

CHAPTER 1.05 UTILITY PAYMENT PROCEDURES

1.05.010 Bill Payment and Delinquency.

A. Payment. All bills for the services enumerated in this chapter are due and payable upon receipt thereof, at the office of the District, Community (Town) Hall, River Pines, California, or at the location of the outside billing and bookkeeping service, if one is retained by the District, and become delinquent twenty (20) days after the postmark date of the bill. The District may provide that charges for any utility services be collected together and that all charges shall be billed upon the same bill and collected as one item. [Government Code §54345 and Public Utilities Code §12810]. If all or part of a bill is not paid, the District may discontinue any and all service for which the bill is rendered. [Government Code §54346].

B. Delinquency. The District shall send notice of delinquent bills, and if all delinquent charges for service are not paid within ten (10) days after the postmark date of this notice, then the District may discontinue all service furnished to the customer by the District. Prior to any discontinuance of service furnished to the customer by the District, the customer shall be given the opportunity to be heard as to any adjustment of any bill. The hearing shall be held before the Director of Finance, his designee or in the absence of this position, the Board. In the event of a discontinuance of service, as provided in this subsection, the District may require as a condition precedent to the resumption of service that the customer pay:

1. The amount of the delinquent bill;
2. The cost to the District of discontinuing and resuming service; and
3. A deposit in an amount not exceeding the estimated amount of charges for two (2) months service.

The Director of Finance or in the absence of this position, the Board may negotiate a one-time repayment schedule (amortization) for up to six (6) months within any twelve (12) month period when in the opinion of the Director of Finance or the Board the customer can demonstrate financial hardship due to the recent loss of employment or other hardship condition.

C. Closing Bills. Closing bills are due and payable on the date which service is discontinued.

D. Late Charges. Delinquent bills shall be assessed a late charge at a rate of 10% and 1.5% per month interest for accounts delinquent beyond one (1) month. [Public Utilities Code §12811]. The late charge may be waived by the Director of Finance or in the absence of this position, the Board or the General Manager, when considered to be in the best interest of the District and when a customer can present evidence of financial hardship or convincing information that timely payment could not have been reasonable expected.

E. Absence of a Director of Finance and/or Public Works Director. In the absence of a Director of Finance and/or Public Works Director being employed by the District the authority and responsibilities assigned these positions, as provided in this subsection, shall be divided between the Board, the General Manager or designee, the Chief Plant Operator, and the outside billing and bookkeeping service, if such a service is retained by the District as set forth by resolution of the Board.

1.05.020 Application for Service or Discontinuance of Service.

On provided forms, all applications for service must be completed, signed and submitted by the property owner along with the Grant Deed for the property to be serviced, the service connection fee as set by the District's Rate Schedule, and any applicable deposit to the Director of Finance or in the absence of this position, to the General Manager or outside billing and bookkeeping service, if one is retained by the District, before a new service may commence. On provided forms, all applications for discontinuance of service must be completed, signed and submitted by the property owner to the Director of Finance or in the absence of such a position, to the General Manager or outside billing and bookkeeping service, if one is retained by the District, before a service may be discontinued and a final billing statement issued for the account. The Director of Finance or in the absence of this position, the General Manager shall issue all orders for services, changes or discontinuances.

1.05.021 Deposits, Establishment, and Reestablishment of Credit.

Each applicant for service will be required to establish credit with the District, which may be considered established under one of the following conditions:

- a. Applicant can provide credit references acceptable to the District.
- b. Applicant has been a water and /or wastewater customer of the District for the last twelve (12) consecutive months with no discontinuance of service for nonpayment of service billing, and have not received more than two (2) notices of service termination during that twelve (12) month period, or
- c. Applicant makes a cash deposit to secure payment of service bills as set in the District's Rate Schedule.

A customer's deposit may be credited to their account if the account remains current after on (1) year. If the customer requests discontinuance of service, the District will refund the deposit or the balance remaining which is in excess of unpaid service fees and bills for service; provided the customer has no other delinquent accounts with the District. The decision to require a deposit and furnish service shall be based upon the credit worthiness of the applicant as determined by the District. The District may use all or a portion of the deposit to pay any outstanding service fees, utility bill and penalties thereon as well as District costs of collection of outstanding fees, bill charges, and penalties to apply to the closing bill at the time service is terminated. If the District uses all of a part of the deposit, an additional amount adequate to maintain the deposit, not to exceed the estimated amount of charges for two (2) months service, shall be a condition of continued service. [Government Code §60375.5 and Public Utilities Code §16481.6]. A customer whose service has been discontinued for failure to pay bills presented to them by the District shall be required, before service is resumed, to reestablish credit by paying said delinquent bills, to make a cash deposit as set by the District's Rate Schedule, and to make all payments to the District in the form of cash or money order for six (6) months.

