

2.01.07 Discontinuance of Service.

A. Water service may be discontinued for any one of the following reasons:

1. Delinquency, in the payment of any water service rate or charge except that residential service shall not be discontinued for nonpayment in any of the following situations:
 - a. During the pendency of any investigation by the District of a customer dispute or complaint.
 - b. When a customer has been granted an extension of the period for payment of a bill respecting water service.
 - c. When a customer is willing to enter into an amortization agreement.
 - d. On the certification of a licensed physician or surgeon that to do so will be life threatening to the customer and the customer is financially unable to pay for service within the normal payment period and is willing to enter into a amortization agreement with the District and requests permission to amortize, over a period not to exceed twelve (12) months, the unpaid balance of any bill asserted to be beyond the means of the customer to pay within the normal payment period.
 - e. The customer can demonstrate that he or she is unable to financially pay for residential service during the Districts normal billing cycle. The customer may prove that they are financially unable to pay for residential service during the Districts normal billing cycle if any member of the household is a current recipient of financial assistance programs such as Cal WORKS, Medi-Cal or other general assistance programs.
 - f. The customer can declare and demonstrate that the household's annual income is less than 200% of the federal poverty level.
2. The unauthorized taking of water.
3. Failure of the customer to maintain his facilities in a suitable condition to prevent waste of water.
4. The existence of any unprotected cross connections on the customer's premises or the lack of adequate backflow protection at the service connection.
5. To protect the District against fraud or abuse.
6. Any violation by the customer of any rules, regulations or fees of the District governing water service.

- B. Commencing at eight a.m. the day following the due date stated on the door hanger, a lock out / reactivation fee as established by District resolution will be charged to the account. Further, a work order may be generated to discontinue service for failure to make payment, pursuant to Section 2.01.07A above
- C. Ten days after the District initiates a work order to discontinue service pursuant to Section 2.01.07B, above, the service shall be considered permanently discontinued and the account will be finalized.
- D. Services discontinued pursuant to this Section shall not be restored until all fees and charges are paid in full.

2.01.08 Notice of Discontinuance of Residential Service for Nonpayment

- A. At least seven (7) days before any proposed discontinuance of residential water service for nonpayment of a delinquent account respecting such service, the District shall contact the customer by telephone or deliver a Lockout notice, to the customer or occupant to whom the service is billed of the proposed discontinuance. The notice shall include the information as described in section 2.01.08 B

If the District makes contact with the customer by telephone, they must provide the customer with information on how to obtain the District policy on discontinuation of service. The district shall also inform the customer of the option to request amortization of the unpaid balance.

If the customers address is not the address of the property to which discontinuance of service will occur, the District will mail a notice, postage pre-paid to the customers billing address.

In addition to the seven (7) day notice provided for in the preceding paragraphs, the District shall make a reasonable attempt to contact any adult person residing at the premises of the customer by telephone or personal contact at least forty-eight (48) hours prior to any discontinuance of service, except that, whenever telephone or personal contact cannot be accomplished, the District shall give, by mail, in person, or by posting in a conspicuous location at the premises, a notice of disconnection of service, at least forty-eight (48) hours prior to disconnection

- B. Every Lock Out Notice of service required by this section shall include all of the following information:
 - 1. The name and address of the customer whose account is delinquent;
 - 2. The amount of the delinquency;
 - 3. The date by which payment or arrangements for payment is required in order to avoid discontinuance;

4. The procedure for the customer to obtain information by which the customer may initiate a complaint or request an investigation concerning service or charges, unless the District's bill for service contains a description of that procedure;
5. The procedure for the customer to obtain information on the availability to request amortization on the amount of delinquency; and
6. The telephone number and name of a representative of the District who can provide additional information or institute arrangements for payment.

