

**BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF YUBA**

**RESOLUTION AMENDING RIVER HIGHLANDS)
COMMUNITY SERVICES DISTRICT WATER)
AND SEWER POLICY)**

RESOLUTION NO. 2025-032

WHEREAS, The Yuba County Board of Supervisors, on behalf of the River Highlands Community Services District, determined that service charges for water and sewer service occur from time to time and that existing policy requires updating; and

WHEREAS, the Yuba County Board of Supervisors, on behalf of the River Highlands Community Services District, determined a need to implement enforcement procedures to respond to non-payment resulting in past dues, including disconnection of service where appropriate; and

WHEREAS, the wells that supply the water for the homes in the River Highlands Community Services District have limited capacity, and that capacity is being strained by excess water usage; and

WHEREAS, Yuba County Board of Supervisors, on behalf of the River Highlands Community Services District, determined that there is a need to implement restrictions and surcharges on water usage depending on water availability and penalties for violation of those maximum limits;

NOW, THEREFORE, BE IT RESOLVED, the Yuba County Board of Supervisors hereby declares the following policies and procedures shall be applied to customers in the RHCSA:

Section 1. Water Policy. Refer to Attachment A.

Section 2. Current Rates. Refer to Attachment B for current rates.

Section 3. Start or Stop Service. Landowners are responsible for all accounts.

- a. Start Service. To begin service for new owners after this adopted resolution, an Application for Service Form (**refer to Attachment C**) must be completed and returned to the Yuba County Community Development and Services Agency (“County CDSA”). The first month's bill will charge a \$25.00 Service Fee. Proof of ownership must be provided within 10 days, or service may be discontinued.

1. Tenant-Landowner Situations. Tenants may apply as customers of record with Landowner consent utilizing the “Landowner Guaranty and Consent” (**refer to Attachment D**) form and the Application for Service Form. New owners or tenants are to apply for service.
- b. Stop Service. Service must be requested to be stopped by completing the “Sign-Out of Service Form” (**refer to Attachment E**) and returning it to CDSA. If no notification is provided to CDSA, service will continue, and the landowner will be responsible for charges that continue to accrue.

Section 4. Billing Procedures. All water and sewer monthly bills are due and payable within 30 days from the billing date. If a bill is not paid within 30 days, pursuant to existing policies, a ten percent late charge will be added to the bill as authorized by Government Code Section 61115. An additional penalty of 1% per month shall be added to the bill until paid.

- a. Information on where to access the water policy will be printed on monthly statements (**refer to Attachment F for a monthly bill template**).

Section 5. Collection and Disconnection Procedures. County staff are hereby directed to implement the attached collection processes that match current State law. The Board of Supervisors provides authority to the Yuba County Community Development and Services Agency (CDSA) Director and Public Works Director to enforce collection procedures.

- a. Yuba County Community Development and Services Agency Director and Public Works Director are provided authority to follow the attached enforcement procedure (**refer to Attachment A, I, J, L, & M for the current water policy for collection and the disconnection process**).

Section 6. Reconnection Procedures and Fees.

- a. When service has been disconnected due to non-payment, the service shall be reconnected upon payment to the County of the following:
 1. Payment in full of all delinquent charges with a money order or cashier’s check; and
 2. The reconnection fee payment.
- b. After disconnection for any reason, the reconnection fees will be as follows:
 1. Households who do not meet the criteria for reconnection capped rates according to current State law; rates for reconnection will be \$180.00 during regular business hours and \$360.00 during non-operational hours.
 2. Households deemed to meet the criteria for reconnection capped rates and reconnection fees will follow current State law.
(refer to Attachment G, H, L, N, & O for the current water policy for collection and the disconnection process).

Section 7. Usage for Normal Water Availability Conditions. During the time in which the CDSA Director or Public Works Director determine that there is adequate water available for normal residential use, the following usage regulations shall apply:

- a. Base Usage. Resident parcels connected to the District water system shall have a permitted base usage of 3008 cubic feet (cf) of water per month (750 gallons per day). *This would allow consumption of 63,000 gallons a day for all of Gold Village.*

Section 8. Usage for Water Conservation Conditions. During the time in which the Community Development and Services Agency Director or Public Works Director determine that there is a need to reduce water usage (“Water Conservation Conditions”), the following usage regulations shall apply:

- a. Base Usage. Resident parcels connected to the District water system shall have a permitted base usage of 2406 cubic feet (cf) of water per month (600 gallons per day). *This would allow the consumption of 50,400 gallons a day for all of Gold Village.*

b. Outside Watering Restricted.

1. Outside watering will only be permitted three days a week as follows:

- i. Even number addresses: Tuesday, Thursday, and Saturday
- ii. Odd number addresses: Wednesday, Friday, and Sunday
- iii. No outside watering shall occur on Mondays.
- iv. No outside watering shall be done wastefully, producing excessive drainage off the landscape area intended to be watered.

- c. Enforcement Procedure. Where meter readings or other credible evidence shows overuse or a violation of the regulations pertaining to water conservation conditions, County Staff shall do the following:

1. Owner shall be given a written warning to reduce water usage and advised that if a violation continues to occur, the owner will be subject to penalties as provided in this Resolution.
2. If a second violation occurs after the warning, the owner shall be subject to a penalty service charge of \$100.00. The penalty service charge must be paid within 30 days of notice of levy, or the service may be disconnected.
3. If violations continue, the penalty charge shall be increased to \$200.00 for a second violation, \$300.00 for a third, \$400.00 for a fourth, and \$500.00 for a fifth violation.
4. If the penalty charges are not paid within 30 days of notice of levy, the service will be disconnected. Reconnection shall be subject to paying all penalty charges and the reconnection fee provided herein.

Section 9. Usage During Water Emergency. During the time in which the Community Development and Services Agency Director or Public Works Director declares a water emergency, the following usage regulations shall apply:

- a. Maximum Usage. All use above an emergency maximum usage of 2005 cf/month (500 gallons per day) is prohibited. *This would allow consumption of 42,000 gallons a day for all of Gold Village.*
- b. Outside Watering. All outside watering is prohibited.
- c. Enforcement Procedure. Where meter readings or other credible evidence shows overuse or a violation of the emergency water regulations, County Staff shall do the following:
 - 1. On the first violation, the Owner shall be charged a penalty charge of \$100.00 and advised that if a violation continues to occur, the owner will be subject to disconnection as provided in this policy.
 - 2. If further violations occur in two consecutive billing cycles, the property's water service will be disconnected.

Section 10. Determination of Usage. The County may activate any installed meter or install a new meter on any waterline connecting a residential parcel to the District water system and monitor usage.

Section 11. Appeal to the County Director. Any homeowner who believes that a penalty has been wrongfully levied against them may request in writing to Yuba County CDSA that the matter be reviewed by the County CDSA Director or Public Works Director, who has the authority to approve or deny such appeals. Such review shall only occur after the penalty has been paid to the County of Yuba. If the Director determines that the violation of the maximum usage did not happen or that another good cause exists, the County shall refund the penalty payment. //

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NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Yuba as follows:

Section 1. The Revised policy is hereby approved and supersedes in its entirety the previous policies in place.

Section 2. All officers of the County are hereby authorized and directed to take any actions and execute and deliver any and all documents as are necessary to comply with the Revised Policy approved by this resolution.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Yuba, State of California on the 8 day of April, 2025 by the following vote:

AYES: Supervisors Vasquez, House, Fuhrer, Bradford, Messick

NOES: None

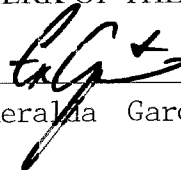
ABSENT: None

ABSTAIN: None



GARY BRADFORD, CHAIR

ATTEST: MARY PASILLAS
CLERK OF THE BOARD OF SUPERVISORS

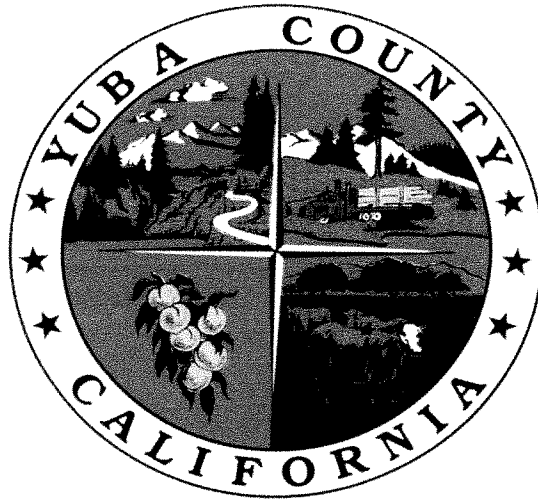


Esmeralda Garcia, Board Clerk

JANET E BENDER
YUBA COUNTY COUNSEL
APPROVED AS TO FORM:



River Highlands Community Services District Water Policy



This policy outlines the standards and procedures for providing water and sewer services including billing and collection procedures, adhering to relevant state and federal regulations.

REVISED MARCH 3, 2025

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P. Reference Material SB3-998 Amendment Resolution

The County of Yuba

Community Development & Services Agency

Michael Lee, Director

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Yuba County on behalf of River Highlands Community Services District Policy on Disconnection of Residential Water Services for Nonpayment

1. General Provisions

- a. Application. This Policy applies to disconnection of residential water service for nonpayment or other violations of Yuba County's ("County") policy on behalf of River Highlands Community Services District ("District"). Existing ordinances, resolutions, policies, and procedures shall continue to apply to all water service accounts and to disconnection of residential water service for other reasons, including the termination of a service connection by the County due to a customer violation of any other ordinance, rule, regulation, or policy of the County. In the event of any conflict between this Policy and any other ordinance, rule, regulation, or policy of the County, this Policy shall prevail. In the event of any conflict between this Policy and state law, state law shall prevail.
- b. Customer Responsibility. Under applicable County ordinances, resolutions, policies, and procedures, bills for water service are rendered to each customer monthly and are due and payable by listed due date. Water service bills become delinquent if not paid within 60 days from the due date on the bill. It is the customer's responsibility to ensure that payments are received at the County office in a timely manner. Payment may be made at the County office, online, or to the address for remittance of mailed payments.
- c. Availability of Policy. The County shall provide this Policy and all written notices given under this Policy in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean, and in any other language spoken by at least 10 percent of the people residing in the County's service area or required by Civil Code section 1632. This Policy shall be posted and maintained on the County's Internet website.
- d. Contact Telephone Number. The County Office can be reached at (530) 749-5420 for assistance concerning the payment of water bills and to discuss options for stopping disconnection of residential service for nonpayment.

