

Ordinance Type	District Operations	Date Adopted	June 28, 2006
Ordinance Number & Title	18000 - Bills for Water Service	Date Amended	October 25, 2023

## 18000.01 Bills For Water Service

### 18000.01.1 Issuance of Bills

Bills for water service or other charges will be mailed or presented in the month following the water meter reading and/or the applicable charges have been determined. Issuance shall be every other month. Final bills for sale of property are exempt from this billing cycle.

### 18000.01.2 Fixed Base Charge

Billing for water service includes a fixed base charge that primarily funds fixed costs. This typically includes facilities, infrastructure maintenance, debt service, customer service, and other similar needs that have to be paid for regardless of how much water is delivered to customers. The fixed base charge is due regardless of whether any water is actually used. Customers whose service has been discontinued in accordance with section 18000.03 or has requested that their service be discontinued in accordance with District ordinance section 17000.05 will not be assessed the fixed base charge for months subsequent to discontinuance.

### 18000.01.3 Consumption Charge

Billing for water service includes a consumption charge that primarily funds the expenses to the District necessary for the purchase and distribution of water to customers. The consumption charge, as set forth in the District's most current rate study, is assessed for each one-hundred cubic feet (CCF) of water actually consumed.

### 18000.01.4 Billing Periods

Bills for general water service generally will be rendered bi-monthly by the District. Bills for special water services (temporary water service, construction water, fire hydrant use) may be rendered more frequently. Special meter readings will be made for opening or closing billing purposes.

#### **18000.01.5 Billing on Non-Owner-Occupied Residences**

California Government Code section 54347 authorizes public agencies to collect charges from property owners for services to tenants on those properties. Therefore, with the property owner's authorization, evidenced by a signed Landlord/Tenant Agreement from the legal owner of the property, and a deposit that meets the requirements of District ordinance section 15000.01, the District shall provide a bill copy to the service address for water service. However, the property owner shall be responsible to pay any charges not paid by the tenant. The District shall not share any account information with the tenant, other than the outstanding balance, in the absence of a completed Landlord/Tenant Agreement application which imposes primary responsibility to pay the water bill on the tenant.

#### **18000.01.6 Back Billing**

If a customer uses water for which no bills have been issued for more than one billing cycle, and a beginning meter reading is not available, the customer will be billed the fixed base charge for the period plus a consumption charge calculated from the average water usage over the most recent six billing cycles. This amount, which shall not be less than the base charge if no billing history is available, will be billed to the customer based on the number of billing cycles the customer has been occupying or in possession of the premises without paying bills.

#### **18000.01.7 Refunds**

If a customer is erroneously overcharged for service, the District may refund any overage paid by the customer up to two years.

#### **18000.01.8 Disputed Charges**

When a customer disputes the amount of a bill for any reason, the customer should contact the District office. If the bill is disputed, to avoid discontinuance of water service, the customer must deposit at the District office, before the disconnect date, the full amount of the disputed bill or proof of previous payment of the disputed bill with a letter setting forth the basis for the dispute and requesting a review by the Finance Director or General Manager. The Finance Director or General Manager's findings and decisions will be final and binding. If the customer's complaint concerns the meter, he or she may request that his or her meter be tested pursuant to Section 17000.07.2 Meter Testing of the District's most current water ordinance. Nothing in this section is intended to affect a customer's rights under Health & Safety Code section 116900 and following and the District's Policy on Discontinuation of Residential Water Service for Nonpayment ("Policy") implementing those rights.

### **18000.01.9 Due Date**

Each statement issued by the District for such charges shall be due and payable on the date of issuance or other presentation to the Customer.

### **18000.01.10 Final Payment Date**

Bills become delinquent and subject to discontinuation of service if not paid within 60 days from the bill issuance date.

## **18000.02 Payment of Charges**

- A. **Payment Responsibility:** The District is required to continue providing water service to each Premises or Parcel connected to the District water system as long as each such Premises or Parcel pays its fair share of the costs of receiving the service and such fair share of costs are chargeable to and run with each Premises or Parcel receiving District water service. Therefore, payment of all water service rates, fees and charges shall be the responsibility of the owner of record of the subject Premises or Parcel and payment of all charges is an obligation of ownership of a Premises or Parcel. As such, any subsequent owner of a Premises or Parcel is responsible for paying any unpaid or delinquent fees, rates and charges due on a Premises or Parcel that are in any way connected to District water service as a condition of service being continued to the Premises or Parcel. A change in ownership does not terminate any outstanding rates, fees and charges due for previous water service to said parcel, whether or not those rates, fees and charges were incurred by the present Premises or Parcel owner or a previous owner or tenant.
- B. **Crediting of Payment:** Payments shall be credited to a Customer's account when cash, an electronic funds transfer, a check drawn on an account with sufficient funds a money order or a Visa or MasterCard payment has been received by the District at the District business office during regular office hours. Deposit of payment in the mail shall be credited to a Customer's account when received at the District's business office.
- C. **Dishonored Payment Charge:** A returned item charge as set forth in the District's current Schedule of Rates, Fees, Charges, and Deposits shall be added to a Customer's account in each instance where payment has been made to the District that has been returned to the District by the bank upon which it is drawn.
- D. The District offers an average monthly or equalized payment plan to balance water bills that can fluctuate seasonally. The equalized amount is based on the customer's average consumption during the current 12-month period. Average monthly or equalized payment plans are reconciled annually and adjusted as needed.
- E. The District offers online bill presentment and payment to Customers who wish to view their bill and/or pay by check or Visa or MasterCard via the internet.
- F. Customers may make payment arrangements with the District. Defaulting on a payment arrangement may lead to disconnection of service.

