



## **Disconnection Policy Due To Non-Payment January 2020**

*Note - This policy is also available upon request or on City website in Spanish, Chinese, Tagalog, Vietnamese, and Korean*

Introduction: On September 28, 2018, Governor Brown signed into law SB 998, the Water Shutoff Protection Act, which changes the requirements and procedures relative to the discontinuation of residential water service for non-payment beginning February 1, 2020.

SB 998 requires every urban and community water system with more than 200 water service connections to have a written policy on the discontinuation of residential water service for nonpayment. The City must also report the number of annual discontinuations of residential service for inability to pay on its website and to its Council.

SB 998 sets forth the specific provisions and requirements for water service discontinuation, which includes a 60-day waiting period before service can be discontinued. The water supplier will also be required to contact, by telephone or in writing, the customer named on the account at least seven (7) business days before discontinuing service. The water supplier must: (a) offer to provide the customer the system's written policy on discontinuation of water service; and (b) offer to discuss options to avoid discontinuing water service, including alternative payment schedules, deferred payments, minimum payments, amortization and bill review and appeal. The new law also includes required processes if the water supplier is unable to contact the customer as well as specific mandates for a customer appeals process. SB 998 also offers provisions for low-income customers, and very specified conditions and/or circumstances which a water supplier will be prohibited from discontinuing water service for non-payment.

If you have any questions regarding this policy please contact Utility Billing at 951-270-5654.

The policies and procedures within are intended to outline the customers rights related to disconnection of water service.

## DEFINITIONS

- DATE OF MAILING: The date upon which a bill or notice is mailed to the Customer
- LATE PAYMENT PENALTY: Penalty assessed to a customer who fails to make the full payment of the Utility Bill by the specified date.
- MAILED: Any notice or other communication will be considered "mailed" when it is enclosed in a sealed envelope, properly addressed, and deposited in any United States Post Office box, postage prepaid.
- SERVICE TURN-OFF CHARGE: The charge assessed when a customer's water service is turned off due to non-payment.
- SERVICE TURN-ON CHARGE: The charge assessed to turn-on the water service after the service has already been requested to be closed.
- SHUT-OFF NOTICE: The official notice from Utility Billing (mailed, hand delivered, or by automated phone message system) informing the customer that the water service will be shut-off.
- UTILITY BILLING: A subdivision of Fiscal and Support Services Department responsible for providing customer assistance regarding water, sewer and trash services.

## DISCONTINUANCE AND RESTORATION OF SERVICE

### A. PAST DUE UTILITY BILLS

All Utility Bills are due and payable based on the date of mailing indicated on the Utility Bill and customers may avoid a "Late Charge" if the bill is paid in full on or before the due date shown on the bill.

### B. NONPAYMENT OF UTILITY BILLS

1. A customer's water service may be discontinued for nonpayment of a bill for service rendered at any location served by the Water Utility provided such bill is delinquent on payment for at least sixty (60) days from original date of mailing of the initial Utility Bill. No less than seven (7) business days before discontinuation of residential service for nonpayment, Utility Billing shall contact the customer named on the account by telephone or written notice. The customer will continue to be charged the monthly "Water Service Charge" during the period the meter has been disconnected due to nonpayment.

2. Discontinuance of service or “Shut-off Notice” will be delivered fourteen (14) days prior to discontinuation by written notice delivered by mail to provide the “Shut-off Notice” to the customer and/or the property where service is provided.
3. If the customer’s billing address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to “Occupant.”
4. If Utility Billing is unable to make contact with the customer or an adult occupying the residence by written notice because it is returned through the mail as undeliverable, Utility Billing 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 service for nonpayment and Norco’s water system policy for discontinuation of residential service for nonpayment.
5. If a customer is receiving more than one water service, any or all water services may be discontinued when any water service, regardless of location, is discontinued for nonpayment. However, single family residential service will not be discontinued because of nonpayment of bills for other classes of service, except when other classes of service serve the same premises.
6. As a condition to avoid discontinuation of service, the Finance Director or his/her designee, may offer options to avoid discontinuation of residential service, including, but not limited to discussing alternative payment schedules, deferred payments, minimum payments, how to request amortization of an unpaid balance, and how to petition for bill review and appeal. Utility Billing may choose which of the payment options the customer undertakes and may set the parameters of that payment option per Norco Municipal Code Section 14.04.090 C(4).

#### C. EXCEPTIONS TO DISCONNECTION OF SERVICES

The City will not discontinue residential services if ALL of the following conditions and requirements are met:

1. The customer, or a tenant of the customer, submits to Utility Billing a certification from a primary care provider, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.
2. The customer demonstrates (documents) that he or she is financially unable to pay for residential service within the City of Norco water system’s normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the City of Norco water system’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. Please note existing customers that participate in the City's Housing Utility Assistance Program (HUAP) do not automatically qualify the Customer for this requirement.

3. The customer is willing to enter into an amortization agreement, alternative payment schedule, partial or reduction of the unpaid balance, or temporary deferral of payment. Utility Billing may choose which of the payment options the customer undertakes and may set the parameters of that payment option per Norco Municipal Code Section 14.04.090 C(4).

If the customer fails to comply with the terms of the agreed upon payment plan (monthly overdue payment amount plus the entire current regular utility bill) for sixty (60) days or more, Utility Billing may discontinue water service to the customer's property. Utility Billing will post a final notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before discontinuation of service. The final notice will not entitle the customer to request a new payment plan or appeal process until the account is brought into good standing as determined by Utility Billing.