2. Disconnection of Residential Water Service for Nonpayment

- a. 60-day Delinquency Period. The County shall not disconnect residential water service for nonpayment of a service bill until a customer's payment has been delinquent for 60 days.
- b. 10-Day Notice. Not less than 10 days before disconnection of residential service for nonpayment, the County shall contact the customer named on the account by telephone or written notice.
 - i. When Yuba County contacts the customer named on the account by written notice under this section, the written notice of payment delinquency and impending disconnection shall be mailed to the customer of the residence to which the residential service is provided incurring a \$5 Late Fee. If the customer's 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" incurring a \$5 late fee for each occupant address notified.

- ii. The written notice shall include all the following information in a clear and legible format:
 1. The customer's name and address.
 2. The amount of the delinquency, including an itemization of any late payment penalties and interest to be applied to the delinquent charges.
 3. The date and time by which payment or arrangement for payment must be made to avoid disconnection of water service.
 4. A description of the process to apply for an extension of time to pay the delinquent charges.
 5. A description of the procedure by which the customer may petition for bill review and appeal or initiate a complaint or request an investigation concerning the service or charges.
 6. 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 service charges, consistent with this Policy.
 7. A description of the procedure for the customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable.
 8. The County's telephone number, business address, and hours of operation of a customer service representative who can provide additional information or institute arrangements for payment.
- iii. If the written notice is returned through the mail as undeliverable, the County shall make a good faith effort to visit the residence and leave or place in a conspicuous place a notice of imminent disconnection of residential service for nonpayment and a copy of this Policy.
- c. 48-hour Posting Notice. The County shall make a reasonable, good faith effort to contact an adult person residing at the premises of the customer by telephone or in person at least 48 hours prior to any termination of service except that whenever telephone or personal contact cannot be accomplished, the County shall give, by mail or by posting in a conspicuous location at the premises, a notice of termination of service, at least 48 hours prior to termination incurring a Notice Fee of \$35. This notice of termination of service shall incur a \$35 Notice Fee per notice and include all the following information:
 - i. The customer's name and address.
 - ii. The amount of the delinquency, including an itemization of any late payment penalties and interest to be applied on any delinquent charges.
 - iii. The date and time by which payment or arrangements for payment is required to avoid termination.
 - iv. The procedure for the customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable.
 - v. The County's telephone number, business address, and hours of operation of a customer service representative who can provide additional information or institute arrangements for payment.
- d. Service Restoration Information. Upon disconnection, the County shall provide the customer with information on how to restore residential service and the associated fees.
- e. Transference to County Tax Rolls or Lien Upon Property. Failure to make payment to bring the account current after 120 days may result in the Yuba County Community Development and Services Agency Director or Public Works Director recording a lien upon the property or transference of past due to the County Tax Rolls.

3. Restrictions on Disconnection of Water Service

- a. The County shall not disconnect residential water service for nonpayment of a service bill until a customer's payment has been delinquent for 60 days.
- b. The County shall not disconnect residential service in any of the following situations:

- i. During the time that the County is investigating a customer dispute or complaint under section 8 of this Policy.
- ii. When a customer has been granted an extension of the period for payment of a bill.
- c. The District shall not disconnect residential service if all 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 defined in section 14088(b)(1)(A) of the Welfare and Institutions Code, that disconnection of residential service will be life-threatening to, or pose a serious threat to the health and safety of, a resident of the property receiving service.
 - ii. The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if (1) 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 (2) 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 an alternative payment arrangement, consistent with the provisions of Section 4 of this Policy.

If a customer meets *all* the three conditions listed in this subsection (c), the District shall offer the customer one or more of the payment options described in Section 4. Any customer meeting these requirements shall, upon request, be permitted to amortize, over a period not to exceed 12 months, the unpaid balance of any bill asserted to be beyond the means of the customer to pay within the normal period for payment.

- d. The District is prohibited from terminating water service to any customer or tenant of a customer on any Saturday, Sunday, legal holiday, or outside of its normal operating hours.

4. Alternative Payment Arrangements

- a. Options. Upon request, Yuba County's Community Development and Services Agency Director or Public Works Director ("Director") will consider the following options with a delinquent customer to avert discontinuation of residential service for nonpayment:
 - 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; or,
 - iv. Temporary deferral of payment

(Collectively "Payment Arrangements.")

- b. Yuba County Administration. The Director shall choose which, if any, of the Payment Arrangements described in Section 4(a), above, may be available to the customer and may set the parameters of that payment option. Ordinarily, the Payment Arrangement offered should result in payment of any remaining outstanding balance within 12 months. The Director may grant a longer payment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case. The Director may charge an administrative fee for the cost of administering Payment Arrangements under this provision. The Director is authorized to prepare and approve a Payment Arrangement agreement with a customer consistent with this Section 4.
- c. Customer Obligations. If the County and customer enters a Payment Arrangement under this Section 4, the customer shall comply with the agreement or other arrangement and remain current on any new water service charges as they are billed in each subsequent billing period. The customer may not request further amortization or reduction of any unpaid charges on subsequent bills while paying delinquent charges under an alternative

payment arrangement. Commencing on the date the first payment arrangement is entered, customers who fail to comply with any agreed payment arrangement will not be eligible to establish future payment arrangements for a period of 24 months, except as otherwise prohibited by law.

5. Disconnection After Failure to Comply with Alternative Payment Arrangements

- a. If the County and the customer enter any Payment Arrangement under Section 4, County may disconnect service no sooner than five business days after the County 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 the Payment Arrangement for 60 days or more.
 - ii. While undertaking a Payment Arrangement, the customer does not pay his or her current residential service charges for 60 days or more.
- b. The notice of termination under this Section 5 shall incur a Notice Fee of \$35 per notice and include all the following information:
 - i. The customer's name and address.
 - ii. Notice of the customer's noncompliance with the Payment Arrangement.
 - iii. The Payment Arrangement or other conditions the customer must satisfy to avoid termination.
 - iv. Yuba County's telephone number, business address, and hours of operation of a customer service representative of the County who can provide additional information.

This notice does not entitle the customer to further investigation or provision of alternative payment arrangements by the County.

6. Disconnection in Master Meter Landlord-Tenant Situations

- a. Applicability. This section applies to County service through an individual meter to a detached single-family dwelling, a multi-unit residential structure, mobile home park, or a permanent residential structure in a labor camp, only if the owner, manager, or operator is the customer of record, and there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the building.
- b. Notice. The County 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. This notice shall further inform the residential occupants that they have the right to become District customers, to whom the service will then be billed, without being required to pay any amount which may then be due on the delinquent account.
- c. Service to Occupants. The County is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of County water service and meets the requirements of law and the County's ordinances, rules, regulations, and policies. 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 County or if there is a physical means legally available to the County of selectively terminating service to those residential occupants who have not met the requirements of the District's ordinances, rules, regulations, and policies, County shall make service available to those residential occupants who have met those requirements.
- d. Proof of Credit. If prior service for a period of time is a condition for establishing credit with County, residence and proof of prompt payment of rent or other credit obligation acceptable to County for that period of time is a satisfactory equivalent.
- e. Detached Single-Family Dwellings. In the case of a detached single-family dwelling, the County may do any of the following:
 - i. Give notice of termination at least seven days prior to the proposed termination.

- ii. For the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling.

7. Additional Considerations for Financial Hardship

- a. If a customer who demonstrates to Yuba County household income below the 200 percent federal poverty level, the County shall both:
 - i. Set a reconnection of service fees for reconnection during normal operating hours not to exceed \$50 and for reconnection during nonoperational hours not to exceed \$150. These fees shall not exceed the actual cost of reconnection if those costs are less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2024.
 - ii. Waive interest charges on delinquent bills once every 12 months.
- b. Yuba County shall deem a residential customer to have a household income below the 200 percent federal poverty level if:
 - i. 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
 - ii. The customer declares that the household's annual income is less than 200 percent of the federal poverty level.

8. Procedure to Contest or Appeal a Bill

A customer may appeal or contest the amount set forth in any bill for residential water service pursuant to the following procedure:

- a. General Appeal. Within five days of receipt of the bill for water service, a customer has a right to request an appeal or review of any bill or charge rendered by Yuba County Community Development and Services Agency (CDSA) Director or Public Works Director. The request must be made in writing and be delivered to the Yuba County CDSA Office. For so long as the customer's appeal and any resulting investigation is pending, the County cannot disconnect water service to the customer.
- b. 10-Day Notice Appeal. In addition to the appeal rights under subsection (a), above, a customer who receives a 10-Day Notice described in Section 2(b) of this Policy may request an appeal or review of the bill to which the notice relates within five business days of the date of the notice. However, no such appeal or review rights shall apply to any bill for which an appeal or request for review under subsection (a) above, has been made. Any appeal or request for review under this subsection must be in writing and must include documentation supporting the appeal or the reason for the review. The request for an appeal must be delivered to the CDSA office within the five-day period. For so long as the customer's appeal and any resulting investigation is pending, the County cannot disconnect water service to the customer.
- c. Appeal Process.
 - i. Following receipt of a request for an appeal or review under subsections (a) or (b), above, the CDSA Director or Public Works Director shall evaluate the request for review and supporting material provided by the customer and the information on file with Yuba County concerning the water charges in question. Within 10 days after receipt of the customer's request for review, the Director, or his or her designee, shall render a decision on the accuracy of the water charges set forth on the bill and provide the appealing customer with a brief written summary of the decision.
 - ii. If water charges are determined to be incorrect, Yuba County will provide a corrected invoice, and payment of the revised charges will be due within 10 calendar days of the invoice date for revised charges. If the revised charges remain unpaid for more than 60 calendar days after the corrected invoice is provided, the water service will be disconnected. Prior to disconnection, the County shall provide the customer with the 10-day Notice in

accordance with Section 2(b). Water service will only be restored upon full payment of all outstanding water charges, penalties, interest, and any applicable reconnection charges.

- iii. If the water charges in question are determined to be correct, the water charges are due and payable within three business days after receipt of the Director's decision.
- d. Any overcharges due from the River Highlands Community Services District will be reflected as a credit on the next regular bill to the customer or refunded directly to the customer at the sole discretion of the Director.
- e. Water service to any customer shall not be disconnected at any time during which the customer's appeal to the Director is pending.
 - i. written notices given under this Policy in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean, and in any other language spoken by at least 10 percent of the people residing in the County's service area or required by Civil Code section 1632. This Policy shall be posted and maintained on the County's Internet website.
 - ii. Contact Telephone Number. The County Office can be reached at (530) 749-5420 for assistance concerning the payment of water bills and to discuss options for stopping disconnection of residential service for nonpayment.

