

ARROWBEAR PARK COUNTY WATER DISTRICT

Rules and Regulations Handbook

POLICY TITLE: Water Service Charges & Billing
POLICY NUMBER: 3050

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Revised and Approved 11/21/2019

3050.10 POLICY PUBLICATION - This policy, including specific District policy on discontinuation of residential service for nonpayment contained within, will be available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in the District's service area on the District's website: arrowbearwater.org or in writing if requested.

3050.20 WATER SERVICE WITHIN DISTRICT - The schedule for charges to be collected by the District for Water Service within the boundaries of the District are hereby fixed as follows:

<u>TYPE OF SERVICE</u>	<u>SERVICE CHARGE PER MONTH</u>
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Residential:

Monthly Water Minimum Rate	\$ 30.50
Monthly Water Allowance Included in Minimum Rate	600 cu. ft.
Cost per cu. ft. over allowance	\$.070

Commercial, Industrial, Schools and Camps: Computed by the number of "equivalent units" as determined by the General Manager subject to the approval of the Board of Directors.

Monthly Water Minimum Rate Per Unit	\$ 30.50
Cost per cu. ft.	\$.070

3050.30 WATER SERVICE OUTSIDE OF THE DISTRICT - The schedule of charges to be collected by the District for water service to users outside of the boundaries of the District are hereby fixed as follows:

3050.20.1 Users within an operating district or public entity shall be charged per the basic agreement between the District and the entity.

3050.20.2 Other users shall be charged in accordance with the terms of the individual service agreement with each user.

3050.40 OWNER'S GUARANTEE - The water service charge begins when a building water plumbing system has been connected to the District's water system, provided water service is available; otherwise, the water service charge shall not begin until water service is available. The property owner signing the application form for water service shall be held liable for water service charges until the District is notified in writing to transfer the account to another property owner.

3050.50 BILLS AGAINST PROPERTY - Any and all bills rendered for the use of water service shall be deemed to be indebtedness against the property and, at the option of the District, legal action may be taken, making unpaid water bills a lien against the property.

3050.60 OWNER-TENANT AGREEMENT - Where the Owner rents their premises to a Tenant, the bill for services will continue to be mailed to the Owner. The Tenant and the Owner may make an agreement regarding payment of the charges and the District may communicate to the Tenant current amount due and accept payment for the property from

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the Tenant. Said Owner-Tenant agreement does not relieve the owner of the responsibility of unpaid bills on the property.

In the event where a premises with a Tenant is scheduled for discontinuation of residential service (shutoff) and the Tenant can provide evidence that the owner is responsible for water service charges for the premises or they were not the occupants of the premises at the time the past-due charges were incurred and there is an individual meter for the Tenant's premises, they can avoid shutoff and will not be responsible for past-due charges if, within ten (10) days of receipt of a Notice of Imminent Discontinuation of Residential Service for Nonpayment (shutoff), the Tenant: (1) pays the current amount due for service charges the Tenant incurred, (2) completes an application for service (which includes an agreement to be legally responsible for service charges for the premises from the date of application forward), (3) pays a one-time, non-refundable, application processing fee of \$10.00, and (4) pays a deposit of \$150.00 which will be applied to any Tenant incurred balances upon termination of services with any remainder of the deposit returned to the Tenant.

Upon termination of a Tenant Service Agreement, legal responsibility for service charges immediately and automatically reverts back to the property owner.

