

**CHESTER PUBLIC UTILITY DISTRICT
POLICY #3050**

**POLICY AND PROCEDURE ON DISCONTINUANCE OF
RESIDENTIAL WATER SERVICE**

1. Purpose

This policy has been established to comply with Senate Bill 998, known as the “Water Shutoff Protection Act” (California Health and Safety Code Sections 116900, et seq.).

2. Effective Date

This policy shall be effective on April 1, 2020.

3. Published Languages

This policy and written notices required in this policy shall be available and published in English, the languages listed in Section 1632 of the Civil Code, which include Spanish, Chinese, Tagalog, Vietnamese, and Korean, and any other language spoken by at least 10 percent of the people residing in the District’s water service area.

4. Requirements Precedent to Discontinuing Residential Water Service

A. The District shall not discontinue residential water service for nonpayment until a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential water service for nonpayment, the District shall contact the customer named on the account by the Disconnection Notice in the form set forth in Appendix 1.

B. When the District contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the customer at their address of record. If the customer’s address is not the address of the property to which residential water service is provided, the notice shall also be sent to the address of the property to which residential water service is provided, addressed to “Current Resident.” The notice shall include, but is not limited to, all of the following information in a clear and legible format:

- (i) The customer’s name and address.
- (ii) The amount of the delinquency.
- (iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential water service, which shall be 60 days from the date that the bill became delinquent unless extended by the discretion of the General Manager.

- (iv) A description of the process to apply for an extension of time to pay the delinquent charges.
- (v) A description of the procedure to petition for bill review and appeal.
- (vi) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential water service charges.
- (vii) The District's phone number.

5. Good Faith Noticing Requirements.

A. If the District is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the District shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential water service for nonpayment and the District's policy for discontinuation of residential water service for nonpayment.

B. If the customer seeks review or appeal of their bill, the customer shall contact the District before the payment due date and the District will investigate.

6. Prohibition Against Discontinuing Residential Water Service.

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

- (i) 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, that discontinuation of residential 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 water service is provided.
- (ii) The customer demonstrates that he or she is financially unable to pay for residential water service within the District's normal billing cycle. The customer shall be deemed financially unable to pay for residential water 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.

- (iii) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment with respect to all delinquent charges.

B. If the conditions listed above are all met, the District shall offer the customer one or more of the following options:

- (i) Amortization of the unpaid balance.
- (ii) Participation in an alternative payment schedule.
- (iii) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.
- (iv) Temporary deferral of payment.

C. Residential water service may be discontinued no sooner than 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:

- (i) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.
- (ii) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential water service charges for 60 days or more.

7. Restoration of Water Service.

A. If the District discontinues residential water service for nonpayment, it shall provide the customer with information on how to restore residential water service. For a residential customer who demonstrates to the District that the household income is below 200 percent of the federal poverty line, the District shall do both of the following:

- (i) Set a reconnection of service fee for reconnection during normal operating hours in an amount that does not exceed fifty dollars (\$50), or the actual cost of reconnection if it is less. For the reconnection of residential water service during nonoperational hours, the District shall set a reconnection of service fee that does not exceed one hundred fifty dollars (\$150), or the actual cost of reconnection during nonoperational hours if it is less. The maximum amount of \$50 for reconnection during operational hours and \$150 during nonoperational hours shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.
- (ii) Waive interest charges on delinquent bills once every 12 months.

B. 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 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.

8. Services involving Landlord-Tenant Relationships.

A. If the District furnishes individually metered residential water service to residential occupants of a detached single-family dwelling, a multiunit residential structure, and mobile home and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the District shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

B. The District shall not make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the District's ordinances, resolutions, rules and regulations. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the District, including requirements which may include, but not be limited to, payment of a deposit of \$180 and completion of a District application for service.

9. Reporting Requirements.

The District shall annually report the number of discontinuations of residential service for inability to pay to the State Water Resources Control Board.

10. Limitations of this Policy.

Nothing in this policy restricts, limits or otherwise impairs the District's ability to terminate service to a customer for reasons other than those explicitly stated in this policy, including, but not limited to, unauthorized actions of the customer.

11. Appeal.

Customers may appeal the amount set forth in any bill for residential water service. Such request must be made in writing and be delivered to the District's office.

Appendix

Water Disconnection Notice
(Template)

John and Jane Doe

Account#: 00001

P.O. Box 1234

Amount Due: \$100.00

Chester, CA 96020

Location: 1234 Main Street

WATER SERVICE WILL BE DISCONNECTED IF THE AMOUNT DUE IS NOT RECEIVED AT THE CHESTER PUBLIC UTILITY DISTRICT OFFICE AT 251 CHESTER AIRPORT RD. BEFORE _____ PM ON _____. ALL CHARGES TO THIS ACCOUNT NEED TO BE PAID IN FULL TO AVOID BEING DISCONNECTED.