WATER RATES

Water rate structure as of April 1, 2015 -

Tiered water rate includes a \$50.00 base rate and a \$15.00 Reserve Account Surcharge per connection plus a commodity charge as follows:

Up to 750 cubic feet per month	=	\$0.025 per cubic feet
751 – 1,250 cubic feet per month	=	\$0.050 per cubic feet
1,251 – 1,650 cubic feet per month	=	\$0.100 per cubic feet
Over 2,000 cubic feet per month	=	\$0.400 per cubic feet



YUBA COUNTY on behalf of RIVER HIGHLANDS COMMUNITY SERVICES DISTRICT

APPLICATION FOR SERVICE

Per Resolution XXXXX, Landowners are responsible for all accounts. Tenants may sign-in as the customer of record, with the Landowner's consent. The Landowner must have completed and have on file a "Landowner Guaranty and Consent" for each new tenant before the service will be placed in the Tenant's name. If the Tenant signs in for service, the Landowner may request a copy of the monthly bill. Landowner remains responsible for the account, including any delinquent charges and penalties due from Tenant. A

separate application is required for each service address and a new application is required from each successive Tenant. Landowners are not required to execute a new application, but a new Landowner Guaranty and Consent is required for each successive Tenant who will be a customer of record.

All new accounts or transfers of service will be charged a non-refundable \$25.00 Service Fee; this charge appears on the first month's bill. Documents establishing proof of ownership, such as, a valid purchase agreement and a valid picture ID, must be presented to our office (in person or by notarized statement) within 10 days or service may be discontinued. If a tenant is signing into service as the customer of record, a completed Landowner Guaranty and Consent must be on file.

Rates • Billing Cycles • Administrative and Delinquency Fees: See attached Water and Sewer Service Fact Sheet

Discontinuance of Service: If you move out of the River Highlands Community Services District, please notify Yuba County by completing and returning the Sign-Out of Service Form. If you do not notify Yuba County, your service will continue, and you will held responsible for charges that continue to accrue.

Customer/Landowner Acknowledgements:

I have read the accompanying Water and Sewer Service Fact Sheet and understand my billing cycle. I also understand that I am required to pay my bill on time and in full each month even if I do not receive a bill (Customer initials).

The undersigned subscriber wants you to furnish water and/or sewer service at the premises noted hereon and promises to pay you therefore in accordance with your current schedule of rates which shall from time to time be legally in effect for the purpose for which the service is to be used hereunder, and to conform to and abide by your rules and regulations in force.

DATE: NAME:

SERVICE ADDRESS:

BILLING ADDRESS (IF DIFFERENT):

EFFECTIVE DATE to START SERVICE: PHONE #(s): () -

EMAIL:

OWNER, REALTOR/PROPERTY MGM TENANT***If not owner, provide Owner's name and contact information

SIGNATURE:

SEND A COPY OF BILL TO "TENANT/OWNER" - I ACKNOWLEDGE THAT THERE WILL BE AN ADDITIONAL CHARGE OF \$1.75 PER MONTH (CUSTOMER INITIALS)

YUBA COUNTY OFFICE USE ONLY

- Service fee applied
Mailing address updated
Billing address updated
Deposit on File
Status date verified
Received Signed Landowner Guaranty if tenant sign-in

- ACCOUNT #:
Work order to turn on water
ID Verification
Owner/Property Management Verification
Application Processed by:

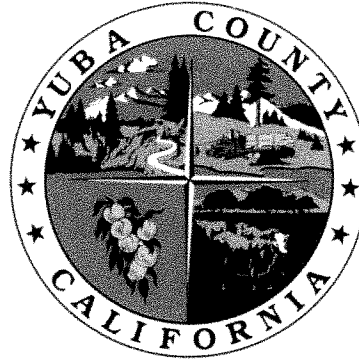
The County of Yuba

Community Development & Services Agency

Michael Lee, Director

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(530) 749-5430 • Fax (530) 749-5424

Landowner Guaranty and Consent

This Guaranty and Consent (Agreement) is entered into by and between Yuba County on behalf of the River Highlands Community Services District (“District”) and _____ (Landowner) as of the last date of signature as set forth below.

Recitals:

1. Yuba County requires that landowners be the sole account holders for utility service accounts, with the option to accept the tenant as customer of record if requested by the landowner.
2. Landowner is the owner of a residential property located at _____, Smartsville, California.
3. Landowner desires to have its tenant be the customer of record for the Property.
4. Yuba County is willing to accept the Tenant at the Property as the customer of record, provided Landowner consents to service to the Tenant as customer of record and agrees to provide this continuing guaranty for all charges for utility services, including delinquent penalties and fees, incurred by Tenant (Tenant Charges), and further confirms the Yuba County is authorized to add delinquent Tenant Charges to the annual assessment as a lien on the Property.

Agreement:

1. In accordance with Landlord’s consent, Yuba County will accept _____ (Tenant) as customer of record to apply for utility services at the Property.
2. Landowner hereby agrees that Landlord will be responsible for all Tenant Charges resulting from service to the Property.
3. Landowner agrees that any Tenant Charges may be collected by the Yuba County from Landowner as authorized by Public Utilities Code Sections 16469, 16470, and 16472.1.
4. Landowner agrees that upon Tenant’s delinquency, utility service to the Property will be subject to termination, as provided in Yuba County’s rules and regulations, and that service will be restored only upon payment by Tenant or Landowner of all delinquent amounts and any resulting shut-off, turn-on, and other service fees.
5. Landowner agrees that the above specified delinquency collection procedures are in addition to any other collection procedures set forth in the Yuba County’s rules and regulations and presently, or hereinafter, authorized by law.
6. Landowner agrees that Yuba County may bill Landowner directly, as the customer of record, for any utility services to the Property when the Property is vacant or a tenant is not otherwise a customer of record.
7. Landowner requests a copy of the tenant’s utility bill be sent to Landowner. Landowner acknowledges there will be an additional charge of \$1.75 per month, per additional copy. Yes No
8. This agreement shall continue in effect until terminated upon termination of service, or vacation of the Property, by Tenant, provided that the Landowner may not terminate this agreement, nor terminate service to the Property without Tenant’s consent, as long as Tenant’s account is in good standing, or unless Landowner provides written confirmation that Tenant has vacated the premises.

Landowner Contact Information:

_____ Name (please print)	_____ Daytime Phone Number
_____ Street Address	_____ Email Address
_____ City, State, Zip	

Landowner acknowledges that he/she is responsible for updating their contact information with Yuba County _____ (initials)

Date: _____

Landowner or Authorized Agent

Date: _____

Yuba County, Public Works Director

The County of Yuba

Community Development & Services Agency

Michael Lee, Director

Phone – (530) 749-5430 • Fax – (530) 749-5434
915 8th Street, Suite 123
Marysville, California 95901

www.co.yuba.ca.us



AIRPORT
(530) 749-7800 • Cell (530) 682-1073

BUILDING
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SIGN-OUT OF SERVICE FORM

Please complete this form and return it by one of the following means:

Deliver or Mail to: 915 8th Street, Marysville, CA 95901 // Email to: publicworks@co.yuba.ca.us

You are required to sign out of service in writing at least 24 hours before the date of sign-out, and sign-outs are effective only on normal business days. If you move out of your residence, please notify the Yuba County Community Development and Services Agency (CDSA) to close your account. Complete this form and mail or return it in person to 915 8th Street, Marysville, CA 95901 or email it to publicworks@co.yuba.ca.us. It is not recommended that you mail the form if you request immediate service termination. If you do not notify Yuba County CDSA, the service will continue in your name and continue to incur charges until written notification is received.

You must notify CDSA as soon as possible so we can obtain a meter reading on the last day of your service date or suspend your flat rate. Service is not discontinued until the completed form is received by CDSA and will be effective no sooner than the date received.

By signing this form, I am requesting that CDSA discontinue water and/or sewer service to the service address listed below and to close my account. I am also acknowledging:

- Written notification must be received no later than 24 hours prior to sign-out requests and are effective on regular business days.
- If there is a closing bill, the entire balance is due and payable upon receipt and delinquent after the Due Date. The final bill will be sent to the forwarding address listed below.
- CDSA will apply any credits that may be available on the account to the final bill, and in the event, there is a remaining credit on the account, a check will be mailed to the forwarding address below within 30 days.
- I understand that CDSA has the right to proceed with further collections if full payment is not received by the due date.
- I understand that by signing out of service, my services will be turned off, and no water will be available at the premises.
- Reconnection rates will be \$180.00; outside of normal business hours, a \$360.00 fee will be charged to cover the overtime costs incurred by the District.

Please print clearly.

DATE _____ NAME ON ACCOUNT _____

SERVICE ADDRESS _____

FORWARDING ADDRESS _____

DATE SERVICE IS TO END _____ PHONE # & EMAIL ADDRESS _____

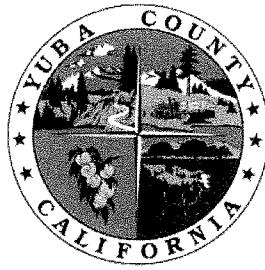
CHECK WHICH APPLIES: [] OWNER [] RENTER SIGNATURE [] PROPERTY MGMT/REALTOR

SIGNATURE: _____

YUBA COUNTY OFFICE USE ONLY	Account # _____
Final Meter Reading _____	Date _____
Deposit <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> APPLIED \$ _____	Final Bill Amount: _____
Balance Transferred to Acct # _____	Amount Transferred _____
COMMENTS:	

Utility Statement

YUBA County
c/o Gold Village
915 8th Street, Suite 150
Marysville, CA 95901
(530) 749-5430



Bill To:

Account #	
Amount Due	
Due Date	
Amount Enclosed	

Date	Transaction	Amount	Balance

CURRENT CONDITION: NORMAL WATER/WATER CONSERVATION/WATER EMERGENCY

Please return upper portion with payment to:
Yuba County, CDSA
c/o Gold Village
915 8th Street, Suite 150
Marysville, CA 95901

Payment is due in our office on or by the 6th.
Water Policy can be found at our "yuba.org" website.

Water & Sewer Service Fact Sheet

Application Submission: Applications may be obtained from our website, www.yuba.org, but must be signed and returned to our office at 915 8th ST, SUITE 125 Marysville, CA 95901, or email publicworks@co.yuba.ca.us. If you have any questions, our customer service representatives can assist you from 8:00 AM-4:00 PM, closed for lunch between 12:00 PM-1:00 PM, Monday to Friday at (530) 749-5420.

Who is authorized to sign in for service?

On XXXX XX, XXX, the Board of Supervisors adopted the River Highlands Community Service District policy to establish that only a Landowner may sign into service and that application for deferred payment of delinquencies by an existing Tenant account be made only with the knowledge of the Landowner. Courtesy copies of the billing may be sent to the Tenant at the Landowner's request (**AT THE COST OF \$1.75 PER BILL COPY**); however, the Landowner is the customer of record and is the only party who may make changes to the account.

Exception: When the Landowner completes the Landowner's Guaranty & Consent, a tenant may become the customer of record and remain the customer of record as long as payments are made when due.

NOTE: Be aware that if you are not present when water service is restored, you should take precautionary measures to prevent water damage to your property including turning off the water valve connected to the residence (commonly called the "house valve"). At no time will a River Highlands Community Services District (RHCS D) field service technician turn service on or off from any point other than our service connection located adjacent to the property (commonly called the "street valve").

