

DIVISION IV BILLING AND COLLECTION

Section 4.01 Billing Period and Payment of Bills.

(a) Water and sewer charges will be billed on an annual basis. Customers will be given the option to pay in two equal semiannual installments, with the installments due and payable on July 1 and January 1. [Amended by Ord. No. 75, eff. 5/12/06]

(b) The regular billing period for lake water service will be every two months or as otherwise determined by the Board by resolution. Lake water service charges are due and payable as of the date of the bill therefor.

(c) If any charges or fees are not paid within thirty (30) days after the due date or dates, a penalty of ten percent (10%) will be added to said charges plus a further penalty of one-half percent (1/2%) per month on the first day of each month following. If the District disconnects service for nonpayment of any charge, rate or fee, a reconnection charge in the amount of \$500.00 shall be imposed. District bills for service shall inform the customer of such penalties and reconnection fees.

Section 4.02 Commencement of Service and Prorated Bills.

The annual water and sewer base charges will commence upon connection of the side sewer to the main sewer and/or connection of the customer's private water pipeline and appurtenant facilities to the District water main line, and will be prorated based on a 365 day year. When service commences, water and sewer service charges will be imposed and will be prorated on a 365 day year with credit given for the amount of water and sewer base charges previously paid for the period for which service charges are due, if any. [Amended by Ord. No. 75, eff. 5/12/06]

Section 4.03 Charges Collectible Together.

No payment of water charges shall be accepted without payment of any applicable sewer service charges. The District may discontinue water service to any premises for which the sewer service charges are in arrears.

Section 4.04 Premises Using Both Sewer and Water.

When premises are connected to the District water and sewer systems, sewer service charges shall be collected together with and not separately from the charges for water service rendered by the District, and all charges shall be billed upon the same bill and collected as one item. If all or any part of the bill is not paid, the District may discontinue any and all services for which the bill was rendered.

Section 4.05 Termination of Service.

In the event of a violation of any of the ordinances of the District or of its rules and regulations, or of failure to pay applicable service charges when due, the District may disconnect the premises involved and terminate water and sewer service thereto, in compliance with the procedures contained in Division V of Chapter 1 of the District Code.

Section 4.06 Public Nuisance During Disconnection.

During the period of such disconnection, inhabitation of such premises by human beings shall constitute a public nuisance, whereupon the Board may cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnection, the defendant(s) shall pay any attorney's fees, costs or expenses incurred by the District to bring such action or proceeding.

Section 4.07 Action at Law.

In addition to the right to discontinue any service, the District shall have the right to collect delinquent charges and fees, penalties and interest from the customer or from the owner of the premises at its discretion by an action at law, arbitration or other proceeding.

Section 4.08 Contract.

All customers of the District sewer and water systems shall be deemed to have contracted with the District for the services of such systems and to have agreed to comply with all of the ordinances, rules and regulations of the District in regard thereto, as such may be amended from time to time.

Section 4.09 Investigation Powers.

The officers, inspectors, managers and any duly authorized employees of the District shall carry evidence establishing his position as an authorized representative of the District and upon exhibiting such identification and to the extent permitted by law, shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purposes of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in the enforcement of the provisions of the ordinances, rules and regulations of the District.

Section 4.10 Attorney's Fees and Costs.

In the event that the District is required to bring an action or other proceeding to collect delinquent charges and fees, penalties and interest, or otherwise enforce any District ordinance, rule or regulation, the defendant(s) shall pay any attorney's fees, costs or expenses incurred by the District to bring such action or proceeding.

Section 4.11 Lien Recordation.

The District shall include a statement on its bill to each customer or property owner, or shall provide such statement to each property owner by any other means, that any water and/or sewer service charges remaining delinquent for a period of sixty (60) days may become a lien against property owned by the customer in Placer County. In case any charges for water and/or sewer service remain delinquent for more than sixty (60) days, the District Secretary is authorized to record a certificate in the office of the Placer County Recorder specifying the amount of such charges, together with any penalties and interest thereon, and the name and address of the person liable therefor.

Section 4.12 Collection of Delinquent Water and Sewer Service Charges Pursuant to the County Tax Roll.

