



ESTABLISHED 1850

CITY OF VACAVILLE

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City of Vacaville Administrative Policy

Effective: February 1, 2020

Interruption of Residential Water Service

Purpose:

To establish a policy setting guidelines for residential water interruption for non-payment of utility bill.

Purpose/Background:

This policy enumerates the City of Vacaville's administrative actions for the collection of delinquent accounts, including notifications, fee assignments and interruption of service. This policy will be made available to the public on the City's website. The City can be contacted by phone at (707) 449-5128 to discuss options for averting interruption of water service for nonpayment under the terms of this policy.

Policy:

The City will have a written policy on interruption of residential service for nonpayment 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 its service area. The Policy will be made available on the City's website.

Delinquent Account:

As stipulated in Muni code 13.12.060, utility bills are due and payable upon presentation of the bill. Presentation is defined as when the bills are put into the mail and/or presented electronically. Accounts are considered delinquent the day after presentation. The billing schedule can be accessed online at www.cityofvacaville.com or at the Finance counter at City Hall. The following rules apply to the collection of delinquent accounts:

1. Small Balance Accounts:

Any balance on a bill of \$25 or less may be carried over, and added to, the next billing period without being assessed a late fee or incurring further collection action.

2. Late Fee:

If payment for a bill is not received by close of business on the 30th day after presentation of the bill, a late fee, as set forth in the Service and Facility Rental Fees schedule, will be assessed. A late notice will be sent to the customer of record stating the amount of the late fee and the

last date a customer is able to make full payment or request a payment arrangement to avoid subsequent fees and potential service interruption.

3. Waiver of Late Fee:

In accordance with the City's Late Fee Waiver Policy, at the request of the customer, the City will waive one late fee per calendar year.

4. Extension of Payment of Bill:

To avoid late fees, the customer of record may request an arrangement to pay the bill. The customer of record may apply for one of the options listed below.

1. The customer of record may apply for an extension to pay the amount of the bill on or before the late fee is assessed. The extension will be granted for the 60th day after bill presentation.
2. If additional time is needed to pay the amount of the bill, the customer of record may apply for an alternative payment arrangement as described below.

5. Alternative Payment Arrangements:

Any customer who is unable to pay for water service by the 60th day after the bill is issued, may request an alternative payment arrangement to avoid additional fees or interruption of service. In compliance with SB 998, the City will consider all circumstances surrounding the request and make a determination as to whether the payment arrangement is warranted.

a. Certification by Primary Care Provider

Certification by a Primary Care Provider (General Practitioner, Obstetrician/Gynecologist, Pediatrician, Family Practice Physician, Primary Care Clinic, Hospital, or Outpatient Clinic) who certifies that the disruption of service will be life threatening or pose a serious threat to the health and safety of any resident of the premises where water service is provided will obligate the City to enter into an amortized repayment plan.

b. Financially Unable to Pay

The customer demonstrates that he or she is financially unable to pay for residential service within the water system's normal billing cycle. The customer or any member of customer's household must be 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.

c. Alternate Payment Schedule

The customer is willing to enter into an alternative payment schedule as described below.

Payment arrangements that extend into the next billing period are considered an amortization plan, which must be in writing and signed by the customer. An amortization plan will amortize the unpaid balance over a 12 month period from the date of the approved payment plan. The amortized payments will be due on a monthly basis. The customer must comply with the terms of the amortization plan and remain current as charges accrue in each subsequent billing period. The customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an amortization plan. Failure to comply with the terms of an amortization plan will result in the issuance of a written interruption notice.

6. Written Interruption Notice:

The City shall not disrupt water service for non-payment until payment by the customer has been delinquent for at least 60 days. The City will make a reasonable, good faith effort to contact the customer in writing at least 7 business days before interruption of water service for non-payment. If the mailing address and the address of the property to which water service is provided are different, a written notice will be mailed to the billing address specified on the account and a door hanger will be delivered to the premises addressed to "Occupant". The written interruption notice will include:

- Customer's name and address
- Amount that is past due
- Date by which payment or payment arrangements are required to avoid interruption of service
- Description of the process to apply for an amortization plan
- Description of the process to dispute or appeal a bill
- Description of the process to have service restored
- City phone number and a web link to the City's written collection policy

a. *Notice to Residential Tenants/Occupants in an Individually Metered Residence*

The City will make a reasonable, good faith effort to inform the occupants, by means of written notice hung on the door of the residence, when the water service account is in arrears and subject to interruption at least 10 days before water service is disrupted. 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 the amount due on the delinquent account to be waived, the tenant/occupant must provide verification of tenancy in the form of a rental agreement or proof of rent payments.

b. *Notice to Tenants/Occupants in a Multi-Unit Complex Served through a Master Meter*

The City will make a reasonable, good faith effort to inform the occupants, by means of written notice posted conspicuously on or in front of the property, when the water service account is in arrears and subject to interruption at least 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 the address(es) served by the master meter. If one or more of the occupants are willing and able to assume responsibility for the subsequent charges for water service to the satisfaction of the City, or if there is a physical means legally available to the City, of selectively terminating service to those occupants who have not met the requirements for service, the City will make service available to the occupants who have met those requirements.

