imposing further water usage restrictions.

[Of course, if one's water or electricity supply has already been entirely terminated in a prior cut off, no further water restrictions will make any difference to the customer's ability to utilize water from the municipal system.]

Level 3 Disconnection

Should illegal consumption persist despite previous warnings (such as might occur where a person who has been cut off previously in a way that still enables them to be able to draw water or electricity supply from the municipal system, unlawfully by-passes their meter in some or other way), then Level 3 disconnection becomes necessary.

This phase involves a specialized credit control process, potentially leading to the permanent removal of the water or electricity supply installations (that is to say that the municipality will usually entirely remove all hardware – pipes, cables, etc – that enable the customer to receive electricity or water at their premises, including the removal of the meter itself).

Customers who have been affected by a Level 3 disconnection must apply afresh for a new connection if they want to obtain supply at their premises again. This new connection application includes settling all outstanding amounts and might also include obtaining a certificate of compliance from an accredited electrician for the domestic infrastructure.

UNDERSTANDING ASSOCIATED COSTS

Disconnection and Reconnection Fees

Customers should be aware of the various charges associated with disconnection and reconnection processes. These fees range from standard disconnection notification charges to penalties for illegal reconnections or meter tampering. These are set out in a municipality's tariffs each year.

RECONNECTION PROCEDURES

Settling Overdue Accounts

Upon facing service disconnections, customers are required to settle their overdue accounts in full to avoid the inevitable disconnection (unless, as explained above, they log a valid revenue-related query which has the effect of postponing or "pending" the disconnection action). The logging of a dispute or query, or payment can be made at designated Customer Service Centres.

In certain cases, an arrangement to pay off the balance in instalments (instead of payment in full) can be made where the municipality permits this in terms of its credit control by-laws and/or policies, but this is typically only

permitted where the customer's payment history and credit history indicate that this is a viable credit control measure for the municipality.

Initiating Reconnection

Once payment is made, customers must contact the Joburg Connect call centre with proof of payment to initiate the reconnection process. This typically takes up to seventy two hours to complete. In peak periods of disconnection campaigns, it can take up to two weeks for a reconnection to take place.

ARRANGING RECONNECTION IN THE CASE OF ACCIDENTAL OR UNLAWFUL DISCONNECTIONS

In the event that the municipality unlawfully or accidentally terminates a customer's service supply, arrangements can sometimes be made for the reconnection to take place at an earlier time than through the ordinary "reconnection queue", but whether this is achievable depends on many factors and you may need legal assistance to achieve this.

If the matter is urgent, and life or limb is at stake, you may need to approach an urgent court for an order compelling the municipality to reconnect urgently – which might include an order that the customer who was unlawfully reconnected be permitted to reconnect him/herself if the municipality fails to reconnect. This latter request, however, is difficult to motivate for and obtain legally in court, and expert advice ought to be sought when approaching a court for this extraordinary form of relief.

KNOWLEDGE IS POWER

While service disruptions can present challenges, being informed about the disconnection and reconnection procedures empowers City of Joburg customers to navigate these situations with greater confidence and efficiency. By understanding the process and taking proactive steps, residents can minimize inconvenience and ensure the timely restoration of essential services.



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