- 3050.70 MINIMUM MONTHLY CHARGE - The minimum monthly charge will be paid each month by each property that has a structural improvement thereon and a connection to the District's water system. This charge will be paid regardless of the amount of water used, regardless of occupancy of structure, and regardless of turned-on / turned-off status. This policy reflects the need for the District to spread the cost of maintaining the District's water system and infrastructure over all the properties serviced by it.
- 3050.80 BILLING - Water service charges for all users shall be charged and payable on a 12 month per year basis whether or not the facilities are occupied. The billing period shall be at the option of the District. Separate bills shall be rendered for each service installation.
- 3050.90 PAYMENT OF BILLS - Bills for water service shall be rendered at the end of each billing period. Bills shall be payable upon presentation. Office hours will be maintained for the convenience of customers and the public. Office hours will be conspicuously displayed outside the District Office.
- 3050.100 DELINQUENT ACCOUNT LATE CHARGE - Accounts not paid on or before the date in which they become delinquent, the 23rd of each month (or the next business day following the 23rd), will be subject to a late charge of \$1.50 per month.
- 3050.110 DELINQUENT ACCOUNT INTEREST CHARGE - Accounts not paid on or before the date in which they become delinquent, the 23rd of each month (or the next business day following the 23rd), will be subject to an interest charge of one and one-half (1½) percent per month on the unpaid balance. For a residential customer who demonstrates to the District household income below 200 percent of the federal poverty line, upon request by the customer, the District shall waive interest charges on delinquent bills once every twelve (12) months. The District shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental

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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.

- 3050.120 **BILL CONTESTING AND APPEAL** - If a customer feels there has been an error in the bill presented they should call the District office at (909) 867-2704 or send an email to apcwdmail@gmail.com or send a letter to APCWD PO Box 4045, Arrowbear Lake, CA 92382. The District Staff will make a determination, based on current District policy, and will notify the customer in writing their determination to the mailing address on file within five (5) business days of receipt of the customer's request for review of bill. If the customer wishes to appeal the determination by District Staff, the customer may appeal to the General Manager in any of the forms listed above, within fifteen (15) days of receiving the District Staff determination. The General Manager will make a determination on the appeal within five (5) business days and will notify the customer in writing their determination to the customer's mailing address on file. The General Manager's determination will be final. Customers may appeal the contested water bill to any other administrative or legal body to which such an appeal may be lawfully taken.

No discontinuation of residential service (shutoff) will occur if bill contesting or appeal is in process. It is the customer's obligation to provide evidence of an appeal of the water bill to any other administrative or legal body to which such an appeal may be lawfully taken, upon receipt of a Notice of Imminent Discontinuation of Residential Service for Nonpayment.

- 3050.130 **LEAK DISCOUNT** - In the event that a leak or broken pipe on the customer's property causes overage charges in a billing cycle, the District will, upon request by the customer, reduce the overage charges by 15%, provided the customer certifies that the leak has been repaired. The District will also, if requested by the customer, arrange for payment of the remaining overage charges over a period of not more than 6 months. Customer will sign an Installment Payment Agreement and the District will suspend delinquent account late and interest charges, provided the customer makes all agreed upon payment arrangements and continued monthly charges prior to the delinquent date.

- 3050.140 **DUE DATES, DELINQUENCIES, DISCONTINUATION OF SERVICE (SHUTOFF), AND AFTER HOURS/WEEKEND CHARGES** - Water service charges shall be due and payable at the office of the District on the date of mailing the bill to the property owner or their agent, as designated in the application, and shall be delinquent the 23rd of the month following the close of the billing cycle.

Delinquent accounts (those which payment was not made by the due date) will have a "PAST DUE" notice on the next month's bill and a notice that if the past-due balance is not paid that after sixty (60) days the account will be subject to shutoff.

If an account remains delinquent in the next billing cycle after the written PAST DUE notice is included in the bill, the District will make a good faith effort to visit the residence and a Notice of Imminent Discontinuation of Service for Nonpayment (shutoff) will be placed in a conspicuous location on the property (usually on or near the front door) at least seven (7) business days prior to the account becoming at least sixty (60) days delinquent. This notice will advise the Customer/Occupant that service will be discontinued if payment

