

# City of Firebaugh's Residential Water Discontinuation Policy

## **I. Purpose of the Residential Water Service Discontinuation Policy**

The purpose of this document is to outline the Residential Water Service Discontinuation Policy ("Policy") for the City of Firebaugh ("City"). The Policy sets forth the principles and objectives that should guide the City's decisions regarding the discontinuation of residential water service. The primary objectives of this Policy are to: establish timelines for discontinuation of water service, identify notice requirements, establish payment arrangement options for those seeking to avoid discontinuation, establish a formalized mechanism for customers to appeal or review bills, establish reconnection fee exceptions, and identify notice requirements pertaining to residential tenants/occupants.

This Policy has been developed in accordance with California Health and Safety Code Section 116900-116926, as well as the guidance set forth in the City's Municipal Code sections 15-1.1 through 15-1.11. It should be noted that this Policy only applies to residential potable water service, and does not include commercial water service, nor does it include any other services provided by the City.

## **II. Standard Discontinuation Timeline**

An account shall be deemed delinquent if payment for service has not been received by the due date indicated on the utility bill, or by the last business day of the month of service. A customer will receive written notice of their delinquent payment on the last business day of that month. Customers will be subject to discontinuation after their payment has been delinquent for sixty (60) days. Customers will be notified via written notice of their impending discontinuation at least seven (7) business days before discontinuation for lack of payment.

If a residential customer fails to comply with either a payment arrangement or deferred payment, as described in Section IV, the City will provide the customer with written notice of the discontinuation at least five (5) days prior to discontinuation of service.

Notices will be mailed to the residence to which residential service is provided. If the account holder does not live at the residence where service is provided, a notice will also be mailed to the billing address of the account holder. In that situation, the notice mailed to the residence where service is being provided will be addressed to "Occupant". Customers can call the City Utility Department to discuss their account and ways to avert discontinuation at (559) 659-2043 (business hours are Monday-Friday, 8:00 a.m. – 4:30 p.m.).

If a customer's service is discontinued for non-payment, the City will provide information to the customer on how to restore service to their property.

### III. Written Notices

All written notices under this Policy will include the following:

- Customer name and address
- Amount of delinquency
- Date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service
- Process to apply for an extension of time to pay the delinquent charges (see Section IV)
- Process by which customer may request a deferred payment or payment arrangement (see Section IV)
- Procedure to petition for bill review and appeal (see Section V)

### IV. Deferred Payments and Other Payment Arrangements

Circumstances may arise when customers are unable to make a scheduled residential water service payment. In such circumstances, they may request to defer payment or set up a payment arrangement. The City of Firebaugh may offer either of the following:

**Deferred payment** – customers may be granted a one-time deferral of the entire statement balance;

**Payment arrangement** – customers may be granted the opportunity to pay the statement balance over an extended period. This will be done over weekly, bi-weekly, or monthly installments.

These options will be available to customers one time per twelve (12)-month period. Customers shall fill out and sign any arrangement in a form prescribed by the City. It should be noted that, while a customer is paying a particular billing-cycle balance on either deferred payment or payment arrangement, they must stay current on both the arrangement and the current services.

A customer may be subject to discontinuation of residential water service if they are late on either their deferred payment or payment arrangement described above, or sixty (60) days late on or their current services payment. Customers will be notified according to Policy Sections II and III of any imminent discontinuations.

### V. Appeals

Any customer wishing to appeal their bill, or notice of discontinuation for residential water service, shall direct such appeals, in writing, to the City Clerk at 1133 "P" Street, Firebaugh, CA 93622. Appeals of bills must be received no later than the billing due date of the bill being appealed. Appeals of discontinuation of residential water service must be received no later than five (5) business days prior to the water shutoff date. The scope of the appeal shall be limited to a particular bill that is due, or the discontinuation of service notice.

City staff will review the written appeal and contact the customer to discuss all circumstances surrounding the appeal. Once all facts and circumstances have been discussed and reviewed, the decision of the City will be made and thereafter communicated to the customer. Discontinuation of residential water service will not occur while an appeal is pending. However, adjustments to the billing can either decrease or increase the amount, and all amounts due from the billing cycle will be due immediately upon the completion of the appeal process, or subject to such terms of an alternate payment arrangement should the parties agree as such. The appeal does not toll the number of days a residential water customer is delinquent on their bill.

#### **VI. Reconnection Service Fees**

If water services has been disconnected for failure to pay a utility bill as set forth in this Policy, the entire amount of the water bill and all fines and penalties provided by Municipal Code section 15-1.16(b) and hereunder, shall be paid in full before water service is restored:

- 1) To turn on water during operational hours, fifty dollars (\$50.00);
- 2) A fee of twenty-five dollars (\$25.00) shall be charged on all returned checks in payment of utility charges; and
- 3) In addition to any other fees or charges provided in this section, any customer requesting a turn-on of water on any Saturday, Sunday, legal holiday or before the hour of 8:00 a.m. or after the hour of 1:00 p.m. of any day shall pay an additional charge of one hundred fifty dollars (\$150.00) for such turn-on.

#### **VII. Residential Tenants/Occupants in an Individually Metered Residence**

The City will make a reasonable, good-faith effort to inform tenants/occupants, by means of a written notice, when the water service is in arrears and subject to disconnection at least ten (10) days before water service is shut off. The written notice will advise the tenant/occupant that they have the right to become customers of the City without being required to pay the amount due on the delinquent account, as long as they are willing to assume financial responsibility for subsequent charges for water service at that address. In order for this arrangement to proceed, the tenant/occupant must provide verification of tenancy in the form of a rental/lease agreement (signed by all parties subject to the lease).