Current Service Rates* As of January 1, 2024

Customers with residential metered water service are charged in arrears for water and sewer service. The metered water service water rate for RHCS D consists of a \$50 Base Rate and a \$15 Reserve Account Surcharge plus a commodity charge as follows:

Up to 750 cubic feet per month	=	\$0.025 per cubic foot
751-1,250 cubic feet per month	=	\$0.050 per cubic foot
1,251-1,650 cubic feet per month	=	\$0.100 per cubic foot
Over 2,000 cubic feet per month	=	\$0.400 per cubic foot

The commodity charge is the monthly water usage; a reading of your water meter calculates this fee. This reading is taken between the 1st and the 5th of the month.

The sewer rate for RHCS D consists of a \$246.53 Base Rate.

Monthly Minimum Base Rate for both water and sewer combined will be \$311.53.

Rates are subject to adjustment from time to time by the action of the Board of Supervisors on behalf of the River Highlands Community Services District. Please get in touch with the office, view the website at www.yuba.org, or check the Messages section of your bill for updates.

Billing Cycle: Metered and non-metered accounts are billed on the 15th of the month and due on the 10th of the following month. Non-metered accounts are billed for services from the 1st through the last day of the current month. Metered accounts are billed for services from the 1st through the last day of the prior month.

Non-Receipt of Bill: If you do not receive your bill within 7-10 days after your billing cycle closes, please call our office immediately at (530) 749-5420 or contact us via e-mail at publicworks@co.yuba.ca.us to report the problem. We can provide you with a duplicate copy of your bill or advise you of the amount due so you can pay your bill on time. Our mailing address for payments is: River Highlands Community Service District, 915 8th St, Suite 125, Marysville, CA 95901. **You are responsible for the payment of your bill even if you do not receive a statement.**

Payment Arrangements: River Highlands Community Services District encourages you to contact the business office before your account becomes past due to discuss payment arrangements. For those accounts currently signed into service by a Tenant, the Landowner's contact information must be supplied to process an Amortization per Resolution XXXX. A Tenant can only sign an amortization agreement if authorized by the "Landowner's Guaranty and Consent" to be the account holder and customer of record.

Administrative and Delinquency Fees: Customers who pay their bill in full and by the due date will not be affected by the following fees. Customers are reminded of any past due amount with each bill and all past due amounts are due immediately. Customers with a past due amount are subject to administrative fees and delinquency fees as per Resolution XXXX. Accounts that are not paid in full by the due date will be subject to a \$2.00 fee to cover the costs of providing the Reminder Notice. An additional notice will be mailed more than 48 hours prior to termination of services and the account will be subject to a \$3.00 fee and 10% penalty.

If the past due amount has not been paid by the Shutoff Deadline Date given in the Reminder and 48 Hour Notices (more than 60 days after the original bill due date) the account will be assessed a \$50.00 Delinquency Fee and services will be discontinued. Payment of all fees, charges, and a deposit equivalent to two months of service charges will be required to restore service. Deposits are held for a minimum of 12 months following the delinquency. In the event of another delinquency occurring before the 12 months has expired, the 12-month waiting period will restart. At the end of a 12-month period in which no delinquency has occurred, the deposit will be applied to the account or refunded to the customer upon request.

Returned Check Fees: River Highlands Community Services District charges \$40.00 for returned checks (checks dishonored by your bank for non-sufficient funds, stop payment or any other reason). A check written to avoid the \$50.00 Delinquency Fee which is later returned by the bank will be treated as if payment was not made. You will be charged a \$50.00 Delinquency Fee; service will be discontinued, and you will be charged a \$25.00 Returned Check Fee. Payment of all fees, charges, and a deposit (equivalent to two months bill) will be required to restore service.

After-Hours Fee: Normal business hours for field service calls are 8:00 AM to 4:00 PM, Monday through Friday, excluding Holidays. Customers requesting service outside of normal business hours will be charged a \$100.00 fee to cover the overtime costs incurred by the District.

Customers Personal Banking Online Bill Pay: River Highlands Community Services District accepts payments from the Customer's personal bank Bill Pay providers. In most cases, these payments are made with checks sent to RHCSO electronically, which takes a minimum of 48 hours to post to your account. If your bank sends out the payment by check via US Postal Service, it is important to note that it can take up to 10-14 business days to receive at River Highlands Community Services District due to mail time and the time of day/day of week the customer enters the data in the Bill Pay provider systems.

PAYMENT IS NOT APPLIED/RECEIVED UNTIL CHECK IS RECEIVED AT RHCSO.

Payments at the RHCSO BUSINESS OFFICE 915 8TH ST, SUITE 125: Payment at the RHCSO business office can only be made via card, cash, check, money order, or cashier's check during regular business hours.

Credit Card/Debit/Electronic/Phone Payment Options: RHCSO also accepts credit card, debit card and EFT payments online. For more information on electronic payments, please visit <https://client.pointandpay.net/web/yubacountydcda>. You will need your full account number and the amount due.

To make a payment by phone, please call (530) 749-5420. To make a phone payment, you will need your full account number and the amount due.

As of March 1, 2023, the service provider surcharge fee is 2.25% for card payments and a \$2.50 flat fee for each EFT transaction. These fees are subject to change.

The County of Yuba

Community Development & Services Agency

Michael Lee, Director

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THE WATER SHUTOFF PROTECTION ACT – SB 998

On September 28, 2018, the California Legislature passed and signed into law by Governor Brown, SB 998 – the Water Shutoff Protection Act (the “Act”), found in Health and Safety Code Sections 116900 et seq. SB 998 changes the requirements and procedures for the discontinuation (i.e., termination) of water service to a residence. Those new requirements and procedures are summarized below, including amended SB 3 approved by Governor Newsom on October 13, 2023.

APPLICATION OF THE ACT

There are three aspects of the Act that are important regarding how it applies. First, the Act applies only to the newly defined “urban and community water systems.” The Act defines “urban and community water system” as a public water system that supplies water to more than 200 service connections. Thus, the Act does not apply to water systems with less than 200 connections.

Secondly, the Act applies only to the termination of residential water service. Thus, a water supplier may have different service termination procedures for a commercial or non-residential service. Lastly, the Act applies only to termination of service for non-payment and does not apply to terminations for other reasons, such as unauthorized water use or for violation of a supplier’s rules and regulations. Thus, a service disconnection that is not related to non-payment need not comply with the Act’s requirements.

COMPLIANCE DATES

The Act distinguishes between water suppliers regulated by the Public Utilities Commission and non-PUC entities with respect to when compliance with its requirements starts. For urban water suppliers (i.e., those who serve more than 3,000 service connections) and any PUC-regulated systems, they must comply with the Act on and after February 1, 2020. Urban and community water systems not regulated by the PUC, and with less than 3,000 service connections, must comply with the Act on and after April 1, 2020.

SERVICE DISCONTINUATION POLICY

The Act requires every urban and community water system to have a written policy on discontinuation of residential water service for non-payment. That policy must be available on the water supplier’s website or, if the supplier does not have a website, must be provided to customers on request. The policy must be in the five languages, in addition to English, listed in Civil Code Section 1632 (Spanish, Chinese, Korean, Vietnamese and

Attachment H

Tagalog), and in any other language spoken by at least 10% of the people residing the system's service area. The policy must include the following components:

(1) a plan for deferred or reduced payments; (2) alternative payment schedules; (3) a formal mechanism for a customer to contest or appeal a bill; and (4) a telephone number for a customer to discuss options to avoid discontinuation of service due to non-payment.

However, the policy should include additional details regarding implementation of the Act, including when an account is due (e.g., on issuance of the bill), which will start the 60-day clock for the termination of service, a detailed description of the supplier's alternative payment arrangements, a formal appeals or bill review process, and the manner in which the water supplier will provide the required notices.

DISCONTINUATION PROCESS – NOTICE

The most significant change the Act makes is imposing a 60-day waiting period before an urban and community water system can discontinue water service. The Act provides that residential water service cannot be discontinued for non-payment until the account has been delinquent for at least 60 days. The Act does not specify when that delinquency period begins to run, so that is an issue a water supplier should address in its service termination policy.

The Act requires notice of the potential termination of service be given to the customer named on the account at least seven (7) business days before the possible termination of service. The notice can be given by telephone or in writing. If the notice is given by telephone, the water supplier must: (a) offer to provide the customer the supplier'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.

If the notice is given in writing, the notice must be mailed to the customer at the residence's address, but if the customer's address is not the address of the property to which the service is provided, the notice must also be sent to the property's address, addressed to "Occupant." The notice must include the following:

- 1. Customer's name and address;*
- 2. Amount of delinquency;*
- 3. Date by which payment or arrangement for payment is required to avoid discontinuation of service;*
- 4. Description of the process to apply for an extension of time to pay the amount owing;*
- 5. Description of the procedure to petition for review and appeal of the bill in giving rise to the delinquency; and*
- 6. Description of the procedure by which the customer can request a deferred, amortized, reduced or alternative payment schedule.*

PROHIBITIONS ON DISCONTINUATION OF SERVICE

There are two scenarios that would prohibit the discontinuation of service for non-payment. First, if the customer appeals its water bill to the water supplier or to any other administrative or legal body, the supplier cannot discontinue service while that appeal is pending. Secondly, the water supplier cannot discontinue residential water service if all of the following conditions are met:

1. Health Conditions – the customer or tenant of the customer submits certification of a primary care provider that discontinuation of water service would, to any resident at the property, (i) be life threatening, or (ii) pose a serious threat to a resident's health and safety.

2. Financial Inability – the customer demonstrates he or she is financially unable to pay for water service within the water system’s normal billing cycle. The customer is deemed “financially unable to pay” if any member of the customer’s household is: (i) a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the customer declares the household’s annual income is less than 200% of the federal poverty level. The Act does not require the customer to show any proof relating to that income declaration!

3. Alternative Payment Arrangements – the customer is willing to enter into an alternative payment arrangement consistent with the water supplier’s policy (see the next section).

ALTERNATIVE PAYMENT ARRANGEMENTS

An urban and community water system must offer a customer one of the following alternative payment arrangements: (i) amortization of the unpaid balance; (ii) participation in an alternative payment schedule; (iii) partial or full reduction of the unpaid balance, without additional charges to other ratepayers; or (iv) temporary deferral of payment. The Act does not provide any detail on what those arrangements must include, so that is another area that should be addressed in the supplier’s service termination policy.

It is important for water suppliers to understand that they will select which of the alternative payment arrangements is to be used and they will set the parameters of that option. The Act states that ordinarily the payment option to be offered should result in full payment within 12 months, but the water supplier may allow a longer repayment period to avoid undue hardship to the customer.