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or arrangement for payment is not made before the account becomes at least sixty (60) days delinquent (no more than seven (7) business days following the placement of the notice). The notice shall include, but is not limited to, all of the following information in a clear and legible format: the customer's name and address, the amount of the delinquency, the date by which payment or arrangement for payment is required in order to avoid discontinuation of service, a description of the process to apply for an extension of time to pay the delinquent charges through a a deferred, amortized, or alternative payment schedule (provided they meet the three (3) minimum requirements listed in section 3050.150), and a description of the procedure to petition for bill review and appeal. This written notice will provide compliance with the Health & Safety Code section 116908 for written notice prior to discontinuation of service (shutoff). If payment or payment arrangements of the past due amount is not made within the seven (7) business days from the placement of the notice, the Customer's water will be shut-off, the meter locked, and a thirty (\$30.00) dollar shut-off order dispatch fee added to the account. For a residential customer who demonstrates to the District household income below 200 percent of the federal poverty line, the District shall ensure the following: (1) The shut-off order dispatch fee or reconnection of service fee during normal operating shall not exceed fifty dollars (\$50) or the actual cost of shut-off and reconnection. (2) The shut-off order dispatch fee or reconnection of service fee outside normal operating hours or on the weekend shall not exceed one-hundred and fifty dollars (\$150) or the actual cost of shut-off and reconnection. Fees may be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

Shutoff accounts (either due to nonpayment or customer request) will have the meter locked. Tampering with District property is addressed in Section 1010.80.

Customers requesting water to be turned on must do so during regular business hours and pay the past due amount in addition to the shut-off order dispatch fee. Customers requesting water to be turned on after regular business hours or on the weekend, customers whose property has a visually apparent leak and must be shut-off after hours or on the weekend, and customers requesting water shut-off or turn-on, will also be required to pay an additional call-out fee of fifty (\$50.00) dollars to cover the cost to the District for the overtime labor.

If a shut-off account remains delinquent for ninety (90) days, a Notice of Intent to Lien the property will be mailed to the mailing address on the Water Service Application. If payment of all past due amounts is not made within seven (7) days, a lien will be placed on the property and a one hundred twenty three (\$123.00) dollar lien fee will be added to the account. Liens must be satisfied before legal transfer of the property may occur. Minimum charges, late fees, and interest will continue to accrue on any delinquent or liened account.

3050.150 EXTENSION OF TIME TO PAY THE DELINQUENT CHARGES THROUGH A DEFERRED, AMORTIZED, OR ALTERNATIVE PAYMENT SCHEDULE - In specific and limited situations the District will provide an extension of time to pay a delinquent balance through alternative payment options in order to avoid discontinuation of residential service for nonpayment (shutoff).

The District shall not discontinue residential service for nonpayment if all 3 of the following conditions are met:

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1. The customer, or a tenant of the customer, submits to the District the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code which states; "Primary care provider" means either of the following: Any internist, general practitioner, obstetrician-gynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or any primary care clinic, rural health clinic, community clinic or hospital outpatient clinic currently enrolled in the Medi-Cal program, which agrees to provide case management to Medi-Cal beneficiaries, that discontinuation of residential 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.
2. The customer demonstrates that he or she is financially unable to pay for residential service within the District's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the District's normal billing cycle if 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 the customer declares that the household's annual income is less than 200 percent of the federal poverty level.
3. The customer is willing to enter into an Installment Payment Agreement, consistent with the District's written policies. The District will arrange for payment of the delinquent charges over a period of not more than 6 months. Customer will sign an Installment Payment Agreement and the District will suspend delinquent account late and interest charges, provided the customer makes all agreed upon payment arrangements and continued monthly charges prior to the delinquent date. Failure to comply with the terms of this agreement will result in discontinuation of service (shutoff).

3050.160 INSTALLMENT PAYMENT AGREEMENT DEFAULT - Failure to comply with the terms of the Installment Payment Agreement will result in discontinuation of service (shutoff).

Residential service may be discontinued no sooner than five (5) business days after the District posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances: (1) the customer fails to comply with an Installment Payment Agreement, amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more or (2) while undertaking an Installment Payment Agreement, amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges the customer does not pay their current residential service charges for 60 days or more.

Policy amended for Health & Safety Code compliance by MOTION 11/21/2019.

Current Water Rate Pricing Section 3050.10 Approved by RESOLUTION NO. 2014-12-18 12/18/2014.

Shut-off order dispatch fee name change, Section 3050.120 Approved by MOTION 10/20/2016.