#### D. RESTORATION - RECONNECTION CHARGE

1. Utility Billing shall require a payment of a "Service Turn-Off Charge" as designated in the fee resolution adopted by City Council plus other associated fees or charges for each service that has been discontinued for nonpayment of bills or for failure otherwise to comply with rules prescribed by the Water Utility. Such charges shall be paid before service is reconnected; this charge is designated as the "Service Turn-Off Charge" in the fee resolution adopted by City Council.
2. If the customer turns on a service or allows or causes it to be turned on after it has been turned off for the above reasons, the Water Utility may lock off the meter or may remove the meter and not unlock or reinstall the meter until amounts due from the customer are collected or rules are complied with, and Utility Billing will charge the actual cost for restoration of a meter under these conditions. In addition, the customer shall be charged the cost for any and all damages to the meter or appurtenances.
3. If the customer turns on a service or allows or causes it to be turned on after it has been turned off for non-payment of a Utility Bill, by means of cutting or otherwise removing a City lock, they will be charged a "Damaged Lock Charge" as designated in the fee resolution adopted by City Council.
4. If a customer has illegally removed a lock the Water Utility may elect to remove the meter and install a plug to prevent the customer from illegally using water while the Utility Bill remains past due. In such cases the customer will be charged a "Pulled Meter Fee" as designated in the fee resolution adopted by City Council.

5. If the customer requests that service be permanently stopped there will be no charge for the final reading of the meter and turn off of the meter. If the customer contacts Utility Billing after the final reading and the water has been turned off, the charge to reconnect the services will be charged the same as a "Service Turn-On Charge" as designated in the fee resolution adopted by City Council.
6. All required payments must be received before 3:30 pm Monday through Thursday in order to receive same day restoral of water service, otherwise, restoral will be completed the next business day. Any customer that submits a payment after 3:30 pm and requests same day restoral will be assessed an "After-Hours Service Turn-On Charge" as designated in the fee resolution adopted by City Council. This accommodation will be provided at the discretion of Director of Finance or his/her designee and will be based on the availability of field staff at the time of request.
7. As a condition to re-establish service, the Finance Director or his/her designee, may elect to require the customer to provide an additional deposit toward the account.

## PROCEDURE TO PETITION BILL REVIEW AND APPEAL

### A. BILLED WATER CONSUMPTION

1. A customer who believes that the water consumption portion of the utility bill is in error must first contact Utility Billing by phone or in writing before the due date on the bill stating the nature of their dispute. Utility Billing shall contact the customer within ten (10) days from the date the dispute is received with a determination. Once a determination has been provided by Utility Billing the customer shall submit payment for the total or adjusted utility bill before the existing due date listed on the bill or within seven (7) days from Utility Billing's determination if the due date has already expired.

### B. DISPUTED WATER BILL APPEAL

1. If the customer is not satisfied with the determination by Utility Billing, the customer may formally appeal the disputed bill in question to the Director of Public Works for review by submitting a written statement setting forth the reasons why the customer believes the bill is incorrect. The customer must submit the appeal within seven (7) days of the initial dispute determination to the Director of Public Works, City of Norco, 2870 Clark Ave, Norco, California 92860. However, in order to have the disputed bill considered by the Director of Public Works, the customer must submit a payment equal to the customer's most recent paid utility bill to Utility Billing (payable to the City of Norco). Upon timely receipt of the written statement and payment, the Director of Public Works or his/her designee will review the basis of the billed amount, and communicate the results of the review and determination to the customer. Once a determination has been provided by the Director of Public Works the customer shall submit payment for the total or adjusted utility bill before

the existing due date listed on the bill or within seven (7) days from the Director of Public Works determination if the due date has already expired.

A customer who formally disputes the accuracy of the water consumption portion of a utility bill will not have the water service discontinued for nonpayment and will not be responsible for any late fees that may occur during the review period. If before completion of the Director of Public Works review, an additional bill becomes due the customer must send payment (payable to the City of Norco) for the entire amount of the additional bill. Failure to do so will constitute acceptance by the customer of the bill(s) as rendered, and authorize discontinuance of service in accordance with Norco Municipal Code Section 14.04.110.

2. Failure of the customer to file a written appeal with the Director of Public Works and provide a good faith payment to Utility Billing within the required seven (7) day period will constitute acceptance by the customer of the initial bill determination rendered, and Utility Billing may authorize discontinuance of service in accordance with Norco Municipal Code Section 14.04.110.
3. If the customer is not satisfied with the written determination of the Director of Public Works the customer may submit a written appeal to the City Council. The appeal must be submitted in writing to the City Council, City of Norco, 2870 Clark Ave, Norco, California 92860, together with reasons for the dispute within ten (10) days following receipt of the Director of Public Works' determination. In the absence of a timely filed appeal, the decision of the Director of Public Works shall be final. Upon receipt of a timely appeal, the City Clerk shall then place the matter on the agenda of the next regular meeting of the City Council for consideration. A written decision of the City Council determination shall be delivered to the customer by personal delivery or certified mail within ten (10) days following the appeal hearing. Once a determination has been provided by the City Council the customer shall submit payment for the total or adjusted utility bill before the existing due date listed on the bill or within seven (7) days from the City Council's determination if the due date has already expired.