

CITY OF WOODLAKE

POLICY ON DISCONTINUANCE OF WATER SERVICE FOR NONPAYMENT POLICY

1. Purpose

This policy has been established to comply with Senate Bill 998, known as the “Water Shutoff Protection Act” and approved by the Governor on September 28, 2018 (California Health and Safety Code Sections 116900, et seq.). This Policy shall be made available on the City of Woodlake’s website. The City Clerk can be contacted by phone at (559) 564-8055 to discuss options for averting termination of water service for nonpayment under the terms of this policy.

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 City’s water service area.

4. Requirements Precedent to Discontinuing Residential Water Service

The City shall not discontinue residential water service for nonpayment until the following three conditions are met (explanations below):

- a. Customer has been delinquent for at least sixty (60) days.
- b. The account holder and /or occupants have been notified of this policy in writing no less than thirteen (13) days before discontinuation of residential water service for nonpayment.
- c. The account holder has:
 1. Failed to obtain or maintain a payment arrangement or alternative payment schedule with the City Clerk for more than sixty (60) days or more; or
 2. Not timely contested or appeal the water charges to the City Clerk, or
 3. Not paid current water charges for sixty (60) days or more.

5. The three conditions are further described as follows:

A. Condition 1 – Delinquent water charges

- a. For the purposes of this policy, water charges will be considered delinquent if all or part of the water charge has not been paid for at least sixty (60) days from the billing date.
- b. The City shall provide written or telephone notification to an account holder and/or occupant of the delinquent charges no less than thirteen (13) days before discontinuation of residential service for nonpayment.
- c. If the City fails to reach the customer by telephone or written notice is returned as undeliverable, the City shall make a "good faith effort" to visit the residence and

leave, in a conspicuous place, addressed to “occupant”, a notice of the imminent discontinuation for nonpayment and a copy of the this policy for discontinuation of residential water service. After termination, the City shall provide discontinued customers with information on how to restore residential water services.

- d. Where the City provides individually metered residential water services, the City must provide renters and mobile home residents with written notice prior to discontinuation of service due to nonpayment by their landlord.

B. Condition 2 – Notification of this policy

- a. This policy will be provided to the customer and will include the following:
 - i. The account holder's name and service address;
 - ii. The amount of the delinquency;
 - iii. The date by which payment or an arrangement for payment is required in order to avoid discontinuation of water service;
 - iv. Instructions on how to apply for a payment arrangement or alternative payment schedule; and
 - v. Instructions on how to contest or appeal water charges
- b. Written Notice: a written notification shall be delivered either by U.S. mail, or by personal delivery. For those account holders who receive a paper utility bill, notice will be sent to the account holder's postal address and the service address, if the two addresses are not the same. When U.S. mail is not possible, personal delivery will be to the service address, and the notice will be left in a conspicuous place or wherever field personnel can safely post the notice.

C. Condition 3 – Payment arrangements

- a. Obtaining payment arrangements or alternative payment schedules
 - i. The City shall offer a payment arrangement or alternative payment schedule once the account holder submits the following information by the date indicated on the notice (see condition 2)
 - ii. Certification of Primary Care Provider- this form (Form A) certifies that discontinuation of water service poses a serious threat to the health and safety of residents living at the service address.
 - iii. Certification of Financial Hardship - this form (Form B) provides supporting documents and certifies that the residents living at the service address are unable to pay for water within the City's normal billing cycle.
Or
Declaration of Household Income - this form (Form B2) provides supporting documentation for the Certification of Financial Hardship and is used to declare that the household's annual income is less than 200% of the federal poverty level.

- b. The account holder shall submit the forms to City Clerk located at 350 N. Valencia Blvd., or fax to (559) 564-8776. Upon receipt of the forms, Utility Billing will contact the account holder within fifteen (15) business days and offer to enter into a payment arrangement in writing on a City-provided form (Form C). Payment arrangements or alternative payment schedules may only be made between the City and the account holder. Once agreed upon, a payment arrangement or alternative payment schedule may not be extended or modified. A payment arrangement or alternative payment schedule shall be considered null and void if any part of it is not kept for sixty (60) days or more, or if water charges contained in subsequent bills are not paid for sixty (60) days or more (see Condition 3 (c) current water charges).
- c. **Current Water Charges**
For the purposes of this policy, current water charges shall mean any charges billed after those that have been addressed by a payment arrangement or alternative payment schedule. Current water charges not paid for sixty (60) days or more shall cause the water service to be shut off for nonpayment. Current water charges shall be ineligible for a payment arrangement or alternative payment schedule if a payment arrangement or alternative payment schedule for a previous bill is already in effect.
- d. **Shutoff for Nonpayment**
If the above-three conditions are met, the City will post a final notice of impending water shutoff at the service address at least five (5) days before shutoff.
- e. **Waive interest charges on delinquent bills once every twelve (12) months.**
The City 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

6. **Restoration of Water Service**

A reconnection of service fee for reconnection during normal operating hours in an amount that does not exceed fifty dollars (\$50). For the reconnection of residential water service during nonoperational hours, the City shall set a reconnection of service fee that does not exceed one hundred fifty dollars (\$150). The maximum amount of fifty dollars (\$50) for reconnection during operational hours and one hundred fifty dollars (\$150) during nonoperational hours.

