



SECTION 11

RULES FOR THE DISCONTINUANCE AND RESTORATION OF SERVICE

Section 11. DISCONTINUANCE AND RESTORATION OF SERVICE

A. Customer's Request for Discontinuance of Service

1. A customer may have service discontinued by giving not less than two days advance notice thereof to the District. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required two days advance notice.

2. When such notice is not given, the customer will be required to pay for service until two days after the District has knowledge that the customer has vacated the premises or otherwise has discontinued water service.

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Section 11.B.1 TERMINATION OF SERVICE

B.1 (a) Notice of Termination: Pursuant to Section 779.1 of the Public Utilities Code, residential service of water may be terminated for nonpayment of a delinquent account only when the procedures listed herein have been followed. At least 19 days shall be allowed for payment of charges demanded after the bill for those charges has been mailed. If payment has not been received by the District within 19 days after the bill was mailed, a written notice shall be mailed to the customer informing the customer that termination of water service will occur within ten (10) days. The ten-day period will not commence until after the initial 19-day period and an additional five-day period for mailing of the notice has passed. In other words, the termination cannot be effective until at least 34 days after the bill is mailed. At least 24 hours before termination, a telephone contact with an adult person residing at the premises must be attempted. If the contact fails, an additional written notice shall be given either in person or by mail 48 hours prior to termination. If a posting of a "48 hour" notice is necessary, the customer will be charged an additional \$5.00 for delivering such notice. Service shall be restored

without charge and a notation mailed to the customer if termination does not comply with this section.

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b. Notice of Content: The notice of termination shall include the following:

- (1) Name and address of the delinquent customer
- (2) The amount of the delinquency
- (3) The date by which the payment or arrangement for payments is required to avoid termination.

- (4) The procedure for the customer to initiate a complaint or investigate service or charges.
- (5) The procedure to request amortization of unpaid charges.
- (6) The procedure to obtain information on the availability of financial assistance.
- (7) The telephone number of a District representative who can provide added information.
- (8) In the case of service to a multi-unit residential structure or mobile home park where the owner or manager is the customer of record, the notice to actual users shall also state that the actual users may become customers without payment of the delinquent amount provided all the actual users from the meter agree to comply with District rules and regulations or one or more actual user is willing and able to assume responsibility for the entire amount or there is a physical means, legally available to selectively terminate service to actual users who have violated this Ordinance.

(c) Limitations: Residential service shall not be terminated for nonpayment:

- (1) During the pendency of an investigation by the General Manager of a customer dispute or complaint;

- 3-86-15 (2) When the customer has been granted an extension;
or
- (3) When a licensed physician certifies that termination of service will be life threatening to the customers; the customer is financially unable to pay for service within the normal payment period and the customer is willing to enter into an agreement to amortize payment of the delinquency over a period not to exceed 12 months.
- (d) Review: A residential customer may initiate a complaint or request an investigation within 5 days of receipt of a disputed bill or request an extension of time to pay a bill within 13 days of mailing of the termination notice. The General Manager, or his designee, shall review the complaint or request and determine whether the customer shall be permitted to amortize the unpaid balance over a reasonable period of time, not to exceed 12 months. The customer may appeal the General Manager's decision to the Board of Directors."

6-79-1 2. For Noncompliance with Rules

The District may discontinue service to any customer for violation of these rules after it has given the customer at least five days written notice of such intention. Where safety of water supply is endangered, service may be discontinued immediately without notice.

3. For Waste of Water

- a. Where negligent or wasteful use of water exists on a customer's premises, seriously affecting the general service, the District may discontinue the service if such practices are not remedied within five days after it has given the customer written notice to such effect.
- b. In order to protect itself against serious and unnecessary waste or misuse of water, the District may meter any flat rate service and apply the regularly established meter rates where the customer continues to misuse or waste water beyond five days after the District has given the customer written notice to remedy such practices.

1 4. For Unsafe Apparatus or Where Service is Detri-
2 mental or damaging to the District or its Customers.

3 If an unsafe or hazardous condition is found to exist
4 on the customer's premises, or if the use of water thereon by
5 apparatus, appliances, equipment or otherwise is found to be
6 detrimental or damaging to the District or its customers, the
7 service may be shut off without notice. The District will notify
8 the customer immediately of the reasons for the discontinuance
9 and the corrective action to be taken by the customer before
10 service can be restored.

11 5. For Fraudulent Use of Service

12 When the District has discovered that a customer has
13 obtained service by fraudulent means, or has diverted the water
14 service for unauthorized use, the service to that customer may
15 be discontinued without notice. The District will not restore
16 service to such customer until that customer has complied with
17 all filed rules and reasonable requirements of the District and
18 the District has been reimbursed for the full amount of the
19 service rendered and the actual cost to the District incurred by
20 reason of the fraudulent use.

6-90-25 21 C. Restoration of Service

22 1. Reconnection Charge

23 Where service has been discontinued for violation of
24 these rules or for nonpayment of bills, the District may charge a fee
25 as set forth by Resolution of the Board of Directors for reconnection
26 of service during regular working hours or for reconnection of service
27 at other than regular working hours when the customer has requested
28 that the reconnection be made other than regular working hours.

2. To be Made During Regular Working Hours

The District will endeavor to make reconnections during regular working hours on the day of the request, if conditions permit, otherwise reconnections will be made on the regular working day following the day the request is made.

3. To be Made at Other Than Regular Working Hours

When a customer has requested that the reconnection be made at other than regular working hours, the District will reasonably endeavor to so make the reconnection if practicable under the circumstances but will be under no obligation to do so.

D. Refusal to Serve

1. Conditions for Refusal

The District may refuse to serve an applicant for service under the following conditions:

- a. If the applicant fails to comply with any of the provisions of this ordinance.
- b. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing customers.
- c. If, in the judgment of the District, the applicant's installation for utilizing the service is unsafe or hazardous, or of such nature that satisfactory service cannot be rendered.
- d. Where service has been discontinued for fraudulent use, the District will not serve an applicant until it has determined that all conditions of fraudulent use or practice have been corrected.

2. Notification to Customers

When an applicant is refused service under the provisions of this rule, the District will notify the applicant promptly of the reason for the refusal to serve and of the right of applicant to appeal the District's decision to the District's Board of directors.