If the customer has entered into an alternative payment arrangement and then fails to abide by that agreed upon arrangement or fails to keep its account current, the water supplier may discontinue service no sooner than 5 business days after the supplier posts a final notice of intent to discontinue service in a prominent place at the customer’s property if either of the following has occurred: (i) the customer fails to comply with the agreed upon payment arrangement for 60 days or more; or (ii) while undertaking an agreed upon payment arrangement, the customer does not pay his or her current service charges for 60 days or more.

LOW INCOME CUSTOMERS – CAP ON RECONNECTION FEES; INTEREST WAIVER

Customers are deemed to have a household income below 200% of the federal poverty line if: (i) any member of the household is a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the customer declares the household’s annual income is less than 200% of the federal poverty level. If a customer demonstrates either of those circumstances, then the urban and community water system must do both of the following:

A. Reconnection Fees – reconnection fees during normal operating hours cannot exceed \$50, and reconnection fees during non-operational hours cannot exceed \$150. Those fees cannot exceed the actual cost of reconnection if that cost is less than the statutory caps. Those caps may be adjusted annually for changes in the CPI beginning January 1, 2021. There is no cap on reconnection fees for customers who are not low income under the tests listed above.

B. Interest Waiver – the water system must waive interest charges on delinquent bills once every 12 months.

LANDLORD-TENANT SCENARIO

The Act uses the same concepts as were enacted in 2009 in SB 120 with respect to terminating water service to tenants. In a situation where the property is a rental property of some sort and the owner pays the water bill, if the account becomes delinquent, before service can be discontinued particular notices must be provided to the tenants at that property. For the sake of efficiency, a water supplier may want to include the required tenant language on its general service termination notice discussed above.

The Act requires that at least 10 days (but only 7 days if the property is a detached single-family dwelling) [note this notice requirement refers to calendar days and not business days as with the notices described above] prior to the possible termination of water service, the urban and community water system must make every good faith effort to inform the occupants by written notice that the water service will be terminated. The written notice must also inform the tenants that they have the right to become customers to whom the service will be billed without having to pay any of the delinquent amounts.

In order for a tenant or occupant to take over the water service account, each tenant/occupant must agree to the terms and conditions for service and meet the water supplier's requirements and rules. However, if (a) one or more of the tenants/occupants assumes responsibility for subsequent charges to the account to the water supplier's satisfaction, or (b) there is a physical means to selectively terminate service to those tenants/occupants who have not met the system's requirements, then the system may make service available only to those tenants/occupants who have met the requirements.

REPORTING

An urban and community water system must report annually on its website and to the State Water Resources Control Board the number of service discontinuations for inability to pay. The Act does not provide any details regarding the timing for that reporting. The State Water Resources Control Board must post that information on its website.

ENFORCEMENT

The Act has three prongs for enforcement. First, the State Water Resources Control Board is given the same power to enforce the Act as it has for other provisions in the California Safe Drinking Water Act. Thus, the State Water Board may issue a citation that can include penalties of up to \$1,000 per day, may issue a compliance order and may recover its enforcement costs and any litigation costs. In addition to the State Water Board taking action, the California Attorney General, at the request of the State Water Board or on its own, may file a civil lawsuit to seek a temporary or permanent injunction to restrain any acts or practices that are unlawful under the Act. Lastly, the Act also provides for private citizens' suits for violation of the Act, which could include monetary damages resulting from the wrongful termination of service and injunctive relief to require that water service is promptly restored.

CONCLUSION

The Act imposes significant new requirements on those water suppliers in California who provide water service to more than 200 service connections. The Act will require those water suppliers to adopt new policies, revise their service termination notices and procedures, and potentially revise their billing systems to ensure compliance with the new notice timing requirements. As the compliance dates of February 1, 2020 and April 1, 2020.

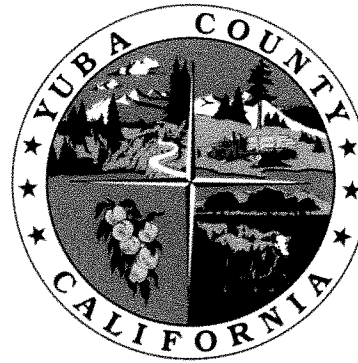
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JOHN DOE

1234 FORTY NINER CIRCLE

SMARTSVILLE, CA 95991

ACCOUNT NUMBER:

SERVICE ADDRESS:

Date: 6/21/2024

Past Due Amount: \$100.00

Shut-Off Deadline Date: 7/21/24

Total Amount Due: \$300.00

10-DAY REMINDER NOTICE PLEASE READ CAREFULLY.

NOTICE IS HEREBY PROVIDED, pursuant to the provisions of section 16482.1 of the Public Utilities Code, that water/sewer service to the premises described above will be terminated on or after the shut-off deadline date.

THE PAST DUE AMOUNT REFERENCED ABOVE INCLUDES A \$5.00 FEE DUE TO NON-PAYMENT FOR MORE THAN 60 DAYS AFTER THE ORIGINAL BILLING DATE. IF PAYMENT IS NOT RECEIVED PRIOR TO THE PAST DUE DEADLINE DATE, AN ADDITIONAL PENALTY WILL BE ASSESSED FOR THE 48-HOUR NOTICE.

THE PAST DUE AMOUNT MUST BE PAID BY 4:00 P.M. ON THE SHUT-OFF DEADLINE DATE TO AVOID DELINQUENCY AND DISCONTINUANCE OF SERVICE.

ANY PRIOR BILL AMORTIZATION WHERE ARRANGEMENTS HAVE BEEN MADE TO PAY WILL SUPERSEDE THE DEADLINE DATE SHOWN ABOVE.

For information on the account holder, the following information is provided:

- A. Payment or arrangements for payment must be made in-person at or before 4:00 P.M. on each date provided above.
- B. If you have a complaint concerning the service or the charges levied related to those services, you must deliver written notification of that complaint, with any additional documentation supporting your complaint, to Yuba County acting on behalf of River Highlands Community Services District (“District”) at or before 4:00 P.M. on the due date provided.
- C. Yuba County’s Community Development and Services Agency Director or Public Works Director may amortize the delinquency over a period of up to 12 months at the discretion of the Director.
- D. If you desire additional information or wish to initiate arrangements for payment of this delinquency, please contact the office, 530-749-5420, at or before 4:00 P.M. on the due date provided.

**PAYMENT OF THE TOTAL AMOUNT DUE NOTED ABOVE IS NEEDED TO
BRING YOUR ACCOUNT BALANCE TO ZERO.**

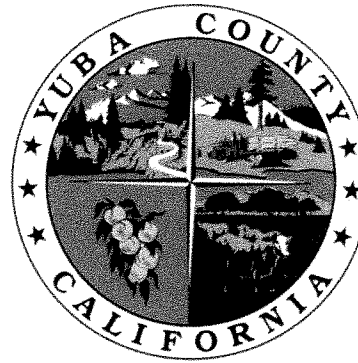
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(530) 749-5470 • Fax (530) 749-5616

PUBLIC WORKS • SURVEYOR
(530) 749-5420 • Fax (530) 749-5424

FINANCE AND ADMINISTRATION
(530) 749-5430 • Fax (530) 749-5424

JOHN DOE
1234 FORTY NINER CIRCLE
SMARTSVILLE, CA 95991
ACCOUNT NUMBER:
SERVICE ADDRESS:

Date: 6/21/2024
Past Due Amount: \$100.00
Shut-Off Deadline Date: 7/21/24
Total Amount Due: \$300.00

48-HOUR NOTICE FOR TERMINATION OF SERVICES PLEASE READ CAREFULLY.

NOTICE IS HEREBY PROVIDED, pursuant to the provisions of section 16482.1 of the Public Utilities Code, that water/sewer service to the premises described above will be terminated on or after the shut-off deadline date.

Payment or arrangements for payment of the Past Due amount must be made on or before the due date provided on this notice. Failure to pay by 4:00 P.M. on the shut-off deadline date will result in an additional fee of \$50.00 and a deposit will be required to resume service.

Payment of the total due noted above is needed to bring the account balance to zero.

If you are unable to pay the bill due to financial circumstances, financial assistance may be available if you qualify. Contact Yuba County acting on behalf of River Highlands Community Services District, 915 8th Street, Suite 125, Marysville, CA 95901, or by phone at 530-749-5420 for information about local, state, and/or federal assistance programs that may be available.

Yuba County will consider a procedure for amortizing the delinquency over a period of up to 12 months at the discretion of the Yuba County Community Development and Services Agency Director or Public Works Director (“Director”). If you desire amortization of the bill, the Director will require reasonable security to ensure that the customer can financially carry out the terms of the amortization agreement. If you desire to request amortization of your bill, please contact the Yuba County office on or before 4:00 P.M. by the due date at the top of the page.

IF PAYMENT HAS BEEN MADE, PLEASE DISREGARD THIS NOTICE.

The County of Yuba

Community Development & Services Agency

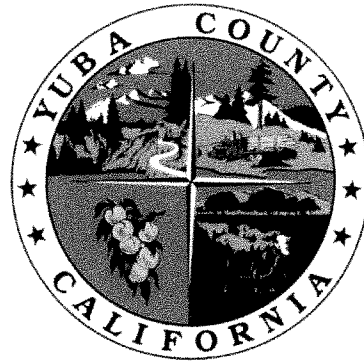
Michael Lee, Director

Phone (530) 749-5430 • Fax (530) 749-5424

915 8th Street, Suite 123

Marysville, California 95901

www.co.yuba.ca.us



BUILDING
(530) 749-5440 • Fax (530) 749-5616

CODE ENFORCEMENT
(530) 749-5455 • Fax (530) 749-5616

ENVIRONMENTAL HEALTH • CUPA
(530) 749-5450 • Fax (530) 749-5454

PLANNING • CDBG
(530) 749-5470 • Fax (530) 749-5616

PUBLIC WORKS • SURVEYOR
(530) 749-5420 • Fax (530) 749-5424

FINANCE AND ADMINISTRATION
(530) 749-5430 • Fax (530) 749-5424

June XX, 2024

John Doe

8XXX Forty Niner Cir

Smartsville, Ca 95977-9731

RE: Water/Sewer Service for 8XXX Forty Niner Cir

Dear Property Owner,

You were recently sent a notice indicating that your property had a late charge on your water and sewer services bill. The balance on the account as of today is \$XXXX. Per Public Utilities Code 16481, we are required to send your tenant the notice on the reverse side of this letter. Prior to discontinuance of service, we must offer your tenant the opportunity to open a new account for water/sewer service without being responsible for the past due balance. The property owner will ultimately be held liable for the past-due amount mentioned above and any additional charges assessed, even those incurred under the tenant's account. River Highlands Community Services District will use all means available under the law to collect this debt, including but not limited to a direct assessment on your property tax bill, a lien against your property, withholding future service, or referral to a credit agency for collection.

