

Attachment B

Residential Water Service Discontinuation for Non-Payment Policy

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Purpose

The City of Santa Paula (the “City”) recognizes all Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the State Water Code. In the event that a water bill becomes delinquent, the City will apply the following Discontinuation for Non-Payment Policy (“Policy”). This Policy includes a plan for deferred or reduced payments, alternative payment schedules, a formal mechanism for a customer to contest or appeal a bill; and a telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

Scope

This Policy applies to all residential water service users. To the extent this Policy conflicts with any other rules, regulations, or policies of the City, this Policy will control.

Policy

The City shall notify residential customers of an impending discontinuation of residential water service due to nonpayment of water charges as set forth in this policy. Residential water service shall not be discontinued for nonpayment until the following three conditions are met:

- 1) Water charges are delinquent for at least sixty (60) days;
- 2) The account holder and/or occupants have been notified of this policy in writing no less than ten (10) business days before discontinuation of service; and
- 3) The account holder has:
 - (a) failed to obtain or maintain a payment arrangement or alternative payment schedule with the Utility Billing Division for 60 days or more; or
 - (b) not timely contested or appealed the water charges to the Utility Billing Division and not paid water charges for 60 days or more.

Delinquent water charges

All City users will pay a monthly water service and usage charge. Charges will become delinquent on the business day following the due date. All bills for water service are due and payable on or before the 19th day of the month, as established by Santa Paula Municipal Code section 55.06.

.The City will disconnect water service for charges that have become delinquent for a period of no less than sixty (60) days. A lock service charge will be applied to the account of any water service disconnected for nonpayment of delinquent charges. The City will leave notice of disconnection with information on how to restore water service.

Notification of Discontinuation of Services due to Nonpayment

The City shall provide written and telephone notification to a the customer of record and/or occupant of the delinquent charges no less than fifteen (15) days before discontinuation of residential service for nonpayment. If the City fails to reach the customer by telephone or written notice is returned as undeliverable, the City shall make a "good faith effort" to visit the residence and leave notice of the imminent discontinuation for nonpayment and a copy of the this policy for discontinuation of residential water service. After termination, the City shall provide discontinued customers with information on how to restore residential water services.

Where the City provides individually metered residential water services, the City must provide renters and mobile home residents with written notice prior to discontinuation of service due to nonpayment by their landlord.

Written Notice

A written notification shall be delivered either by U.S. mail, or by personal delivery. For those account holders who receive a paper utility bill, notice will be sent to the account holder's postal address and the service address, if the two addresses are not the same. When U.S. mail is not possible, personal delivery will be to the service address, and the notice will be left in a conspicuous place or wherever field personnel can safely post the notice.

The notice will be provided to the customer and will include the following:

- a) The customer's name and address;
- b) The amount of the delinquency;
- c) The date by which a payment arrangement is necessary to avoid discontinuation of service;
- d) A description of the procedure to petition for bill review and appeal;
- e) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent charges;
- f) The procedure for the customer to obtain information on financial assistance, if applicable; and
- g) The telephone number where the customer may request a payment arrangement or receive additional information from the City.

Telephonic Notice

The City will also make a reasonable, good faith effort to contact the customer of record or an adult person living at the service address in person or by telephone at least seven (7) days before discontinuation of service. The City will offer to provide in writing a copy of this Policy and to discuss options to avert discontinuation of water service for nonpayment, including the possibility of an amortization or other alternative payment arrangement.

Posting of Notice at Service Address

If the City is unable to make contact with the customer or an adult person living at the service address in person or by telephone, the City will make a good faith effort to leave a notice of imminent discontinuation of residential service and a copy of this Policy in a conspicuous place at the service address. The notice and copy of this Policy will be left at the residence at least forty-eight (48) hours before discontinuation of service. The notice will include:

- i. the name and address of the customer;
- ii. the amount of the delinquency;
- iii. the date by which payment or payment arrangements must be made to avoid discontinuation of service;
- iv. the procedure for the customer to obtain information on financial assistance, if applicable; and
- v. the telephone number where the customer may request a payment arrangement or receive additional information from the City.

Alternative Payment Schedules

The City offers payment arrangements or alternative payment schedules. Payment arrangements or alternative payment schedules may only be made between the City and the account holder. Payment arrangements may not exceed complete payment of past due balance by more than 30 days from the original due date. Once agreed upon, a payment arrangement or alternative payment schedule may not be extended or modified. A payment arrangement or alternative payment schedule shall be considered null and void if any part of it is not kept for 60 days or more, or if water charges contained in subsequent bills are not paid for 60 days or more.

If the customer has agreed to an alternative payment schedule, service will not be discontinued if the account holder also submits the following information by the date indicated on the notice:

- a) The customer, or a tenant of the customer, submits to the City the certification of a licensed primary care provider that discontinuation 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 residential service is provided;
- b) The customer demonstrates that he or she is financially unable to pay for residential service within the City's normal billing cycle. The customer is deemed financially unable to pay during the normal billing cycle if: (a) any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or (b) the customer declares under penalty of

perjury that the household's annual income is less than 200 percent of the federal poverty level; and

c) The customer is willing to enter into an amortization with respect to the delinquent charges.

For any customers who meet all of the above qualifications, the City will offer the customer amortization of the unpaid balance. The customer is responsible for demonstrating that the qualifications above have been met. Upon receipt of documentation from the customer, the City will review the documentation within seven (7) days and: (1) notify the customer of the amortization terms selected by the City and request the customer's signed assent to participate in the amortization; (2) request additional information from the customer; or (3) notify the customer that he or she does not meet the qualifications.

Documentation may be submitted to the Finance Department, located at 970 Ventura Street, Santa Paula CA; or via email at ub@spcity.org. Upon receipt of the aforementioned forms, a city representative will contact the account holder within 15 business days and offer to enter into a payment arrangement in writing on City-provided forms.

Contesting or Appealing Water Charges

An account holder may contest or appeal the accuracy of the charges or the customer's liability for payment within five (5) business days of receipt of the dispute bill containing the charges. Water charges may be contested or appealed by filing a written request with the Utility Billing Accounting Technician, located at 970 Ventura Street, Santa Paula, CA. Matters such as the quality of service, rates of service, or the terms and conditions of a payment arrangement or alternative payment schedule may not be contested or appealed to Utility Billing.

Subsequent Water Charges

Subsequent charges billed after those that have been addressed by a payment arrangement or alternative payment schedule not paid for 60 days or more shall cause the water service to be shut off for nonpayment. Subsequent water charges shall be ineligible for a payment arrangement or alternative payment schedule if a payment arrangement or alternative payment schedule for a previous bill is already in effect.

Restoral of Service

After service has been shutoff for nonpayment, Utility Billing shall provide information to the account holder regarding restoration of residential water service. Restoration will be subject to payment of any past-due amounts, including delinquent charges; applicable lock and unlock service fees; and a security deposit, if required by the City.

Miscellaneous Policy Provisions

Languages. This policy will be available in English, Spanish, Chinese, Tagalog, Vietnamese, Korean, and any other language spoken by ten percent or more people within the system's service area.

Contact. A City representative is available to speak with account holders during regular business hours at (805)933-4211 to discuss this policy as well as options for averting discontinuation of residential service for nonpayment.

Posting of Policy. The City will post this policy on the City's website.

Systems to Report Discontinuations. Utility Billing shall report the number of annual discontinuations of residential water service for inability to pay on the City's website and report to the State Water Resources Control Board.

Applicability of Policy. This policy does not apply to the termination by the City of a service connection for any other purpose. The City reserves the right to discontinue water service for any violations of City's ordinances, rules, or regulations other than nonpayment.