7. **Services Involving Landlord-Tenant Relationships**

- a. If the City 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 City 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 thirteen (13) 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 City 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 City'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 City, including requirements which may include, but not be limited to, payment of a deposit of one hundred and fifty dollars (\$150), completion of a City application for service and furnish a lease agreement, to be evaluated by City Clerk or designee, whether the City is satisfied that the residential applicants can meet the terms and conditions of service, or if there is a physical means legally available for the City to selectively terminate service to those residential occupants who have not met the requirements with notice of termination at least seven (5) days prior, and the City shall make service available to those residential occupants who have met those requirements.

8. Reporting Requirements

The City shall annually report the number of discontinuations of residential service for inability to pay on the City's website and to the State Water Resources Control Board.

9. Limitations of this Policy

Nothing in this policy restricts, limits or otherwise impairs the City'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.

10. Customers may appeal the amount set forth in any bill for residential water service.

- a. The customer has a right to initiate an appeal of any bill or charge rendered by the City. Such request may be contested or appealed by filing a written request with the City Clerk, 350 N. Valencia Blvd., Woodlake, CA 93286. The City will not discontinue water service to the customer during the appeal process.
- b. Matters such as the quality of service, rates of service, or the terms and conditions of a payment arrangement or alternative payment schedule may not be contested or appealed to Utility Billing.
- c. If the investigation does not result in a resolution acceptable to the customer, the customer may seek review by the City Clerk or designee and subsequently may appeal to the City Council. The City will provide written notice of the time and place of the appeal at least seven (7) days before the City Council meeting. The decision of the City Council is final.



Certification of Primary Care Provider

Form A

City of Woodlake Utility Billing

ACCOUNT HOLDER INFORMATION

Owner Renter

Account Number

Service Address

Account Holder Name

Person Receiving Primary Care

Payment Arrangement Date

Payment Arrangement Amount

I, the account holder, certify under penalty of perjury that the above – named person receiving primary care resides at the service address.

Account Holder Signature

Phone Number

PRIMARY CARE PROVIDER

Name of Primary Care Provider

Name of Medical Clinic or Facility

Clinic Address

Clinic Phone Number

National Provider Identifier

Reason Receiving Primary Care

I, the Primary care provider, certify under penalty of perjury that I provide care to the person named above and that discontinuation of water service to this person would pose a serious threat to their health and safety.

Primary Care Provider Signature

Date

CITY OF WOODLAKE STAFF

Date Received

Initials



Certification of Financial Hardship

City of Woodlake Utility Billing

Form B

ACCOUNT HOLDER INFORMATION Owner Renter

Account Number

Service Address

Account Holder Name

Number of Members in Household

Payment Arrangement Date

Payment Arrangement Amount

1. Which of the following forms of assistance are currently utilized by the household? (Only one member of the household needs to provide proof of assistance to complete this form)

ASSISTANCE	RECIPIENT(S) NAME	PROOF REQUIRED
Medi-Cal		Notice of Action from Tulare County Human Services Department
SSI / SSP		Social Security Benefit Verification Letter
CalWorks		Notice of Action from Tulare County Human Services Department
CalFresh		Notice of Action from Tulare County Human Services Department
General Assistance		Notice of Action from Tulare County Human Services Department
WIC		Notice of Action from Tulare County Human Services Department
None	All household Members	Declaration of Household Income – Form B2

2. Certificate of Financial Hardship

I, the undersigned, declare under the laws of the State of California that I am the recipient of the above-indicated assistance, that I have provided proof of this, and that I am a member of household of the service address indicated above.

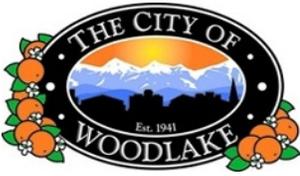
Recipient Signature

Account Holder Signature

CITY OF WOODLAKE STAFF

Date Received

Initials



Declaration of Household Income

City of Woodlake Utility Billing

Form B2

ACCOUNT HOLDER INFORMATION Owner Renter

Account Number

Service Address

Account Holder Name

Number of Members in Household

1. List all household members currently residing at the service address, regardless of their earnings status. Unearned income may include any monies from spouse/ partner, SSI/ SSD, welfare benefits, unemployment, student grants, rental income, interest, dividends, cash and/or gifts.