DISTRICT STAFF PERFORMING THE DISCONNECTION ARE NOT PERMITTED TO COLLECT ANY PAYMENTS. A DISCONNECT FEE OF \$35.00 WILL BE ADDED TO THE BILL IF THE SERVICEMAN ARRIVES AT YOUR PREMISES TO DISCONNECT THE WATER.

TO ENSURE THAT YOUR SERVICE CAN BE RE-ESTABLISHED IN A TIMELY MANNER, PROVIDE PAYMENT DURING NORMAL BUSINESS HOURS MONDAY-FRIDAY 8AM TO 4:30PM. A \$50.00 RECONNECTION CHARGE WILL BE APPLIED TO YOUR ACCOUNT BALANCE, DUE UPON REACTIVATION OF THE METER.

ADDITIONAL FEES:

A \$5.00 LETTER FEE AND A 10% INTEREST PENALTY ON ALL PAST DUE ACCOUNTS HAS BEEN APPLIED TO YOUR ACCOUNT. PAST DUE IS DEFINED AS ANY AMOUNT NOT PAID AFTER 45 DAYS OF BILLING DATE. THIS DISCONNECT NOTICE IS FOR NON-PAYMENT ON THE ABOVE LISTED ACCOUNT.

A \$20.00 FEE FOR POSTING A WARNING NOTICE AT THE RESIDENCE WILL BE APPLIED IF SAID RESIDENCE IS TAGGED 2 DAYS BEFORE THE SHUT OFF DATE. PAYMENT MUST BE MADE AT OUR CPUD OFFICE AT 251 CHESTER AIRPORT RD. BEFORE 12:00 PM ON THE DAY OF THE TAG BEING POSTED.

PLEASE ATTEND TO THIS MATTER IMMEDIATELY TO AVOID BEING DISCONNECTED.

DATE: _____

Send a remittance with a copy of this letter to: Allan Homme, CPUD Lead Supervisor

If you claim that payment in full of the above-described delinquent charges is beyond your means, you may make a request for a payment plan to pay the bill over a period of time not to exceed twelve (12) months. Such request for an extension of time must be made in writing within thirteen (13) days of mailing of this notice. Also, if a licensed physician or surgeon certifies in writing that termination of your residential service will be life threatening, or if you are financially unable to pay for the service within the normal payment period, you may request an amortization of the unpaid balance over a period not to exceed twelve (12) months. Any unpaid balance that is 45 days late will accrue interest.

A complete copy of the District's Service Discontinuance Policy is available at the District's Office.

The following organizations may provide information on the availability of financial assistance in the payment of your utility charges:

Plumas Crisis Intervention & Resource Center (530) 283-5515-Quincy
www.PCIRC.Com

ABC Center in Chester Tues/Wed/Thurs (530) 259-4156-Chester

If you desire to initiate a complaint or request an investigation concerning service or charges, such a request or complaint must be made within five (5) days of your receipt of a contested bill.

The representative of the district who can provide additional information or institute arrangements for payments can be reached at: (530) 258-2171.

The date by which payment or arrangements for payment is required to be made in order to avoid termination of service is: _____ by _____. You can now pay online with an account number debit card or credit card by going to: www.paymentservicenetwork.com or chesterpud.org. We still accept cash at the office, as well.

WARNING: If service is disconnected, the Balance of the Account shown above, plus the following additional charges and deposits must be paid to restore service:

Deposit to Re-establish Credit (Water Service)	\$40.00
Deposit to Re-establish Credit (Sewer Service)	\$40.00
Disconnect Fee	\$35.00
AND Reconnection Charge	\$50.00

CHESTER PUBLIC UTILITY DISTRICT

By _____
Allan Homme

CERTIFICATE OF MAILING AND POSTING

I, Kelly Sanders, certify under penalty of perjury under the laws of the State of California, that I am the Secretary of the Chester Public Utility District and that a true copy of the foregoing Notice of Intended Termination of Service.

☐ Was mailed first class, postage fully prepaid in a sealed envelope addressed to the Customer at the customer's address as shown above.

☐ Was posted in a conspicuous place on _____ on the serviced premises shown above.

This certificate was executed on _____, at Chester, California.

The procedures mentioned above are in compliance with the requirements of The Water Shutoff Protection Act (SB-998). Please call the Chester PUD office at (530) 258-2171 if you have any questions.