

## WCSD RESOLUTION 2011-2

(Resolution 2004-1 revised)

### **ESTABLISHING BILLING AND COLLECTION PROCEDURES FOR WATER SERVICE**

**WHEREAS,** WCSD Ordinances Establishing General Water Use Regulations stipulate that billing dates, due dates, disconnection dates, service charges and procedures for collection of past due bills and termination of service shall be established by Resolution of the Board

**NOW, THEREFORE BE IT RESOLVED,** the Board of Directors of the Westhaven Community Services District (the District) hereby establishes the following procedures for billing and collection of payments.

#### **DEFINITIONS**

Abandoned	means made permanently unavailable until such time as service is offered to parcels in Section 403 of WCSD Ordinance 97-3 or its equivalent section in subsequent revisions.
Amortized	means decreased by incremental payments of a scheduled amount over a scheduled period of time.
Disconnection	means made temporarily unavailable pending District receipt of a required payment, normally by locking the meter supply valve in the off position.
Discontinued	means made temporarily unavailable pending application for new service and District receipt of all required charges, normally by removal of the meter and locking the meter supply valve in the off position.

#### **BILLING**

1. The billing period for regular water service shall be monthly.
2. Monthly billing shall be comprised of the base rate for the month in which bills are due plus the commodity rate for metered consumption during the previous monthly period.
3. Meters shall be read during the last 7 days of the month.
4. Bills shall be mailed before the end of the month.
5. Bills shall be past due after the 24th day of the following month.
6. After the due date a 1.0% service charge shall be added to past due balances.  
(California Government Code 61115 C)

**COLLECTION OF PAST DUE AMOUNTS**

1. At the regular billing time, customers with a new past due balance greater than \$25.00 or a continuing past due balance greater than \$5.00 shall have a notice of disconnection included with their bills.
2. The deadline for payment to avoid disconnection shall be the 18th day of the month or the first business day following the 18th day. Payment of the past due balance before the deadline shall be sufficient to avoid disconnection.
3. After the deadline, the minimum payment to avoid disconnection shall be the current balance plus an amortized portion of the past due amount. The amortized portion shall be based upon a monthly schedule over a minimum period of 12 months and beginning with the first month the account became past due.
4. At least 48 hours (excluding weekends and legal holidays) prior to disconnection the customer shall be given notice of the pending disconnection by contact with an adult person residing at the premises to be disconnected. Contact shall be by telephone, in person or by written notice posted in a conspicuous location at the premises.
5. Every notice of disconnection of service pursuant to section 1. above shall include the following information pursuant to California Government Code sections 60372 and 60373:
  - A. The name and address of the customer whose account is delinquent
  - B. The amount of the delinquency
  - C. The date by which payment or arrangement for payment is required in order to avoid disconnection
  - D. The procedure by which a customer may initiate a complaint or request an investigation concerning services or charges, except that if the bill for service contains a description of that procedure, the notice pursuant to subdivision 1. is not required to contain that information
  - E. The procedure by which the customer may request amortization of the unpaid charges
  - F. The procedure by which a customer may obtain information on the availability of financial assistance, including private, local, state or federal sources, if applicable
  - G. The telephone number of a representative of the district who can provide additional information or institute arrangements for payment
6. Every notice of disconnection pursuant to section 4, above, shall include the information in paragraphs A., B., C., F. and G.
7. If payment or arrangement for payment of the minimum amount due specified in the notice of disconnection is not made by the time specified in the notice of disconnection, the service shall be locked off and re-connected only after payment of the minimum amount due plus the reconnection charge set by Resolution of the Board.
8. A customer wishing to pay the minimum amount due at the time that a district employee is in the process of disconnecting the service must also pay the reconnection charge to avoid disconnection.
9. No disconnection of service shall be effected without compliance with the above conditions, and any service wrongfully disconnected shall be restored without charge for the restoration of service. This restoration of service shall be the limit of the District's liability for wrongful disconnection.
10. No service shall, by reason of delinquency in payment, be disconnected on any Saturday, Sunday, legal holiday, or at any time during which the business office of the district is not open to the public.

**DISCONTINUANCE AND ABANDONMENT OF WATER SERVICE ENTITLEMENT**

If the minimum amount due on the account plus the reconnection charge has not been paid in full at the end of seven (7) calendar days from the date a service has been disconnected for non-payment, a certified letter shall be sent to the customer of record and/or property owner of record stating that if after another thirty (30) calendar days the bill and applicable charges have not been paid the water service entitlement will be declared discontinued by the District, at which time a second certified letter will be sent informing the customer of record and/or property owner of the discontinuance. Discontinuance by the District of the water service entitlement shall end the contractual agreement between the property owner and the District.

A discontinued water service entitlement may be reinstated on the original parcel within a period of one year by application for new water service and payment of all applicable District charges, including the most recently calculated System Capacity Charge. If no application for new service is made within a period of one year from the date of notice of discontinuance a third certified letter shall be sent informing the customer of record and/or property owner of record of the abandonment of the water service entitlement.

When a water service entitlement has been declared abandoned, the parcel to which the abandoned entitlement was attached shall be considered for new service within Section 403 of Ordinance 97-3 or its equivalent section in subsequent revisions.

PASSED, APPROVED, and ADOPTED this sixteenth day of February 2011 by the following roll call vote:

AYES: Moon, Phipps, Smith and Verick

NOES:

ABSTAIN:

ABSENT: Hankin

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Gregory Smith, President  
Westhaven Community Services District

ATTEST:

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Sarah Jordan, Secretary  
Westhaven Community Services District