

NORTH MARIN WATER DISTRICT

POLICY: LATE CHARGE AND SHUT-OFF
POLICY NUMBER: 6

Original Date: 2002
Last Reviewed: 06/16/20
Last Revised: 06/16/20

**TEMPORARY MEASURES MODIFYING POLICY NUMBER 6 DURING THE
PENDENCY OF GOVERNOR’S EXECUTIVE ORDER N-42-20 AND TO ADDRESS
COVID-19 PANDEMIC CONCERNS**

Notwithstanding anything in this Policy Number 6 to the contrary, the following modifications shall be operative for the durations noted herein.

Water Service Shutoffs

The District shall not shutoff any residential customers’ water service for nonpayment for a period not to exceed 90 days following the termination or discontinuance of Executive Order N-42-20. This temporary provision is self-executing and self-terminating according to its terms.

Payment Plans:

For a period not to exceed 180 days following the date of approval of these temporary modifications, Payment Plans may be offered for a duration up to, but not exceeding, 24 months. All other terms and conditions will remain as provided for in this Policy Number 6. This temporary provision is self-executing and self-terminating according to its terms.

Late Payment Charges:

The District shall not assess Late Payment Charges to any overdue residential service account for a period not to exceed 180 days following the date of approval of these temporary modifications to Policy Number 6. This temporary provision is self-executing and self-terminating according to its terms.

CONTACT INFORMATION:

District customer service staff may be reached between 8:00 a.m. – 5:00 p.m., Monday through Friday at 415-897-4133 to discuss options to avoid water service shutoff.

BILL DUE DATE:

Regular bills are mailed bimonthly (6 times per year) and payment is due as of the bill date (the “Due Date”). All charges are due, in full, no later than 60 days following the Due Date. If payment is not received within 60 days of the Due Date, Late Payment Charges will be assessed.

REMINDER NOTICE:

If payment is not received within 30 days after the Due Date, a Reminder Notice will be mailed. Only one Reminder Notice will be mailed per bill cycle. The Reminder Notice will not extend the Due Date.

LATE PAYMENT CHARGES:

Once a bill has become 60 days past due a Late Payment Charge of \$25 will be assessed.

PAYMENT PLANS:

The District offers payment plans of up to 12 months in duration for payment of delinquent charges. Length and minimum payment are subject to the District's discretion. Payment plans and subsequent account charges must be maintained in good standing to avoid further charges, fees, or water service shutoff.

WATER SERVICE SHUTOFF:

Should a bill not be paid within 60 days of the Due Date, water service to the account service location is subject to shutoff and additional fees and penalties. At the District's discretion, the following process may be started once an account has reach 60 days past due:

1. A Turn Off Notice will be mailed to the account holder address and, if different, to the service location (addressed to "Occupant") no later than 10 days prior to the date that water service will be shutoff. In addition, the Turn Off Notice shall be left in a conspicuous location at the service address.
2. The Turn Off Notice shall, at minimum, include the following information:
 - a. The account holder's name and address;
 - b. The amount of the delinquency;
 - c. The date by which payment or arrangement for payment is required to avoid shutoff of water service;
 - d. Information regarding how to petition for review and appeal of the delinquent bill;
 - e. Information regarding requesting an extension of time to pay, including entering into a payment schedule for payment of the delinquent charges.
 - f. Information regarding how tenants, if the landlord is the account holder, may become direct customers of the District and assume responsibility for subsequent charges for water service.

Exceptions to Water Service Shutoff:

1. Water service shall not be shutoff during the time a bill is under review by the District or while an appeal is pending per District Policy 6.
2. If the account holder or resident claims that the bill has already been paid, the field service representative will ask for a receipt. If a receipt is not provided, the field service representative will leave the water on and instruct the account holder or resident to call the office. Proof of payment will need to be shown or a replacement payment made to prevent shutoff.
3. Water service shall not be shutoff if all of the following conditions apply:

- a. The account holder or tenant submits the certification from a primary care provider 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.
- b. The account holder is willing to enter into an alternative payment schedule agreement with respect to all delinquent charges and such plan is signed by the account holder within 5 days of a request or Turn Off Notice.
- c. It is demonstrated that the resident at the water service location, if the resident is the account holder, is financially unable to pay for residential service within the District's normal billing cycle. The account holder/resident shall be deemed financially unable to pay for residential service within the District's normal billing cycle if any member of the household to which water service shutoff is imminent 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 household's annual income is less than 200 percent of the federal poverty level.
 - i. Should any condition 3a, 3b, or 3c be met, the account holder/resident shall be eligible to enter into an alternative payment schedule agreement with respect to all delinquent charges, which shall not exceed 12 months from the date of the agreement. During the pendency of any such agreement, the account shall otherwise be required to remain free from additional delinquencies.
 - ii. Should any alternative payment schedule become 60 or more days delinquent or should the current water service charges become 60 days or more delinquent, the District may post a Final Turnoff Notice at the service location indicating that water service will be shutoff. The Final Turnoff Notice shall be posted no later than 5 days prior to the date of shutoff.

AFTER HOURS TURN-ON AND COLLECTIONS:

1. Turn-on and collection will be performed any time after 5:00 p.m. and before 8:00 a.m. unless:

On shut-off days, the on-call representative is cautioned that anyone on the shut-off list with a non-cooperative reputation that has been on the list four or more times should not be turned on after 5:00 p.m. The service representative is to use his/her own judgment. The representative has the right to make an exception to this general rule based on their experience with the consumer. The Novato Police Department or Marin County Sheriff (West Marin) should be called anytime the service representative believes an escort is warranted.

2. The answering service will advise the account holder or resident to have payment (cash or check) ready for the on-call field service representative.

3. The answering service will obtain the account holder's or resident's phone number to allow the on-call field service representative to call the account holder or resident to discuss any problem.

TURN ON CHARGES:

Should water service be shutoff, the following charges shall apply to restore service to the service location:

\$35.00 (Monday through Friday, 8:00 a.m-5:00 p.m.)

\$60.00 (evenings, weekends, and holidays)

This information is communicated to the consumer by the answering service prior to dispatching an after-hours service representative.

If it is determined by either the field service representative or by the office staff that a hardship situation exists, the Turn-On Charge can be applied to the next bill.

DISCONTINUATION OF UTILITY SERVICE FOR OTHER CUSTOMER VIOLATIONS:

The District reserves the right to discontinue utility service for any violations of District ordinances, rules, or regulations other than nonpayment.

OTHER REMEDIES:

In addition to discontinuation of utility service, the District may pursue any other remedies available in law or equity for nonpayment of utility 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. In the event a legal action is decided in favor of the District, the District will be entitled to the payment of all costs and expenses, including attorneys' fees and accumulated interest.

Revisions: 2002, 2006, 2013, 2020