As the property owner, you have the right to request an amortization of the past-due charges to assist you in bringing this account current. Please feel free to contact a customer service representative to get a current balance or for assistance in making a payment.

Sincerely,

River Highlands Community Services District

Notice to Tenant from River Highlands Community Services District

Account Number. Número de cuenta. 帳號. Số tài khoản. 계좌 번호. Numero ng Account.

Service Address. Dirección de servicio . 服务地址. Địa chỉ dịch vụ. 서비스 주소. Address ng Serbisyo.

Date Service Will be Terminated. Fecha en que se terminará el servicio. 服务终止日期. Ngày dịch vụ sẽ bị chấm dứt. 서비스 종료 날짜. Petsa ng Serbisyo ay Wakasan.

Water and sewer service will be shut off at the address listed above unless payment for the past due bill is received from the record Account Holder. Your Landlord has been notified.

WHAT YOU CAN DO TO AVOID SERVICE SHUT-OFF:

In accordance with, California Public Utilities Commission code 16481, tenants may transfer the service in their name without paying for the past-due amount to avoid shut off. However, the Landlord will continue to be responsible for past-due amounts. For further information and payment information, please call River Highlands Community Services District at (530) 749-5420.

El servicio de agua y alcantarillado se cortará a la dirección indicada anteriormente a menos que se reciba el pago de la factura vencida del titular de la cuenta registrada. Su arrendador ha sido notificado.

LO QUE PUEDE HACER PARA EVITAR EL CORTE DEL SERVICIO: de acuerdo con el código 16481 de la Comisión de Servicios Públicos de California, los inquilinos pueden transferir el servicio a su nombre sin pagar el monto vencido para evitar el corte. Sin embargo, el Arrendador seguirá siendo responsable de los montos vencidos. Para obtener más información e información sobre el pago, llame al Distrito de Servicios Comunitarios de River Highlands al (530) 749-5420.

供水和污水处理服务将关闭至上述地址，除非从记录账户持有人处收到逾期账单的付款。您的房东已收到通知。

您可以采取哪些措施来避免服务关闭：

根据加州公用事业委员会法规 16481，租户可以以其名义转让服务，而无需支付逾期款项以避免关闭。但是，房东将继续负责逾期未付的金额。如需更多信息和付款信息，请致电 (530) 749-5420 联系 River Highlands 社区服务区。

Dịch vụ cấp nước và cống rãnh sẽ bị ngắt đến địa chỉ được liệt kê ở trên trừ khi nhận được thanh toán cho hóa đơn quá hạn từ Chủ tài khoản hồ sơ. Chủ nhà của bạn đã được thông báo.

BẠN CÓ THỂ LÀM GÌ ĐỂ TRÁNH NGỪNG DỊCH VỤ:

Theo mã, Ủy ban Tiện ích Công cộng California mã 16481, người thuê nhà có thể chuyển dịch vụ dưới tên của họ mà không phải trả số tiền quá hạn để tránh bị tắt. Tuy nhiên, Chủ nhà sẽ tiếp tục chịu trách nhiệm về các khoản tiền quá hạn. Để biết thêm thông tin và thông tin thanh toán, vui lòng gọi cho Khu Dịch vụ Cộng đồng River Highlands theo số (530) 749-5420.

상하수도 서비스는 기록 계좌 소유자로부터 연체 청구서에 대한 지불을 받지 않는 한 위에 나열된 주소로 차단됩니다. 집주인에게 알림이 전송되었습니다.

서비스 중단을 피하기 위해 할 수 있는 일: 캘리포니아 공공요금 위원회 코드 16481에 따라 세입자는 차단을 피하기 위해 연체 금액을 지불하지 않고 자신의 이름으로 서비스를 양도할 수 있습니다. 그러나 집주인은 연체 금액에 대해 계속 책임을 져야 합니다.

자세한 정보 및 지불 정보는 (530) 749-5420으로 River Highlands Community Services District에 전화하십시오.

Ang serbisyo ng tubig at kanal ay isasara sa address na nakalista sa itaas maliban kung ang pagbabayad para sa nakaraang due bill ay natanggap mula sa record Account Holder. Naabisuhan na ang Landlord mo.

ANO ANG MAGAGAWA MO PARA MAIWASAN ANG PAGPAPASARA NG SERBISYO: alinsunod sa, California Public Utilities Commission code 16481, maaaring ilipat ng mga nangungupahan ang serbisyo sa kanilang pangalan nang hindi nagbabayad para sa nakaraang halaga upang maiwasan ang shut off. Gayunpaman, ang May ari ng Lupa ay patuloy na mananagot para sa mga nakaraang halaga ng halaga.

Para sa karagdagang impormasyon at impormasyon sa pagbabayad, mangyaring tawagan ang River Highlands Community Services District sa (530) 749-5420.



WATER SERVICE IS SHUT OFF

DUE TO NON-PAYMENT

For same day reactivation of services, payment must be made at the office or using your credit card. If made by card, please call the office with payment confirmation #(s) by 3:45 p.m. If we do not receive your payment or payment confirmation number before 3:45 p.m., you will be subject to a \$360.00 after-hours fee.

RIVER HIGHLANDS COMMUNITY
SERVICES DISTRICT
915 8TH STREET, SUITE 125
MARYSVILLE, CA 95901
(530) 749-5420

RIVER HIGHLANDS COMMUNITY SERVICES DISTRICT

915 8TH ST, SUITE 125 MARYSVILLE, CA 95901

Business Office: (530) 749-5420

Bill Amortization

Account #: 00000000565-00 **First Payment Date:** 07/10/24

Name: JOSE DOE

Address: 4771 Quartz Lane
RHCSO CA 95961

Phone: 5306821504

Amount to be Amortized: \$3,200.00

Number of Payments: 12

Due each month in addition to monthly bill: \$270.00

Final Payment Amount: \$230.00

PAYMENT APPLICATION: If a Deposit is due, the first payment(s) go to the deposit until paid; the remaining payment(s) is/are applied to the Water & Sewer oldest billings until paid in full and the account is brought current.

DEPOSIT: Deposits are held for a minimum of 12-months following a delinquency. In the event of another delinquency before the 12-months are up, the 12-month calculation/calendar restarts. Following the payment as agreed for a continuous 12-month period, the deposit is then refundable. The deposit may be applied to the account of refunded to the customer.

By signing below, I understand the instructions and agree to the conditions and payments as recorded on both pages of the Bill Amortization.

SIGNATURE _____

DATE _____

PARTY SIGNING:

LANDOWNER:

TENANT (TENANT must also complete the BILL AMORTIZATION ADDENDUM)

RIVER HIGHLANDS COMMUNITY SERVICES DISTRICT
915 8TH ST, SUITE 125 MARYSVILLE, CA 95901
Bill Amortization

Name: John Doe
Account #: xxxxx

Initials (By initialing I understand and agree to each item.)

I understand I am responsible for paying the total of both the "**Amortization Payments**"(past due amounts) and the "**Regularly Scheduled Payment Amount**" (monthly bill) by the billing due date.

I understand that if my Amortization payment **AND** my Regular Scheduled Monthly Bill payment are not received by County on or before the billing due date my water/sewer service will be discontinued and I will be charged a "\$50 Delinquency Fee".

I understand that any payment made by check/EFT/credit card/debit card that is returned, for any reason, payment is required in cash only. There will also be an additional \$25 Administrative Fee for the Returned check/EFT/credit card/debit card

I understand that failure to comply with any of the above conditions where my service is discontinued, that service will not be restored until **all** charges and fees are paid in full.

I understand there are **no** extensions of the Bill Amortization

BILL AMORTIZATION ADDENDUM - TENTANT ONLY
As per Resolution xxxxx

LANDOWNER INFORMATION:

NAME _____

STREET/PO BOX _____ CITY _____ ZIP _____

PHONE# (_____) _____ - _____

Failure to provide the landowner's name and address, or the submission of false or inaccurate information is considered a violation of the time extension as agreed under the BILL AMORIZATION. If information is not provided, no Amortization will be granted. If false information is given then the agreement will be deemed broken and subject to termination of services until payment is received in full.

I understand that by failure to pay the charges as agreed to in the BILL AMORTIZATION PAYMENT SCHEDULE it will result in discontinuance of service to the service address until the delinquent amount is paid in full and that such notice of failure to pay will be sent in writing to the landowner. I have read and understand the above.

TENANT SIGNATURE _____ DATE _____



Senate Bill No. 3

CHAPTER 855

An act to amend Sections 116590, 116902, 116904, 116906, 116908, 116910, 116912, 116914, 116916, 116918, 116920, 116922, and 116926 of, the Health and Safety Code, relating to water.

[Approved by Governor October 13, 2023. Filed with Secretary of State October 13, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 3, Dodd. Discontinuation of residential water service: covered water system.

(1) Existing law establishes the Safe Drinking Water Account to be available to the State Water Resources Control Board, upon appropriation by the Legislature, for the purpose of providing funds necessary to administer the California Safe Drinking Water Act.

This bill would expand the use of available funds in the account to be used by the state board, upon appropriation by the Legislature, to include the administration of the Water Shutoff Protection Act. The bill would, subject to the availability of funding, require the state board to make funds available for providing training statewide to community water systems with between 15 and 200 service connections to assist in compliance with the Water Shutoff Protection Act.

(2) Existing law, the Water Shutoff Protection Act, prohibits an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, from discontinuing residential service for nonpayment, as specified, and requires specified procedures before it can discontinue residential service for nonpayment. Existing law defines a community water system as a public water system that serves at least 15 service connections used by yearlong residents or regularly serves at least 25 yearlong residents of the area served by the system. Existing law requires an urban and community water system to have a written policy on discontinuation of residential service for nonpayment available in English, other designated languages, and any other language spoken by at least 10% of the people residing in its service area.

This bill would expand the scope of the Water Shutoff Protection Act by requiring that it instead apply to a covered water system, defined to include specified water systems and suppliers, including a community water system. The bill would require a community water system, that is not otherwise required to comply, to comply with the act's provisions on and after August 1, 2024. The bill would instead apply the above-described language requirements for the written policy of discontinuation of residential service for nonpayment to a covered water system that serves 200 or more service

connections. The bill would require a covered water system that serves fewer than 200 service connections to have a written policy on disconnection of residential service for nonpayment available in English, any language spoken by at least 10% of the people residing in its service area, and, upon request of a customer, other designated languages. The bill would authorize, as part of the act, the Attorney General, at the request of the board or upon the Attorney General's own motion, to bring an action in state court to restore to any person in interest any money or property, real or personal, that may have been acquired by any method, act, or practice prohibited by the act. The bill would make related changes.

The people of the State of California do enact as follows:

SECTION 1. Section 116590 of the Health and Safety Code is amended to read:

116590. (a) Funds received by the state board pursuant to this chapter shall be deposited into the Safe Drinking Water Account, which is hereby established, and shall be available for use by the state board, upon appropriation by the Legislature, for the purpose of providing funds necessary to administer this chapter and the Water Shutoff Protection Act (Chapter 6 (commencing with Section 116900)).