Current Household Members	Relationship	Age	Employed (Y/N)	Employment Income (Monthly)	Unearned Income (Monthly)
	Head of Household				

Employment and Unearned Income Totals: \$ _____ \$ _____

2. Declaration of Household Income (all members 18 years of age or older must sign this declaration)

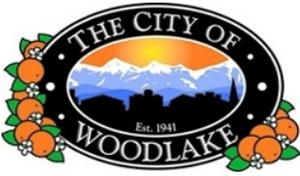
I, the Undersigned, declare under penalty of perjury under the laws of the State of California that the information is true and correct.

Print Name	Signature	Relationship
		Head of Household

CITY OF WOODLAKE STAFF

Date Received

Initials



Agreement for Payment Arrangement

Form C

City of Woodlake Utility Billing

ACCOUNT HOLDER INFORMATION (Completed by City Staff)	<input type="checkbox"/> Owner	<input type="checkbox"/> Renter
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Account Number

Service Address

Account Holder Name

Date & Amount of Bill for Payment arrangement

1. Payment Arrangement Schedule

#	Minimum Payment Amount	Due Date	Remaining Balance after Payment
1.	\$		\$
2.	\$		\$
3.	\$		\$
4.	\$		\$
5.	\$		\$
6.	\$		\$

- Per section 116910.(b)(2) of the California Health & Safety Code, City Staff may choose the payment option the account holder undertakes and may set the parameters of that payment option
- Payment arrangements or alternative payment schedules may only be made between City staff and the account holder
- An account holder may only have one payment arrangement or alternative payment schedule per account at a time
- A payment arrangement or alternative payment schedule shall be considered null and void if any part of it is not kept for 60 calendar days or more, or if water charges contained in current bills are not paid for 60 days or more.
- Current utility bill amounts must be paid in full by the billing date. Payment arrangement amounts may be paid ahead of schedule or in excess of the scheduled amount. All payments will apply against the oldest charges first. Failure to pay current bill amounts by the bill's due date will result in shutoff of services as soon as those amounts are 60 days overdue.

I, the account holder, agree to the payment arrangement described above.

Account Holder Signature

Date Signed

Date Completed

City Staff Initials

13 DAY NOTICE

Service Location
123 Main Street
Woodlake, CA 93286

PAST DUE AMOUNT \$XXX.XX
LATE CHARGE ASSESSED \$6.00
DUE BY: X/XX/2020 \$XXX.XX

(Account Holder)
123 Main Street
Woodlake, CA 93286

Account Number
101-XXXX-00-XX

13 DAY NOTICE

Your utility service is 60 days overdue and now subject to disconnection. This is your SECOND NOTICE to pay the amount due or request a payment arrangement. If full payment or payment arrangement verification forms are **not** received at City Hall by the date stated, services will be disconnected without further notice. If disconnected, service will be restored after full payment and \$50 reconnection fee. Para información en Espanol llame al numero 564-8055.

Service Location
123 Main Street
Woodlake, CA 93286

(Account Holder)
123 Main Street
Woodlake, CA 93286

Account Number
101-XXXX-00-XX

PAST DUE AMOUNT \$XXX.XX
LATE CHARGE ASSESSED \$6.00
DUE BY: X/XX/2020 \$XXX.XX

This statement reflects payments received as of

X/XX/2020

City of Woodlake
350 N. Valencia
Woodlake, CA 93286
(559) 564-8055

5 DAY NOTICE

Service Address
123 Main St.
Woodlake, CA 93286

DUE BEFORE: 4:00 PM \$XXX.XX
ADD AFTER: 4:00 PM \$50.00
DUE BY: X/XX/2020

(Account Holder)
123 Main St.
Woodlake, CA 93286

Account Number
101-XXXX-00-XX

5 DAY NOTICE

Your utility service is 60 days overdue and now subject to disconnection. This is your FINAL NOTICE to pay the amount due or request a payment arrangement. If full payment or payment arrangement verification forms are **not** received at City Hall by the date stated, services will be disconnected without further notice. If disconnected, service will be restored after full payment and \$50 reconnection fee. Para información en Espanol llame al numero 564-8055.

Service Location
123 Main St.
Woodlake, CA 93286

(Account Holder)
123 Main St.
Woodlake, CA 93286

Account Number
101-XXXX-00-XX

DUE BEFORE: 4:00 PM \$XXX.XX
ADD AFTER: 4:00 PM \$50.00
DUE BY: X/XX/2020

This statement reflects payments received as of

X/XX/2020

City of Woodlake
350 N. Valencia
Woodlake, CA 93286
(559) 564-8055