## **18000.03 Delinquent Accounts**

### **18000.03.1 For Non-Payment of Charges**

Except as otherwise prohibited by law, a delinquent account from a Premises within the District will be applied to a new account opened by the same Customer for a different Premises, and the District may require payment of the delinquent amount (plus penalties and interest) as a condition of opening the new account, or the District may pursue any other remedy for collection of delinquent accounts provided for in this Code or other District rule, regulation or policy, or applicable state and federal law.

### **18000.03.2 Late-Payment Charge**

A late-payment charge shall be added to each delinquent account upon preparation of an Intent to Disconnect Notice. When a late-payment charge is imposed, such charge shall be added to the account as of the date the notice is prepared, and such charge shall become part of the amount due at that time. The current late-payment fee amount is set forth in the District's Schedule of Rates, Fees, Charges, and Deposits. The District may, at its discretion, apply a late-payment charge upon other reasonable notification to Customer for connections where a door hanger cannot be delivered (i.e. connections for irrigation service or for residences or commercial buildings under construction.)

### **18000.03.3 Partial Payment on Delinquent Accounts**

A partial payment on a delinquent account may be accepted and credited to a Customer's account. The partial payment shall not cause removal of the account from an existing delinquent status or preclude assessment of fees and charges for delinquent payment, nor shall the partial payment preclude the meter/service from being turned off for delinquency or cause duly disconnected service to be restored.

### **18000.03.4 Discontinuation of Service to Delinquent Accounts**

- A. Discontinuation of Service: Continuation of service to a delinquent account will be permitted only as set forth in the Policy, adopted and amended from time to time by the Board of Directors, if financial arrangements have been established in accordance with the Policy.
- B. Requirement of Deposit: If a Customer permits his or her account to become delinquent, the General Manager or his/her designee may require the Customer to make a deposit in accordance with the provisions of Section 15000 of this Code.

### 18000.03.5 Lien for Delinquent Charges

1. To the extent permitted by law, the District may file with the Placer or Sacramento County Recorder a Notice of Lien (whichever is the County in which the property is located), setting forth the legal description of the property, the amount of the obligation owed, specifying that the same is owed to the District, and that all delinquent service charges, together with late fees, penalties and interest, are a lien against the Premises to which the service was provided in accordance with Government Code Section 54354 and Government Code Section 61115. Such liens specifically includes collection by the local County Tax Collector on the Property Tax Roll in the same manner as property taxes.
2. All outstanding account balances, interest and lien release charges (if applicable) must be paid in full prior to re-establishing service in the owner's name at the same, or different property within the boundaries of the District.
3. Current accounts that have incurred a large amount of fines, or the owner that maintains the account has refused to pay any balance owed and the District may be placed in a position of incurring bad debt may have a lien placed against the property being served by the District until the balance associated with those charges is paid in full.
4. Prior to the collection of lien for delinquent accounts, the District will adhere to the procedures set forth in Government Code Section 61115.
  - a. Report Filed: The General Manager, or his or her designee, shall prepare and file with the Board of Directors a report that describes each affected parcel of real property and the amount of charges and delinquencies for each affected parcel for the year.
  - b. Notice of Intent to Record a Lien: The General Manager, or his or her designee, shall give notice of the filing of the report and of the time and place for a public hearing by publishing the notice pursuant to Government Code Section 6066 in a newspaper of general circulation, and by mailing the notice to the owner of each affected parcel.
  - c. Public Hearing: At the public hearing, the Board of Directors shall hear and consider any objections or protests to the report. At the conclusion of the public hearing, the Board may adopt or revise the charges and penalties.

- d. Determination: The Board of directors shall make its determination on each affected parcel and its determinations shall be final.
- e. Implementation of the Lien: On or before August 10 of each year following these determinations, the General Manager, or his or her designee, shall file with the county auditor a copy of the final report adopted by the Board of Directors. The County Auditor shall enter the amount of the charges and penalties against each of the affected parcels of real property as they appear on the current assessment roll. The County Tax Collector shall include the amount of the charges and penalties on the tax bills for each affected parcel of real property and collect the charges and penalties in the same manner as property taxes.

**18000.03.6 Reinstatement of Water Service Under Delinquent Accounts**

Water service accounts terminated for non-payment shall be reinstated as provided in the Policy.

**18000.04 Termination of Master Meter Accounts**

This Section applies to termination of water service through a master meter, or through individually-metered service in a multi-unit residential structure or mobile home park, where the owner or manager, is listed by the District as the Customer of record of the service. Termination and reinstatement of such accounts will be in accordance with the Policy. A Person subject to a master metered account that was not directly billed by the District, who opens an individual service accounts after the termination of a master metered account, shall be subject to all applicable provisions of this Code and all other applicable District rules, regulations, and policies.

**Revision History:**

Revision Date	Description of Changes	Requested By
6/25/08	Ord. 08-001 repealed all prior ordinances	
12/11/19	Ord. 19-01 revisions to comply with SB 998	Lisa Brown, Customer Service Manager
10/25/23	Ord. 23-01 Revision to Lien Processing	Devon Barrett, Customer Service Manager