(b) A public water system may collect a fee from its customers to recover the fees paid by the public water system pursuant to this chapter.

(c) The total amount of funds received for state operations program costs to administer this chapter for fiscal year 2016–17 shall not exceed thirty-eight million nine hundred seven thousand dollars (\$38,907,000) and the total amount of funds received for administering this chapter for each fiscal year thereafter shall not increase by more than 5 percent of the amount received in the previous fiscal year plus any changes to salary, benefit, and retirement adjustments contained in each annual Budget Act.

(d) This section shall become operative on July 1, 2016.

SEC. 2. Section 116902 of the Health and Safety Code is amended to read:

116902. For the purposes of this chapter, the following definitions apply:

(a) "Board" means the State Water Resources Control Board.

(b) "Community water system" has the same meaning as defined in Section 116275.

(c) "Covered water system" means a water system or supplier described in Section 116904.

(d) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.

(e) "Urban and community water system" means a public water system, as defined in Section 116275, that supplies water to more than 200 service connections.

(f) “Urban water supplier” has the same meaning as defined in Section 10617 of the Water Code.

SEC. 3. Section 116904 of the Health and Safety Code is amended to read:

116904. (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020.

(b) An urban and community water system regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform to this chapter.

(c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020.

(d) A community water system not described in subdivision (a), (b), or (c) shall comply with this chapter on and after August 1, 2024.

(e) Subject to the availability of funding, the state shall make funds available for providing training statewide to community water systems with between 15 and 200 service connections to assist in compliance with this chapter.

SEC. 4. Section 116906 of the Health and Safety Code is amended to read:

116906. (a) A covered water system that serves 200 or more service connections shall have a written policy on discontinuation 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. A covered water system that serves fewer than 200 service connections shall have a written policy on disconnection of residential service for nonpayment available in English, any language spoken by at least 10 percent of the people residing in its service area, and, upon request of a customer, any of the languages listed in Section 1632 of the Civil Code. Nothing in this section shall be construed to prevent a covered water system from making the policy available in any other language. The policy shall include all of the following:

(1) A plan for deferred or reduced payments that is available for any customer regardless of whether they meet the conditions of subdivision (a) of Section 116910. The plan for deferred or reduced payments that is available to any customer regardless of whether they meet the conditions of subdivision (a) of Section 116910 is not required to reduce the total amount due for water service provided.

(2) Alternative payment schedules that are available for any customer regardless of whether they meet the conditions of subdivision (a) of Section 116910.

(3) A formal mechanism for a customer to contest or appeal a bill.

(4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

(b) The policy shall be available on the covered water system’s internet website, if an internet website exists. If an internet website does not exist,

the covered water system shall provide the policy to customers in writing, upon request.

(c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585 and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.

(2) All moneys collected pursuant to this subdivision shall be deposited in the Safe Drinking Water Account established pursuant to Section 116590.

SEC. 5. Section 116908 of the Health and Safety Code is amended to read:

116908. (a) (1) (A) A covered water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No fewer than seven business days before discontinuation of residential service for nonpayment, a covered water system shall contact the customer named on the account by telephone or written notice.

(B) When the covered water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the covered water system's policy on discontinuation of residential service for nonpayment. A covered water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.

(C) When the covered water system 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 of the residence to which the residential service is provided. If the customer's 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." 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 service.

(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 service charges, consistent with the written policies provided pursuant to subdivision (a) of Section 116906.

(2) If the covered water system 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 covered water

system 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 the covered water system's policy for discontinuation of residential service for nonpayment.

(b) If an adult at the residence appeals the water bill to the covered water system or any other administrative or legal body to which that appeal may be lawfully taken, the covered water system shall not discontinue residential service while the appeal is pending.

SEC. 6. Section 116910 of the Health and Safety Code is amended to read:

116910. (a) A covered water system shall not discontinue residential service for nonpayment if all of the following conditions are met:

(1) The customer, or a tenant of the customer, submits to the covered water system 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 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 that they are financially unable to pay for residential service within the covered water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the covered 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.

(3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116906, with respect to all delinquent charges.

(b) (1) If the conditions listed in subdivision (a) are met, the covered water system shall offer the customer one or more of the following options:

(A) Amortization of the unpaid balance.

(B) Participation in an alternative payment schedule.

(C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.

(D) Temporary deferral of payment.

(2) The covered water system may choose which of the payment options described in paragraph (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. A covered water system may grant a longer repayment period if it

finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

(3) Residential service may be discontinued no sooner than five business days after the covered water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

(A) 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.

(B) 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 their current residential service charges for 60 days or more.

SEC. 7. Section 116912 of the Health and Safety Code is amended to read:

116912. A covered water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service.

SEC. 8. Section 116914 of the Health and Safety Code is amended to read:

116914. (a) For a residential customer who demonstrates to a covered water system household income below 200 percent of the federal poverty line, the covered water system shall do both of the following:

(1) Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, a covered water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

(2) Waive interest charges on delinquent bills once every 12 months.

(b) A covered water system 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.

SEC. 9. Section 116916 of the Health and Safety Code is amended to read:

116916. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If a covered water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the covered water system 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 that may be due on the delinquent account.

(c) The covered water system is not required to 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 covered water system's rules and tariffs. 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 covered water system, or if there is a physical means legally available to the covered water system of selectively terminating service to those residential occupants who have not met the requirements of the covered water system's rules and tariffs, the covered water system shall make service available to those residential occupants who have met those requirements.

(d) If prior service for a period of time is a condition for establishing credit with the covered water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the covered water system for that period of time is a satisfactory equivalent.

(e) Any residential occupant who becomes a customer of the covered water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the covered water system for those services during the preceding payment period.

(f) In the case of a detached single-family dwelling, the covered water system may do any of the following:

(1) Give notice of termination at least seven days prior to the proposed termination.

(2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

SEC. 10. Section 116918 of the Health and Safety Code is amended to read:

116918. A covered water system shall report the number of annual discontinuations of residential service for inability to pay on the covered water system's internet website, if an internet website exists, and to the board. The board shall post on its internet website the information reported.

SEC. 11. Section 116920 of the Health and Safety Code is amended to read:

116920. (a) The Attorney General, at the request of the board or upon the Attorney General's own motion, may bring an action in state court to do either of the following:

(1) Restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.

(2) Restore to any person in interest any money or property, real or personal, that may have been acquired by any method, act, or practice declared by this chapter to be unlawful.

(b) For a covered water system regulated by the Public Utilities Commission, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by a covered water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.

SEC. 12. Section 116922 of the Health and Safety Code is amended to read:

116922. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the covered water system's service area.

SEC. 13. Section 116926 of the Health and Safety Code is amended to read:

116926. This chapter does not apply to the termination of a service connection by a covered water system due to an unauthorized action of a customer.

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THE WATER SHUTOFF PROTECTION ACT – SB 998

James Ciampa, Lagerlof, LLP

Last year, the California Legislature passed, and Governor Brown signed into law, SB 998 – the Water Shutoff Protection Act (the “Act”), found at Health and Safety Code Sections 116900 et seq. SB 998 changes the requirements and procedures for the discontinuation (i.e., termination) of water service to a residence. Those new requirements and procedures are summarized below.

APPLICATION OF THE ACT. There are three aspects of the Act that are important regarding how it applies. First, the Act applies only to the newly defined “urban and community water systems.” The Act defines “urban and community water system” as a public water system that supplies water to more than 200 service connections. Thus, the Act does not apply to water systems with less than 200 connections.

Secondly, the Act applies only to the termination of residential water service. Thus, a water supplier may have different service termination procedures for a commercial or non-residential service. Lastly, the Act applies only to termination of service for non-payment and does not apply to terminations for other reasons, such as unauthorized water use or for violation of a supplier’s rules and regulations. Thus, a service disconnection that is not related to non-payment need not comply with the Act’s requirements.

COMPLIANCE DATES. The Act distinguishes between water suppliers regulated by the Public Utilities Commission and non-PUC entities with respect to when compliance with its requirements starts. For urban water suppliers (i.e., those who serve more than 3,000 service connections) and any PUC-regulated systems, they must comply with the Act on and after February 1, 2020. Urban and community water systems not regulated by the PUC, and with less than 3,000 service connections, must comply with the Act on and after April 1, 2020.

SERVICE DISCONTINUATION POLICY. The Act requires every urban and community water system to have a written policy on discontinuation of residential water service for non-payment. That policy must be available on the water supplier’s website or, if the supplier does not have a website, must be provided to customers on request. The policy must be in the five languages, in addition to English, listed in Civil Code Section 1632 (Spanish, Chinese, Korean, Vietnamese and Tagalog), and in any other language spoken by at least 10% of the people residing the system’s service area. The policy must include the following components: (1) a plan for deferred or reduced payments; (2) alternative payment schedules; (3) a formal mechanism for a customer to contest or appeal a bill; and (4) a telephone number for a customer to discuss options to avoid discontinuation of service due to non-payment.

However, the policy should include additional details regarding implementation of the Act, including when an account is due (e.g., on issuance of the bill), which will start the 60-day clock for the termination of service, a detailed description of the supplier’s alternative payment

arrangements, a formal appeals or bill review process, and the manner in which the water supplier will provide the required notices.

DISCONTINUATION PROCESS - NOTICE. The most significant change the Act makes is imposing a 60 day waiting period before an urban and community water system can discontinue water service. The Act provides that residential water service cannot be discontinued for non-payment until the account has been delinquent for at least 60 days. The Act does not specify when that delinquency period begins to run, so that is an issue a water supplier should address in its service termination policy.

The Act requires notice of the potential termination of service be given to the customer named on the account at least seven (7) business days before the possible termination of service. The notice can be given by telephone or in writing. If the notice is given by telephone, the water supplier must: (a) offer to provide the customer the supplier'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.

If the notice is given in writing, the notice must be mailed to the customer at the residence's address, but if the customer's address is not the address of the property to which the service is provided, the notice must also be sent to the property's address, addressed to "Occupant." The notice must include the following:

1. Customer's name and address;
2. Amount of delinquency;
3. Date by which payment or arrangement for payment is required to avoid discontinuation of service;
4. Description of the process to apply for an extension of time to pay the amount owing;
5. Description of the procedure to petition for review and appeal of the bill in giving rise to the delinquency; and
6. Description of the procedure by which the customer can request a deferred, amortized, reduced or alternative payment schedule.

