



CITY OF POWAY
Discontinuation of Residential Water Service Policy

1. Delinquent Accounts

1.1 Water service charges are payable to the City once every two months or at such other frequency as determined by the City. All bills for water service are due and payable eleven (11) calendar days after the mail date by the City. Any bills not paid within such period are considered delinquent. Once the bill is received, payment arrangements may be requested up until the time of disconnection on the seventy-sixth (76th) day after the bill was mailed (see section 2 for these alternatives).

1.2 After an account becomes delinquent, the following will occur:

- A. On the 27th day after the water bill was mailed, a phone call, text or email reminder will be provided to let the customer know that the account will be assessed a late fee the following week.
- B. On the 34th day after the water bill was mailed, a past due fee will be assessed to the account and a delinquent notice mailed to the customer of record. The notice shall contain all the following information:
 - 1) The customer's name and address;
 - 2) The amount of the delinquency;
 - 3) The date payment must be made to avoid shut-off of water services;
 - 4) How to apply for an extension of time to pay delinquent charges;
 - 5) How to appeal if the amounts stated in the bill are believed to be incorrect; and
 - 6) How to request a deferred, reduced, or alternative payment plan.

In addition, the City will also send a notice to the actual occupants living at the service address under the following circumstances: water is furnished by a master meter, water is furnished by an individual meter to a single family dwelling, multi-unit residential structure, mobile home or park, or farm labor camp and the owner, manager, or employer is the customer of record; or the customer of record's address is not the same as the service address. If the tenant/occupant notice is undeliverable, the City will attempt to visit the address and shall post a written notice of the pending discontinuation of service in conspicuous location on the property served by the service connection, which may, but is not required to be, posted at the vehicular entry to such property from the public right of way. The notice will inform the occupants that they have the right to become customers of the City without being required to pay the amount due on the delinquent account, provided they otherwise comply with service requirements. Terms and conditions for occupants to become customers of the City are provided in section 4 below.

- C. On the 69th day after the bill was mailed, an automated phone call and/or text message will be sent to the phone numbers on file informing the customer that their account is in a delinquent status, the water will be disconnected if it remains unpaid, a late fee has been assessed and that the customer may request a copy of this Policy.
- D. On the 74th day after the water bill was mailed, a disconnection notice will be left at a conspicuous place at the service address informing the occupant that service will be disconnected in forty-eight

(48) hours due to non-payment of the water bill, a door tag fee and a shut off fee will be assessed to the account. All delinquent water service charges and associated fees must be received by the City by the day and time specified in the disconnection notice.

- E. On the 76th day after the water bill was mailed, the City may disconnect water service for non-payment.
- F. If the account remains unpaid for a full week after disconnection, the account will be closed as of the date it was originally turned off for non-payment. Any customer wanting to start water service from the same connection would need to provide documentation proving they were not responsible for any of the water used during the time period the account was in a delinquent status.

2. Circumstances Under Which Water Service Will Not Be Disconnected

- 2.1 Small Balance Accounts - The City will carry a maximum balance of \$10.00 to the next water bill with no penalties or late fees.
- 2.2 The City will not discontinue service while a customer's payment is subject to a City-approved extension, amortization, or alternative payment schedule, and the customer remains in compliance with the approved payment arrangement. No customer shall be entitled to have more than one (1) extension, amortization, or alternative payment schedule in effect for the same water connection at the same time. City approved payment arrangements may be limited based on the customer's payment history and compliance with agreement terms. No such arrangement shall extend beyond 12 months. Prior to the 74th day after the bill was mailed the City may approve an extension, amortization or alternative payment arrangement for an outstanding balance, but such arrangement may be conditioned on a requirement that all subsequently accruing water bills must be kept current. Failure to comply with the terms of an approved payment arrangement will result in the issuance of a written disconnection notice. The City will post a final notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before disconnection of service and a door tag fee will be assessed to the account. The final notice will not entitle the customer to any investigation or review by the City.
- 2.3 In addition, the City will not discontinue water service if all of the following conditions are met:
 - A. The customer, or a tenant of the customer, submits certification from a primary care provider or licensed physician and surgeon that discontinuation of water service would be life threatening or pose a serious threat to the health and safety of a resident of the premises, and
 - B. The customer is financially unable to pay within a normal billing cycle. This can be shown by either:
 - 1) Demonstrating that someone in the household is a recipient of one of the following programs:
 - CalWorks
 - CalFresh general assistance
 - Medi-Cal
 - Supplemental Security Income/State Supplementary Payment Program
 - California Special Supplemental Nutrition Program for Women, Infants and Children
 - 2) Or declaring under penalty of perjury that household income is less than 200% of the federal poverty level; and
 - C. The customer is willing to enter into an alternative payment arrangement, including an extension or alternative payment schedule with respect to the delinquent charges.

