

ORDINANCE NO. 03-2019

BOARD OF DIRECTORS
CAMBRIA COMMUNITY SERVICES DISTRICT
DATED: December 19, 2019

AN ORDINANCE AMENDING SECTIONS 4.04.080, 4.04.090 AND 4.04.100
OF THE CAMBRIA COMMUNITY SERVICES DISTRICT
MUNICIPAL CODE RELATING TO DELINQUENT WATER BILLS

WHEREAS, the Board of Directors of the Cambria Community Services District ("District") may adopt rules and regulations for the operation of the District's water system and for furnishing water to customers; and

WHEREAS, the Water Shutoff Protection Act, codified at section 116900 et seq. of the California Health and Safety Code, requires all urban water suppliers to adopt a written policy on the discontinuation of residential water service for nonpayment; and

WHEREAS, the written policy must include a plan for deferred or reduced payments; alternative payment schedules; a formal mechanism for a customer to contest or appeal a bill; and a telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment; and

WHEREAS, the Water Shutoff Protection Act applies only to residential connections; and

WHEREAS, the District intends to adopt a Policy on the Discontinuance of Residential Water Service for Nonpayment to comply with the requirements of the Water Shutoff Protection Act; and

WHEREAS, the Board of Directors now wishes to amend the CCSD Municipal Code to differentiate between delinquent residential accounts and nonresidential accounts and to provide for the adoption of the District's Policy on the Discontinuance of Residential Water Service for Nonpayment by resolution.

The Board of Directors of the Cambria Community Services District (CCSD) Ordains as follows:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Sections 4.04.080, 4.04.090 and 4.04.100 of the CCSD Municipal Code are hereby amended to read as follows:

4.04.080 - Rendering of water bills.

All water meters will be read the last week of even numbered months and the bill will be mailed by the 10th day of the odd numbered months. The

water usage charge and other charges shall be sent to the owner of the property, except that where the owner of the property has made arrangements with the manager by letter or on forms provided to have the bills sent to occupant of the property, or to the owner's agent.

In case of nonpayment of bills for non-residential accounts, the property owners shall be liable for the payment of the bills and any penalties and administrative charges. A delinquent notice will be sent on the 10th day of the month following the month in which the original bills were mailed to all customers having balances unpaid. Residential accounts will be handled in accordance with the District's Policy on Discontinuance of Residential Water Services, which shall be adopted by resolution of the Board of Directors, and as the same may be amended from time to time.

4.04.090 - Payment of delinquent bill.

A. Non-residential Accounts.

1. Customer has fifteen (15) calendar days to: 1. Pay the bill in full, or make a deposit of full amount at the Cambria Community Services District; 2. File an appeal with the general manager.
2. Billing Spread (Partial Payments Only). Receipts from partially paid bills will be applied to an account payable in the following order: 1. Penalty charges; 2. Refuse charges; 3. Sewer charges; 4. Water charges.

Any balance due will also be payable in the same order.

B. Residential Accounts. Where water bills become past due, residential accounts will be handled in accordance with the District's Policy on Discontinuance of Residential Water Services, which shall be adopted by resolution of the Board of Directors, and as the same may be amended from time to time

4.04.100 - Denial of new water and sewer permits for persons with existing unpaid delinquent bills.

A. To the extent not inconsistent with the requirements of the District's Policy on Discontinuance of Residential Water Services and the provisions of California Health and Safety Code Sections 116900 et seq., any person(s) who has a delinquent Community Services District bill will not be permitted to acquire a water or sewer permit until their delinquent bill, including any penalty charges, reconnection charges and deposit, has been paid in full as prescribed by existing provisions.

- B. To the extent not inconsistent with the requirements of the District's Policy on Discontinuance of Residential Water Services and the provisions of California Health and Safety Code Sections 116900 et seq., any person(s) who has not paid their delinquent Community Services District bill and who has requested to be placed on the District's water and sewer permit allocation list will be removed from the list at the end of the fifteen (15) day delinquent billing period and will relinquish their position on the list.

Section 3. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

Section 4. A summary of this Ordinance shall be published in a newspaper published and circulated in the community of Cambria at least five (5) days prior to the Board of Directors meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the District Clerk. Within fifteen (15) days after passage of this Ordinance, it shall be published once, together with the names of the Directors voting thereon, in a newspaper of general circulation within the community.

Section 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

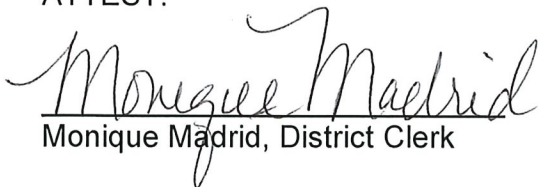
The foregoing Ordinance was adopted at a regular meeting of the Board of Directors of the Cambria Community Services District held on the 19th day of December, 2019.

AYES: 5
NAYS: 0
ABSENT: 0




Name:
President, Board of Directors

ATTEST:



Monique Madrid, District Clerk

APPROVED AS TO FORM:



Timothy J. Carmel, District Counsel