PROHIBITIONS ON DISCONTINUATION OF SERVICE. There are two scenarios that would prohibit the discontinuation of service for non-payment. First, if the customer appeals its water bill to the water supplier or to any other administrative or legal body, the supplier cannot discontinue service while that appeal is pending. Secondly, the water supplier cannot discontinue residential water service if all of the following conditions are met:

1. Health Conditions – the customer or tenant of the customer submits certification of a primary care provider that discontinuation of water service would, to any resident at the property, (i) be life threatening, or (ii) pose a serious threat to a resident's health and safety.

2. Financial Inability – the customer demonstrates he or she is financially unable to pay for water service within the water system’s normal billing cycle. The customer is deemed “financially unable to pay” if any member of the customer’s household is: (i) a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the customer declares the household’s annual income is less than 200% of the federal poverty level. The Act does not require the customer to show any proof relating to that income declaration!

3. Alternative Payment Arrangements – the customer is willing to enter into an alternative payment arrangement consistent with the water supplier’s policy (**see** the next section).

ALTERNATIVE PAYMENT ARRANGEMENTS. An urban and community water system must offer a customer one of the following alternative payment arrangements: (i) amortization of the unpaid balance; (ii) participation in an alternative payment schedule; (iii) partial or full reduction of the unpaid balance, without additional charges to other ratepayers; or (iv) temporary deferral of payment. The Act does not provide any detail on what those arrangements must include, so that is another area that should be addressed in the supplier’s service termination policy.

It is important for water suppliers to understand that they will select which of the alternative payment arrangements is to be used and they will set the parameters of that option. The Act states that ordinarily the payment option to be offered should result in full payment within 12 months, but the water supplier may allow a longer repayment period to avoid undue hardship to the customer.

If the customer has entered into an alternative payment arrangement and then fails to abide by that agreed upon arrangement or fails to keep its account current, the water supplier may discontinue service no sooner than 5 business days after the supplier posts a final notice of intent to discontinue service in a prominent place at the customer’s property if either of the following has occurred: (i) the customer fails to comply with the agreed upon payment arrangement for 60 days or more; or (ii) while undertaking an agreed upon payment arrangement, the customer does not pay his or her current service charges for 60 days or more.

LOW INCOME CUSTOMERS – CAP ON RECONNECTION FEES; INTEREST WAIVER. Customers are deemed to have a household income below 200% of the federal poverty line if: (i) any member of the household is a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the customer declares the household’s annual income is less than 200% of the federal poverty level. If a customer demonstrates either of those circumstances, then the urban and community water system must do both of the following:

A. Reconnection Fees - reconnection fees during normal operating hours cannot exceed \$50, and reconnection fees during non-operational hours cannot exceed \$150. Those fees

cannot exceed the actual cost of reconnection if that cost is less than the statutory caps. Those caps may be adjusted annually for changes in the CPI beginning January 1, 2021. There is no cap on reconnection fees for customers who are not low income under the tests listed above.

B. Interest Waiver – the water system must waive interest charges on delinquent bills once every 12 months.

LANDLORD-TENANT SCENARIO. The Act uses the same concepts as were enacted in 2009 in SB 120 with respect to terminating water service to tenants. In a situation where the property is a rental property of some sort and the owner pays the water bill, if the account becomes delinquent, before service can be discontinued particular notices must be provided to the tenants at that property. For the sake of efficiency, a water supplier may want to include the required tenant language on its general service termination notice discussed above.


The Act requires that at least 10 days (but only 7 days if the property is a detached single-family dwelling) [note this notice requirement refers to calendar days and not business days as with the notices described above] prior to the possible termination of water service, the urban and community water system must make every good faith effort to inform the occupants by written notice that the water service will be terminated. The written notice must also inform the tenants that they have the right to become customers to whom the service will be billed without having to pay any of the delinquent amounts.

In order for a tenant or occupant to take over the water service account, each tenant/occupant must agree to the terms and conditions for service and meet the water supplier's requirements and rules. However, if (a) one or more of the tenants/occupants assumes responsibility for subsequent charges to the account to the water supplier's satisfaction, or (b) there is a physical means to selectively terminate service to those tenants/occupants who have not met the system's requirements, then the system may make service available only to those tenants/occupants who have met the requirements.

REPORTING. An urban and community water system must report annually on its website and to the State Water Resources Control Board the number of service discontinuations for inability to pay. The Act does not provide any details regarding the timing for that reporting. The State Water Resources Control Board must post that information on its website.

ENFORCEMENT. The Act has three prongs for enforcement. First, the State Water Resources Control Board is given the same power to enforce the Act as it has for other provisions in the California Safe Drinking Water Act. Thus, the State Water Board may issue a citation that can include penalties of up to \$1,000 per day, may issue a compliance order and may recover its enforcement costs and any litigation costs. In addition to the State Water Board taking action, the California Attorney General, at the request of the State Water Board or on its own, may file a civil lawsuit to seek a temporary or permanent injunction to restrain any acts or practices that are unlawful under the Act. Lastly, the Act also provides for private citizens' suits for violation of the Act, which could include monetary damages resulting from the wrongful termination of service and injunctive relief to require that water service is promptly restored.

CONCLUSION. The Act imposes significant new requirements on those water suppliers in California who provide water service to more than 200 service connections. The Act will require those water suppliers to adopt new policies, revise their service termination notices and procedures, and potentially revise their billing systems to ensure compliance with the new notice timing requirements. As the compliance dates of February 1, 2020 and April 1, 2020 are rapidly approaching, water suppliers to whom the Act applies should begin making the necessary changes to ensure timely compliance with the Act.

<p>California Department of Justice</p> <p>OFFICE OF THE ATTORNEY GENERAL</p> 	<h1>Legal Alert</h1>	
<p><i>Subject:</i></p> <p>The Water Shutoff Protection Act – As Amended by SB 3 (2023)</p>	<p><i>No.</i> OAG-2024-04</p> <p><i>Date:</i> September 19, 2024</p>	<p><i>Contact for information:</i></p> <p>EJ@doj.ca.gov</p>

TO: All Community Water Systems

The Office of the California Attorney General issues this legal alert to remind all community water systems of the requirements of the Water Shutoff Protection Act and to reflect recent changes in the law. This alert amends and supersedes Legal Alert OAG-2022-04.

In 2019, the Legislature adopted Senate Bill 998, the Water Shutoff Protection Act (the Act), Health and Safety Code Sections 116900 *et. seq.*, increasing protections for residents facing termination of water service due to non-payment.¹ In enacting these protections, the Legislature recognized that water debt and residential water shutoffs threaten human health and well-being and “have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.” (Sen. Bill. 998 (2017-2018 Reg. Sess.) §1, subd. (c).)

In 2023, the Legislature adopted Senate Bill 3 which expanded the protections of the Act to more people by applying the Act to smaller water systems. While the Act previously applied to systems with more than 200 service connections, the Act now applies to all community water systems. (§116902, subd. (e) incorporating the definition in §116275.) Application of the Act to these newly covered, smaller systems took effect August 1, 2024. (§116904, subd.(d).)

Senate Bill 3 also clarified that covered water systems must provide alternative payment plan options to all customers who are unable to pay their water bill, not only customers who meet certain medical and financial criteria. (§116906, subds. (a)(1) & (a)(2).) This requirement took effect on January 1, 2024.

The Act continues to apply only to the discontinuation of residential water service for nonpayment. (§§116906, subd. (a); 116902, subd. (c).) The Act does not apply to terminations due to an unauthorized action by a customer. (§116926.) The Act has several requirements for termination of water service due to nonpayment, discussed below.

Covered water systems should immediately cease all water shutoffs that do not comply with the Act. Water systems that have not yet adopted compliant policies and made those policies available to the public must do so immediately. The Act can be enforced by the State Water Resources Control Board and the California Public Utilities Commission, which have authority to issue citations with monetary

¹ All statutory references are to the Health and Safety Code.

penalties to non-compliant water systems. The Attorney General and the California Public Utilities Commission can enforce the Act by seeking a temporary or permanent injunction and the Attorney General can seek restitution against non-compliant water systems.

No Water Shutoffs Unless At Least 60-Days Delinquent

- Under the Act, a covered water system cannot discontinue service until a payment by a customer has been delinquent for at least 60 days. (§116908, subd. (a)(1)(A).)
- If service is discontinued for nonpayment, the water system is required to provide information about how to restore residential service. (§116912.)
- The Act also prohibits water shutoffs for residents who meet certain health and financial requirements and who are willing to make alternative payments. (§116910.)
- Reconnection fees are limited by the Act for residents with income below 200 percent of the federal poverty level and those residents are entitled to a waiver of interest charges on delinquent bills once every 12 months. (§116914.)

Written Policy Required

The Act requires every covered water system to have a written policy on discontinuation of residential water service for nonpayment. The policy shall include all of the following:

- (1) a plan for deferred or reduced payments that is available to any customer;
- (2) alternative payment schedules that are available for any customer;
- (3) a formal mechanism for a customer to contest or appeal a bill; and
- (4) a telephone number for a customer to discuss options to avoid discontinuation of service due to nonpayment. (§116906, subd. (a).)

This policy shall be available on a website if the provider has one. (§116906, subd. (b).) If the water system does not have a website, the policy shall be provided to the customer upon request. (§116906, subd. (b).) Covered water systems with 200 or more service connections must make the policy available in English, Spanish, Chinese, Tagalog, Vietnamese and Korean. (§116906, subd. (a); Civil Code, §1632.) Covered water systems with fewer than 200 service connections must make the policy available in English, any other language spoken by at least 10 percent of the people residing in the service area, and, upon customer request, any of the languages listed in Civil Code section 1632. (*Ibid.*)

Telephone or Written Notification Requirements

The Act also addresses the notice which must be provided to the person listed on the water bill and provides notification protections for tenants, including:

- Notice must be provided to the person listed on the water bill at least 7 business days before the possible termination of service. (§116908, subd. (a)(1)(B).)
- If the customer's address is not the address of the property where water service is provided, notice must also be mailed to the property address, addressed to "Occupant."
- If the water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned as undeliverable, the water system is required to make a good faith effort to visit the residence and leave or make arrangements for

placement in a conspicuous place a notice of imminent discontinuation for nonpayment and the system's discontinuation policy. (§116908, subd. (a)(2).)

- The notice must include the following: customer's name and address; amount of delinquency; date by which payment or arrangement for payment is required to avoid discontinuation of service; description of the process to apply for an extension of time to pay the delinquent charges; description of the procedure to petition for bill review and appeal; and description of the procedure by which the customer can request a deferred, reduced, amortized or alternative payment schedule. (§116908, subd. (a)(1)(C).)
- Tenants of individually metered residences must be notified in writing that they have the right to become customers to whom water service will be billed without having to pay any of the delinquent amounts. (§116916, subd. (b).)

If an appeal is filed by "an adult at the residence," a covered water system cannot terminate service while the appeal is pending. (§116908, subd. (b).)

Annual Reporting

A covered water system must report annually to the State Water Resources Control Board on water shutoffs due to inability to pay and post the information on its website if it has one. (§116918.)