1.05.022 Amortization.

Upon Board review and approval, by motion, an account may be amortized over six (6) months with in any twelve (12) month period. The customer must complete, sign, and submit a provided Amortization Agreement to the District. To remain in compliance with an amortization agreement, the account must also be kept current as charges accrue in each subsequent billing period. [Government Code §60372(c) and Public Utilities Code §16482(c)]. If a

customer fails to comply with an amortization agreement, the District shall give notice to the customer at least 48 hours prior to termination of the conditions the customer is required to meet to avoid termination, but this notice does not entitle the customer to further investigation by the District. [Government Code §60373(d) and Public Utilities Code §16482.1(e)].

1.05.030 Connections in General.

No person except a duly authorized employee of the District shall make any water, electrical or sewer service connection to the District supply lines. Water and sewer tapping includes bringing the supply lines to a point six (6) inches inside the property line. Electrical connection includes the service drop and necessary meter. On all new and reconstructed buildings where water, sewer and electrical connections are involved, the equipment and equipment locations must be approved by the inspecting authority. A service charge will be billed to the customer when trouble calls involve customer caused service interruptions. All costs of water tapping and sewer connection shall be borne by the applicant for service connections and shall be charged at actual cost to the District. However, a flat rate may be established by the provisions of Section 2.01.030.

1.05.040 Connection Charges.

The Public Works Director or in the absence of this position, the Chief Plant Operator, may with the approval of the Director of Finance or in the absence of this position, the Board, establish or change rates charged for water and sewer connections based on the average cost to the District for such connections made within the preceding six (6) month period.

1.05.050 Restriction or Interruption.

The District reserves the right to limit the amount of water supplied to any customer or to different parts of the District should it appear necessary to so do, and shall not be liable for temporary discontinuance of any service or damages caused as a result of discontinuance of any service while making repairs or replacements.

1.05.051 Fraud or Abuse.

Service may be discontinued without notice, if necessary to protect the District or the District system against fraud or abuse.

1.05.060 Right of Access.

Authorized employees of the District shall have the right of access to any premises receiving any service from the District at reasonable hours for the purposes of inspection, repair or replacement of District equipment, or to read a meter.

1.05.070 Pipe and Facility Maintenance.

The property owner or occupant of premises where District service are supplied shall keep all service pipes, valves, connections or other facilities used in connection with such supply in good repair at all times, and the District shall not be liable for damage sustained by reason of such owner or occupant neglect.

1.05.080 Alternative Collection.

The Board may provide for the collection of rate charges, fees, penalties, or other charges in any lawful manner and may provide for collection by action at law, and all remedies for the



collection and enforcement thereof are cumulative and may be pursued alternatively or consecutively as the Board determines by resolution. [Public Utilities Code §12811.1]. The District may elect to place a lien on a property with delinquent charges. [Public Utilities Code §12811 and Health]. The District may elect to use the procedure set forth to utilize the Amador County secured property tax rolls to collect delinquent water and sewer charges, penalties, and interest, along with administrative expenses associated with such collection method. [Water Code §55501.1 and Health & Safety Code §6520.10 and §6520.11].

1.05.090 Utility Charges are Responsibility of Real Property Owner.

All utility service and usage charges will be the responsibility of the real property owner (property owner of record). All billing statements, notices and other service account documents will be mailed to the property owner of record for services supplied by the District. [Public Utilities Code §1281131 and §16469(b)]. If any tenant is permitted to receive billing statements by the District, it in no way releases or relieves the property owner from liability for any unpaid charges, fees, and penalties. If unpaid charges exist, the District will not allow utility service to said property until such time as all delinquent charges, fees, and penalties are paid.

1.05.100 Charges for Facility Standby Accounts.

In order to provide for future development of undeveloped parcels a "Standby Fee" shall be assessed on all parcels within the District boundaries to which water is made available for any purpose by the District pursuant to the District Rate Schedule.

1.05.101 Charges for Voluntary Lock Off Accounts.

The costs of utility services are to be shared as equitably as possible among the District's utility customers. District services are ready upon demand 24 hours every day to meet customers' potential needs, which place consistent financial demands on the District's systems. Base service rate bills reflect, among other things, the overhead required to keep utility services in place, regardless of whether a particular customer uses the service during any billing period. In order to contribute to the sustainability of the water and sewer systems, but to also provide relief to a customer with special circumstances, a monthly fee of \$35.00 will be established for those parcels that have a water and/or sewer connection, but have no use due to the structure on the property receiving service sustaining damage which makes it uninhabitable/usable or is completely destroyed. The property owner of record must make a written request to the Board for the transfer of their account from an active account to a "Voluntary Lock Off" account. If the property qualifies and the Board approves, by motion, the customer's meter will be locked off and the account placed on Voluntary Lock Off account status. Upon written request of the property owner of record to transfer the account to active status, the account will be charged the reconnection fee set by the District's Rate Schedule, the meter returned to service and all rates set in the District's Rate Schedule applied to the account in subsequent billings. The Board may, by resolution, adjust the Voluntary Lock Off fee when it is in the best interest of the District and financial demands on the system require it.