7. Interruption Deadline:

All delinquent service charges and associated fees must be received by the City by close of business on the day specified in the written interruption notice. A customer that cannot pay the charges by the date specified, may apply for alternative payment arrangements as described in section 5 of this policy. Applications for alternative payment arrangements must be submitted by noon on the date specified on the interruption notice.

8. Interruption of Water Service for Non-Payment:

The City will interrupt water service by turning off, and in some cases locking off, the meter. Before service is interrupted, the customer will be notified by a written interruption notice at least 7 business days prior to interruption of service. The customer will be charged a non-payment fee regardless of whether the meter has physically been turned off. The meter will remain in the locked position until payment is received. A customer whose water service has been interrupted for non-payment will be charged for all basic service fees while the service is interrupted.

The City of Vacaville, its officers, officials, employees, and representatives are not liable or responsible for any injury or damage that may result from the interruption of water service due to nonpayment of the bill for the service provided.

9. Restoral of Service:

In order to resume or continue service that has been disrupted for non-payment, the customer must pay all delinquent charges and fees owed.

To have same day restoral without paying an after-hours restoral fee, the payment must be received by 4:00 pm. Water service that is turned on by any person other than City personnel or without City authorization may be subject to fines or additional charges or fees. Any damages that occur as a result of unauthorized restoration of service are the responsibility of the customer.

10. Restoral of Service after Business Hours:

Restoral of service requests received after 4:00 pm on business days will be charged an after-hours fee as set forth in the Service and Facility Rental Fees schedule. Service will not be restored after regular business hours unless the customer has been informed of the after-hours

fee and paid the applicable fee along with all delinquent charges and fees owed by close of business the day service is to be restored.

11. Notification of Disposition of Returned Check/ACH transaction:

In the event the City receives notification of a returned payment, the customer's account will be considered unpaid. The City will assess a returned payment fee as set forth in the Service and Facility Rental Fees schedule. The customer of record will be sent a notification of the returned payment. If at the time of the returned payment the account is less than 60 days delinquent, the notice will state the date the returned payment and fee must be paid to avoid additional notifications and fees. If at the time of the returned payment, the customer's account is more than 60 days delinquent, a 7 business day notice of service interruption will be mailed to the customer of record.

12. Returned Checks for Previously Interrupted Service:

In the event a customer makes payment to restore water service previously interrupted for non-payment and the City receives notification that said payment was returned, the City may promptly issue a 48-hour notice of service interruption.

Any customer issuing two or more returned payments in a twelve-month period or one returned payment made to restore service, will be required to pay cash, credit card, or certified funds for a period of 12 months from the date of the most recent returned payment.

13. Disputed Bills:

If a customer disputes the water bill and exercises their right to appeal to the Director of Utilities or designee, the City will not interrupt water service for non-payment while the appeal is pending.

A customer must notify the City in writing that it disputes the correctness of a bill and requests a review or investigation within 15 days from the date of disputed bill or any initial notice of service interruption. If a customer believes a payment has been made but not recorded on their account, the customer will be required to present a receipt, cancelled check or other satisfactory evidence to substantiate the payment and enable the City to research the receipt of the payment.

If the dispute is related to the utility bill, the Finance Manager or designee will meet with the customer in person or by phone at the customer's request to investigate and attempt to resolve the dispute informally. If, following the meeting with the Finance Manager or designee, the customer's dispute is not resolved, the customer may submit the dispute to the Director of Administrative Services by submitting a written request with a statement that the bill is in dispute and a full explanation of the dispute.

If the dispute is related to utility services, the Utilities Manager or designee will meet with the customer in person or by phone at the customer's request to investigate and attempt to resolve the dispute informally. If, following the meeting with the Utilities Manager or designee, the

customer's dispute is not resolved, the customer may submit the dispute to the Utilities Director by submitting a written request with a statement that the services billed are in dispute and a full explanation of the dispute.

While the issue is being researched and before a final determination by the City is made, the City will not disrupt water service for non-payment while the review is pending. The City will make a final determination within 15 days of receipt of the customer's written request for a review or investigation.

A customer may not appeal more than three billings in a twelve month period.

The determination of the Director of Administrative Services or Utilities Director is final.

14. Unauthorized Action:

This policy does not apply to the interruption of service connection by the City due to an unauthorized action of a customer.

Start Date:

This policy is effective February 1, 2020.

Duration of Policy:

This policy may be altered or revoked at any time per Director of Administrative Services' instruction to Finance staff.

Adopted: November 12, 2019



Dawn Leonardini, Director of Administrative Services