All rates, charges, penalties and interest which remain delinquent as of June 30th of each year and have been delinquent for sixty (60) or more days may be collected in the same manner as the property taxes for the District for the forthcoming fiscal year provided that the District shall have given prior notice to the customer-property owner of the lots

or parcels affected as follows:

1. On June 30th of each year, the District staff shall prepare a written report for the Board containing a description of each parcel or real property receiving a specific service and the amount of delinquent rates, charges, fees, penalties and interest due against that parcel on June 30th.

2. The staff shall publish a notice of the filing of the report and of the time and place of hearing by the Board on the report. Such publications shall be for not less than once a week for two weeks prior to the date set for hearing. The first publication date shall be at least 15 days prior to the hearing date. The same notice shall be mailed at least 14 days prior to the hearing date to the owner of each parcel listed on the report as that owner appears on the last equalized assessment roll.

3. At the time of the hearing stated in the notice, the Board shall hear and consider all objections or protests to the delinquency report. Thereafter, the Board may adopt, reverse, change, reduce or modify any delinquency, overrule any or all objections, and make its determination upon the propriety of each delinquency described in the report. The Board's determination shall be final. Thereafter, the Board may adopt a resolution approving the delinquency report, as modified if appropriate, and request the County Auditor to include the amount of delinquencies on the bills for taxes levied against the respective lots and parcels. The resolution and report shall be transmitted to the County Auditor not later than August 1st of each year.

Section 4.13 Returned Check Charge.

For any check which has been received by the District for payment of rates, charges, fees or other costs of the District as set forth in District ordinances, rules and regulations, which check has been deposited twice and returned to the District unpaid by the bank upon which it is drawn, a charge of \$15.00 for the returned check shall be imposed upon the account to which the payment was originally applied.

Section 4.14 Imposition of Water and Sewer Base Charges.

(a) Where a premises connected to the

District's sewer/water systems is uninhabitable, the owner shall provide the District with written notice thereof. After receipt of such notice and upon District confirmation that the premises is uninhabitable, the District shall impose its sewer and water base charges, rather than its water and sewer service charges, on such premises for the period of time that such premises remains uninhabitable. A premises shall become habitable on the date that Placer County issues a Certificate of Occupancy for the premises or on the date that the District determines that the premises is habitable.

(b) Water and sewer base charges shall commence on the date that the District confirms the premises to be uninhabitable and shall remain in effect until the premises becomes habitable, at which time water and sewer service charges shall recommence. Service charges and base charges shall be prorated based on a 365 day year and imposed according to the number of days in a billing period that the premises is habitable and uninhabitable, respectively.

(c) Where a premises connected to the District's sewer/water systems has been rendered uninhabitable, the owner may elect to have the premises disconnected from the District's water/sewer systems in which event the premises shall be subject to District standby/availability charges and assessments. The owner shall notify the District of such election in writing. Until the District receives written notice of such election, the District shall impose its sewer and water base charges on such premises in accordance with the provisions of subsections (a) and (b) above. The sewer and water base charges shall remain in effect through the date of disconnection. If, after disconnection of the premises from the District's water and sewer systems pursuant to the provisions of this subsection, the owner later desires water and sewer service from the District, the owner shall apply for such service in accordance with the ordinances, rules and regulations of the District regarding applications for service, except that any primary facility fees previously paid for such premises shall be deducted from the amount of primary facility fees due pursuant to the application. [Amended by Ord. No. 59, §1; eff. 7/1/97]

Section 4.15 Payment of Water and Sewer Base Charges During a Disconnection of Service.

In the event that water and sewer service is

disconnected pursuant to the provisions of Section 4.05 of Division IV and Sections 5.01, et seq. of Division V of Chapter 1 of the District Code, or pursuant to any other ordinance, rule or regulation of the District, the owner and or customer shall pay the District's sewer and water base charges during the period of disconnection. Such charges shall commence on the date of disconnection and shall remain in effect until the date of reconnection, at which time water and sewer service charges shall recommence. Service charges and base charges shall be prorated based on a 365 day year and imposed according to the number of days in a billing period that the premises is connected to, and disconnected from, the District's water/sewer systems, respectively.

Section 4.16 Liability for Violation.

Any person violating any of the provisions of the ordinances, rules and regulations of the District shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation.

Section 4.17 Cumulative Remedies.

All remedies set forth in the District Code for the collection and enforcement of charges, rates, fees, penalties and interest are cumulative and may be pursued alternatively or consecutively.