For customers who meet all of the above conditions, the City will offer one of the following options, to be selected by the City in its discretion: (1) an extension; or (2) an alternative payment schedule.

The customer is responsible for demonstrating that the above conditions have been met. Upon receipt of documentation from the customer, the City will review the documentation within seven (7) days and either: (1) notify the customer of the alternative payment arrangement selected by the City and request the customer's signed consent and agreement to participate in that arrangement; (2) request additional information from the customer; or (3) notify the customer that he or she does not meet the above conditions.

The City may discontinue water service if a customer who has been granted a payment arrangement under this section fails to do any of the following for sixty (60) days or more: (a) to pay the outstanding balance by the extension date; (b) to pay any amount due under the alternate payment schedule; or (c) to pay his or her current charges for water service. The City will post a final notice of intent to disconnect service in a prominent and conspicuous location at the service address at least five (5) business days before disconnection of service and a door tag fee will be assessed to the account. The final notice will not entitle the customer to any investigation or review by the City.

2.4 In a landlord-tenant situation the occupants can apply for water service pursuant to Section 4 of this Policy.

3. Restoration of Water Service

3.1 Water service may be restored, with no reconnection fee, during regular business hours after payment is made in full in one of the following ways:

- A. Payment is made at the City Hall with the Customer Services Division.
- B. Payment is made on-line and a confirmation number is provided by the customer and payment is verified by the City.
- C. Payment is made over the telephone through the City's automated payment system and a confirmation number is provided by the customer and payment is verified by the City.
- D. Cash payment is made through a City approved vendor and a confirmation number is provided and payment is verified by the City.

3.2 Restoration of Water Service After-Hours

- A. Water service may be restored after 3:30 pm on regular business days during the weekday, weekends, and holidays from 5:00 pm to 9:00 pm Monday through Friday and from 7:00 am to 9:00 pm on weekends and holidays when the following occurs:
 - 1) Payment is made as stated in Section 3.1 letters B. through D.
 - 2) The customer is informed of the after-hours fee, has signed an agreement acknowledging the fee and agrees to contact the Customer Services division by the deadline on the form or the following business day, and to pay the fee. City staff responding to service calls are not permitted to collect payment but will instruct the customer to contact Customer Services. Services that are off and locked cannot be re-established after hours.

4. Procedures for Occupants or Tenants to Become Customers of the City

4.1 This Section 4 only applies when a property owner, landlord, manager or operator of an existing connection at a residential service address is listed as the customer of record and has been issued a notice of intent to discontinue water service for non-payment, and discontinuance will interrupt water service to persons who are not City customers.

4.2 The City will make service available to the actual residential occupants served from such existing connections if each occupant agrees to the terms and condition of service, including deposit requirements. However, if one or more occupants are willing to assume responsibility for subsequent charges to the

account to the satisfaction of the City, or if there is a physical means, legally available to the City, of selectively discontinuing service to this occupants who have not met the requirements of the City's rules and regulations, the City shall make service available to occupants who have met those requirements.

- 4.3 To be eligible to become a customer without paying the amount due on the delinquent account, the occupant shall verify that the existing 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, rental agreement, rent receipts, a government document indicating the occupant is renting the property, or information disclosed pursuant to section 1962 of the Civil Code, at the discretion of the City.
- 4.4 If prior service for a period of time is a condition for establishing good credit with the City, residence and proof of prompt rent payment for that period of time is a satisfactory equivalent.

5. Bill Review and Appeal

- 5.1 Customers desiring to initiate a complaint or to appeal services or charges shown on a water bill must do so in writing within eight (8) days of the date billed. Any such complaint will be reviewed by the Director of Finance or their designee. The City will not disconnect water service for non-payment while the appeal is pending.

6. Other Provisions

- 6.1 In addition to discontinuation of water service, the City may pursue any other remedies available for non-payment of water service charges including but not limited to: securing delinquent amounts by filing liens on real property, filing a claim or legal action, or referring the unpaid amount to collections.
- 6.2 The City reserves the right to discontinue water service for any violation of City policies, rules or regulations other than non-payment.

7. Contact Information

- 7.1 For customer questions or assistance regarding a water bill, the City's Customer Service staff can be reached at (858) 668-4401 or email at customerservices@poway.org. Customers may also visit the City's Customer Service Division at City Hall in person Monday through Thursday from 7:30 a.m. to 5:30 p.m., and every other Friday from 8:00a.m. to 5:00 p.m. except on City holidays.