

B. DISCONNECTION OF WATER SERVICE FOR NONPAYMENT

1. The City shall not disconnect water service for nonpayment until a customer's payment has been delinquent for 60 days.
2. **REMINDER NOTICE:** If charges remain unpaid for thirty (30) days after the billing date, a "reminder notice" shall be sent to the customer providing a due date that is fifteen (15) days from the date printed on the notice.
3. **SHUT OF NOTICE:** The City will make a reasonable, good faith effort to contact the customer in writing or by phone at least 7 (seven) days before discontinuation of service for nonpayment. The written warning of discontinuation of service will be sent to the mailing address designated on the account. If the mailing address and the address of the property to which water service is provided are different, a second notice will be mailed to the service address and addressed to "occupant". The written discontinuation of service notice will include the following:
 - The customer's name and address
 - The amount of the delinquency
 - The date by which payment or arrangement for payment must be made in order to avoid disconnection of water service
 - A description of the process to apply for payment arrangements
 - A description of the process to dispute or appeal a bill
 - The City's contact information

The City shall apply a **twenty-nine (\$29.00) dollar late fee** to the delinquent account.

4. **48 HOUR POSTING:** Prior to actual termination of service a termination notice shall be posted in a conspicuous location on the premises at least forty-eight (48) hours before termination of service. A **\$10.00 charge** will be applied to the account.
5. **RESTRICTIONS ON DISCONNECTION OF WATER SERVICE:** The City shall not disconnect water service for nonpayment if **ALL** of the following conditions are met:
 - The customer, or tenant of the customer, submits to the City the certification of a primary care provider, as defined in section 14088(b)(1)(a) of the Welfare and Institutions Code, that disconnection of water service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where service is provided

- The customer demonstrates that he or she is financially unable to pay for water service within the City's normal billing cycle. The customer shall be deemed financially unable to pay if any member of the customer's household is a current recipient of Cal WORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.
- The customer is willing to enter into an alternative payment arrangement consistent with the provisions of Section seven (7) of this Policy.

If **ALL** three conditions are met, the City shall offer the customer one or more of the options described in Section seven (7) of this policy.

6. **DISCONNECTION AFTER FAILURE TO COMPLY WITH ALTERNATIVE PAYMENT ARRANGEMENT:** Service will be disconnected no sooner than five (5) business days after the City posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property if:
- The customer fails to comply with the alternative payment arrangement for 60 days or more or
 - While undertaking the alternative payment arrangement, the customer fails to pay the current service charges for 60 days or more

This notice does not entitle the customer to request additional payment arrangements pursuant to an existing payment arrangement.

7. **ALTERNATIVE PAYMENT ARRANGEMENTS:** Customers who are unable to pay for water services within the normal payment period may request an alternative payment plan to avoid discontinuation of service. The City will consider all circumstances surrounding the request and make a determination as to whether the alternative payment plan is warranted. Considerations will include the following:
- a) Primary Care Provider Certification – The City will be obligated to enter into an amortized alternative payment plan if any resident of the premises where water services are provided by

the City provides certification from a primary care provider that the discontinuation of service will be life-threatening or pose a serious threat to the health and safety of any resident.

- b) Financial inability to Pay – The customer demonstrates that he or she is financially unable to pay for service within the normal billing cycle by providing documentation showing any member of the customer's household is a current recipient of Cal Works, CalFresh, General Assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, California Special Supplemental Nutrition Program for Women, Infants and Children or the customer declares that the household's annual income is less than 200 percent of the Federal Poverty Level.

Payment plans that extend into the next billing period are considered payment installment plans which must be in writing and signed by the customer. Such a plan will amortize the unpaid balance over a period agreed upon by the City and the customer, not to exceed twelve (12) months from the date of the account being delinquent. The installment payments will be combined with, and subject to the due date of the customer's regular bill(s). The customer must comply with the terms of the installment payments and remain current as charges accrue in each subsequent billing period. The customer may not request further installments of any subsequent unpaid charges while paying delinquent charges pursuant to an existing installment plan. Failure to comply with the terms of the installment plan will result in the issuance of a written discontinuation which will be physically delivered to the premises no fewer than five (5) days in advance of discontinuance of service.

- 8. **RECONNECTION OF SERVICES:** If service is shut off for failure to pay a bill or for non-compliance, the City shall require payment of a service reconnect fee of **fifty (\$50.00) dollars** in addition to all overdue bills and a deposit before restoring service. A higher fee, not to exceed **one-hundred fifty (\$150.00) dollars**, will be charged if reconnection is requested outside of normal business hours.
- 9. **DISCONNECTION IN MASTER METER LANDLORD-TENANT SITUATIONS:** This section applies to the City service through an individual meter to a Multi-Unit Complex where the customer of record is the owner, manager, or operator of the dwelling, and there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the building.

- a) The City shall make every good faith effort to inform the occupants, by means of written notice, when the account is in arrears and the service will be terminated at least ten (10) days prior to termination. This notice shall further inform the residential occupants that they have the right to become City customers, to whom the service will then be billed, without being required to pay any amount which may then be due on the delinquent account.
- b) The City is not required to make service available to the occupants unless each occupant agrees to the terms and conditions of City water service and meets the requirements of law and the City's ordinances, rules, regulations, and policies. However, if one or more of the occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the City, or if there is a physical means legally available to the City of selectively terminating service to those occupants who have not met the requirements of the City ordinances, rules, regulations and policies, the City shall make service available to those occupants who have met those requirements.
- c) In the case of a detached single-family dwelling, the City may do any of the following:
 - Give notice of termination at least seven days prior to the proposed termination
 - Require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of dwelling in order for the delinquent amount on the account to be waived.

10. **PROCEDURE TO CONTEST OR APPEAL A BILL:** A customer may appeal or contest the amount set forth in any bill for water service pursuant to the following procedure:
- a) A customer may dispute a bill or request an adjustment of charges within fifteen (15) days following the billing date.
 - b) The request must be made in writing, accompanied by documentation supporting the appeal and reason for review, and be delivered to the City's Water Department.
 - c) The City will not discontinue water service to a customer if there is a pending appeal as long as subsequent bills are paid on time.

- d) The Water Department shall render a decision as to the accuracy of the water charges on the billing and shall provide the appealing customer with a response within ten (10) days of receipt of the appeal.
- e) If water charges are determined to be incorrect, the City will provide a corrected amount and the payment of the revised charges will be due within ten (10) days of the notice of the revised amount. If the revised amount remains unpaid for more than sixty (60) days after notification of the corrected amount disconnection procedures will begin as outlined under section (IV)(B).
- f) If water charges are determined to be correct, the water charges are due within three (3) days of notification of the decision or due date, whichever is later.