2.01.09 Notice of Discontinuance of Service with a Landlord-Tenant Relationship to Multi-unit Residential Structures or a Detached Single-Family Dwelling

Whenever the District furnishes water through a master meter, or furnishes individually metered service in a multi-unit residential structured, mobile home park, or farm labor camp, the District will give the following notices prior to discontinuing service:

- A. Notify the owner of the property pursuant to Section 2.01.08 above; and
- B. Make every good faith effort to inform the actual users of the service, when the account is in arrears by means of a notice that service will be terminated in seven (7) days. Said notice will comply with Government Code Section 60371.
- C. The notice of discontinuance shall further inform the residents 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.
- D. The District is not required to make service available to the residents unless each occupant agrees to the terms and conditions of service and meets the requirements of the District policies. However, if one or more of the residents are willing to assume the responsibility for the subsequent charges to the account to the satisfaction of the District, or if there is a physical means legally available to the District of selectively terminating service to those residents who have not met the requirements of the District, the District shall make service available to those residents who have met the requirements.
- E. In the case of a detached single-family dwelling, the district shall give notice of termination, to the residents, at least seven (7) days prior to the proposed shutoff. In order for the amount due on the delinquent account to be waived, the District will require the resident who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager or agent of the dwelling.

2.01.10 Discontinuance of Non-Residential Services for Nonpayment.

At least seven (7) days before discontinuing nonresidential water service, the District shall provide a written notice to the customer. The notice shall specify the reason for the proposed discontinuance and inform the customer of the opportunity to discuss the reason for the

proposed discontinuance with the General Manager, or his/her designee. The General Manager or his/her designee is empowered to review disputes and rectify errors and settle controversies pertaining to such proposed discontinuance of service. The name and phone number of the General Manager, or his or her designee, shall be included in any such notice of proposed discontinuance given to a non-residential customer.

2.01.11 Discontinuance of Service on Weekends, Holidays or After Hours.

District Services will not be discontinued to any customer or user because of any delinquency in payment on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the District are not open to the public.

2.01.12 Investigation and Amortization of Delinquent Bill for Residential Water Service.

- A. The General Manager, or his/her designee, is hereby authorized to investigate complaints and review disputes pertaining to any matters for which water service may be discontinued and to rectify errors and settle controversies pertaining to such disputes.
- B. Every complaint or request for investigation by a residential customer that is made within five (5) days of receiving the disputed bill for water service, and every request by a residential customer that is made within thirteen (13) days of the mailing of the notice required by Section 2.01.08 for an extension of the payment period of such a bill asserted to be beyond the means of the customer to pay in full during the normal period for payment shall be reviewed by the General Manager, or his/her designee. The review shall include consideration of whether the customer shall be permitted to amortize the unpaid balance of the amount over a reasonable period of time, not to exceed twelve (12) months. The District will permit only one (1) amortization agreement per eighteen (18) months. Any customer whose complaint or request for an investigation has resulted in an adverse determination by the General Manager, or his or her designee, may appeal the determination to the Board of Directors.

2.01.13 Notice Required Prior to Discontinuance of Service for Failure to Comply with Amortization Agreement

If an amortization agreement is authorized, no discontinuance of water service shall be affected for any residential customer complying with such agreement, providing the customer also keeps the account current as charges accrue in each subsequent billing period. If a residential customer fails to comply with an amortization agreement, the District shall not discontinue service without giving notice to the customer at least forty-eight (48) hours prior to discontinuance of the conditions the customer is required to meet to avoid discontinuance. The notice does not entitle the customer to further investigation by the District.

2.01.14 Public Nuisance, Abatement

During any period of non-connection or disconnection of water service, habitation of premises by human beings shall constitute a public nuisance, whereupon the District may cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. The District may request the County Health Officer to commence proceedings to be brought for the abatement of the occupancy of the premises by human beings. In such event, and as a condition of reconnection, there shall be paid to the District a reasonable attorney's fee and costs of suit arising in said action.

2.01.15 Partial Payment Spread

In the case of partial payment by a customer, the payment will be applied to the account in the following order:

- A. Penalties and restoration charges;
- B. Late charge;
- C. Water charge.

2.01.16 Returned Checks

A charge, as established by District Resolution, will be charged against any person whose check or ACH is returned by the bank due to lack of funds. Returned checks and ACH's are processed as delinquent payments for purposes of applying Section 2.01.07.

2.01.17 District Posting of Delinquent Accounts and District Policy Availability

The District will be required, annually, to post the number of times the District has discontinued services, due to inability to pay, of its customer. These figures will be reported to the Board of Directors, prior to posting on the Districts website.

The District policy for discontinuance of service will be made available to customers, as requested. The policy will be available for pickup at the District offices and available for electronic review on the District website, www.losososcscsd.org. If the policy is needed in an alternate language, other than English, the District will make it available as well.