

RESOLUTION NO. 19-1017

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE JOSHUA BASIN WATER DISTRICT AMENDING RESOLUTION 97-572,
AS AMENDED, ADDING A COLLECTION POLICY AND AMENDING
RULES AND REGULATIONS TO IMPLEMENT SB 998**

WHEREAS, with Resolution 97-572 as amended, the Board of Directors of the Joshua Basin Water District has previously established Rules and Regulations pertaining to operating the District and

WHEREAS, Senate Bill 998, referred to as the Water Shutoff Protection Act, establishes new laws regulating the disconnection of water service for nonpayment, including the requirement to establish a written policy on discontinuation of water service; and

WHEREAS, Joshua Basin Water District will incorporate regulations implementing SB 998 plus other related rules into a Collection Policy further amending the District's Rules and Regulations, as amended.

NOW, THEREFORE BE IT RESOLVED that Exhibit A attached, the Collection Policy, is hereby added in its entirety to the District's Rules and Regulations; and

FURTHER RESOLVED that the District's Rules and Regulations are hereby amended as follows:

INTRODUCTION

SECTION I

GENERAL PROVISIONS

He or His is understood throughout the document to represent both the male and female gender.

Discontinuance of Service: Any customer failing to comply with all or any part of the Rules and Regulations or failure to pay rates and charges of this District will be subject to having water service to their customer service facility discontinued. The District will mail notification of notice of intent to discontinue service, and the customer will be afforded an opportunity to be heard before water service will be discontinued. Water service to such customer will not be restored until such customer will have complied with such rule or regulation or have paid such rate or charge. See Exhibit A for the District's Collection Policy, which regulates discontinuance of service for non-payment.

Unless remedied, the customer's service may be discontinued within ten days after the District notifies him of violation. If such violation endangers the public's health and safety, the District may discontinue water service immediately without notice.

Customer Complaints: Customers are welcome to contact the District office at any time during regular business hours to ask any questions or to file any complaints regarding the operation of

the District. The appropriate staff will address any such questions and complaints and make every reasonable attempt to arrive at an agreeable understanding with the customer. If desired, the customer will be granted a conference with the Manager upon scheduling a mutually convenient time.

Should a customer be unable to reach satisfaction, regarding his question or complaint, he may submit his question or complaint in writing to the Board for consideration or may appear in person before the Board at its next regular scheduled meeting after requesting to be included on the agenda of the meeting. Action by the Board will not be delayed more than to the time of the next regular meeting unless further delay is agreed to by the customer to permit the full discovery of facts regarding the question or the full discovery of facts regarding the question or complaint. The Board will try to arrive at a fair and impartial solution consistent with the District's best interest.

See Exhibit A for the District's Collection Policy, which provides the policy for disputing or appealing water bills, which is separate from this policy about general complaints.

The appeal of Administrative Rulings: authorized District representatives in accordance with the rules and regulations make all rulings, decisions, and determinations. Such rulings may be appealed in writing, addressed to the District Board, and delivered to the District Manager within five days of the administrative ruling being received by the customer. Such appeals may be considered by the District Board at its next regular meeting and the Board's ruling, in full compliance with the law and the District's rules and regulations, will be final.

Variations: The customer shall have the right to request a variance from specific provisions of any of these rules and regulations. All requests for a variance shall be submitted in a written form, and the appropriate fee shall be paid before the request will be considered. Variance applications submitted at least ten days before a scheduled Board Meeting shall be included on the agenda of the next regular meeting, and the decision of the Board will be final. The customer will be given a written notice of the disposition of the case, including any conditions or approval, which may have been adopted.

ARTICLE 1.18 Terms of Bill Payment

Bills for metered water service shall be rendered at the end of each billing period. Such bills shall be due and payable at the office of the District, and shall be delinquent twenty-one days after date of the billing. Active Accounts may be turned off after written notice from the District and an opportunity to be heard, if payment is not made within sixty (60) days of the delinquent date. All past due charges must be paid before Active Account status is granted for the affected parcel.

ARTICLE 1.24 Turn Off Meter for Non-Payment

Customers are encouraged to avoid disconnection of water service for non-payment by contacting the District to determine if they are eligible for a payment arrangement that would spread the balance due over a longer payback period. See Exhibit A for the District's Collection Policy which regulates disconnection of service for non-payment.

ARTICLE 1.27 Delinquent Account Service Charge

Accounts not paid on or before the date that they become delinquent may be assessed a one-time delinquent account service charge plus a monthly service charge on the unpaid balance. Accounts paid before the due date with payments that are subsequently returned (e.g. NSF check) will also be charged the delinquent account service charges as indicated above. See Exhibit A for the District's Collection Policy which regulates Delinquent Account Service Charges.

ARTICLE 1.28 Payment Arrangements

Customers that cannot pay their bills by the scheduled cut-off date may be able to make a payment arrangement that gives them additional time to make payment. The District will consider whether the customer qualifies for a payment arrangement. Water service will not be terminated for any customer who complies with the payment arrangement, if the customer also keeps the account current as new charges accrue in each subsequent billing period. See Exhibit A for the District's Collection Policy which regulates Payment Arrangements.


PASSED, APPROVED AND ADOPTED this 19th day of December 2019 by the Joshua Basin Water District Board of Directors by the following vote:

Ayes: Floen, Hund, Johnson, Reynolds, & Unger

Noes:

Abstain:

Absent:



Robert Johnson, President, Board of Directors

Respectfully Submitted,



Mark Bair, General Manager and Board Secretary

Other sections need amendment? 1.18

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Discontinuance of Service: Any customer failing to pay rates and charges of this District will be subject to having water service to their customer service facility discontinued. Policies relating to disconnection of water service for nonpayment are included in Exhibit XX of the Rules and Regulations.

Any customer failing to comply with all or any part of the Rules and Regulations will be subject to having water service to their customer service facility discontinued. The District will mail notification of notice of intent to discontinue service, and the customer will be afforded an opportunity to be heard before water service will be discontinued. Water service to such customer will not be restored until such customer will have complied with such rule or regulation. Unless remedied, the customer's service may be discontinued within ten days after the District notifies him of violation. If such violation endangers the public's health and safety, the District may discontinue water service immediately without notice.

Customer Complaints: Customers are welcome to contact the District office at any time during regular business hours to ask any questions or to file any complaints regarding the operation of the District. The appropriate staff will address any such questions and complaints and make every reasonable attempt to arrive at an agreeable understanding with the customer. If desired, the customer will be granted a conference with the Manager upon scheduling a mutually convenient time. Should a customer be unable to reach satisfaction, regarding his question or complaint, he may submit his question or complaint in writing to the Board for consideration or may appear in person before the Board at its next regular scheduled meeting after requesting to be included on the agenda of the meeting. Action by the Board will not be delayed more than to the time of the next regular meeting unless further delay is agreed to by the customer to permit the full discovery of facts regarding the question or complaint. The Board will try to arrive at a fair and impartial solution consistent with the District's best interest. Procedures to contest or appeal a water bill are located in Exhibit XX of the Rules and Regulations

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considered by the District Board at its next regular meeting and the Board's ruling, in full compliance with the law and the District's rules and regulations, will be final.

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