1.05.102 Enforcement of District Rules and Procedures.

The District and its authorized personnel shall enforce the provisions of the District Rules, Procedures, General Administration and Operations and for such purpose may use every lawful means at its disposal in so doing, including termination of services to the property of any customer for failure to comply with any rule, policy, or procedure of the District. The collection

and enforcement of rates, charges, fees, special taxes, assessments, and penalties and interest are cumulative and may be pursued alternatively, consecutively, or simultaneously.

CHAPTER 2 WATER SYSTEM

Article 1 General Provisions

2.01.010 Setting of Rates

The schedule of water rates will be those established and adopted by the District Board of Directors from time to time in accordance of law.

2.010.020 Rates Outside the District.

The District will not normally serve water outside the District limits. In those cases where it is authorized by the Board, the rate shall be one hundred-fifty (150) % of the rate for service inside the District limits.

2.01.030 Rates by Contract.

In cases not provided for by this chapter, the rate may be fixed by special contract, as agreed upon by the Director of Finance or in the absence of this position, the Board and the Public Works Director or in the absence of this position, the Chief Plant Operator on behalf of the District, and the water user involved. If such rates cannot be agreed upon by the Director of Finance and the Public Works Director, the Board shall fix and determine proper rates, and such determination shall be final.

2.01.040 Commencement and End of Charges.

Water charges shall in all cases commence to accrue when the water is turned on through the District's water meter, at rates determined by the District's Rate Schedule proportioned for the period from that date until the following last day of the billing period, as may be established by the District.

2.01.050 Metered Service.

- A. Meters will be required on all new residential, commercial, and industrial water services within District boundaries covered by the following conditions:
 - 1. All new property annexations to the District requesting District water service;
 - 2. All existing parcels, which have had no previous District water service and District water service is requested;
 - 3. When a parcel is split, water services to all parcels will be metered;
 - 4. All parcels at which a single-family dwelling(s) is being replaced by multiple family units or a nonresidential use;
 - 5. All parcels where off-site improvements are required;
 - 6. When any water customer requests water service upsizing or relocation.
- B. Metered water service shall be installed on all existing commercial and industrial users when the Public Works Director or in the absence of this position, the Chief Plant Operator determines the installation of metered water service to be in the best interest of the District.
- C. Meters on existing commercial and industrial water services not covered under subsection A of this section shall be installed by the District at the District's expense. Meters on all

new water services and those covered in subsection A on this section shall be installed by the District, but shall be paid for by the property owner.

2.01.060 Billing Adjustments.

When it is found that any charges for water service, connection fees, installation fees, abandonments, etc., have been incorrectly billed or that no billing has occurred, the District has the right to make adjustments as determined by the Public Works Director or in the absence of this position, the General Manager or outside billing and bookkeeping service, if retained by the District. Billings for undercharges or credits for overcharges shall be subject to the three (3) year limitation period. [Civil Code §338].

2.01.070 Responsibility for Loss or Damage.

The District's jurisdiction and responsibility ceases at the end of the District's service connection and the District shall not be responsible for any loss or damage caused by the negligence, want of proper care, or wrongful acts of the property owner or any of the property owner's tenants, agents, employees, contractor's, licensees, or permittees in installing, maintaining, using, operating or interfering with any water receiving equipment beyond the District meter connection. The District shall not be responsible for damage caused by faucets, valves and other equipment which may be open at any time water is turned on at the meter.

2.01.071 Agency Equipment and Facilities.

All service pipe and equipment needed to serve a property up to and including the meter shall be owned by the District whether installed on public or private property. District equipment or facilities required for service which are installed on customer's property may be repaired, replaced or removed by the District without consent of the property owner or the property owner's tenants, agents, employees, contractor's, licensees, or permittees.

2.01.072 Unreadable Meters.

When it is not possible to read a meter due to any reason, a bill will be rendered to the property owner based on an estimated usage. In estimating consumption, due consideration will be given to fluctuations in usage caused by seasonal changes or known service interruptions. Where a meter cannot be read without undue difficulty or not at all because of an obstruction, the property owner will be notified and requested to correct the condition.

Subsequent to the District's initial notification to a property owner to remove any object(s) obstructing the District's water meter, a charge may be added to the property owner's account each time District staff is dispatched to verify such removal and/or the District may discontinue service if the condition is not corrected.

