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CITY OF SACRAMENTO

DEPARTMENT OF FINANCE
REVENUE DIVISION
915 I STREET
ROOM 104
SACRAMENTO, CA 95814-2696
TELEPHONE (916) 449-5454

April 4, 1984
RD:841087-ADM:MLM:ld

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: INCREASING CITY UTILITY DELINQUENCIES

SUMMARY

This report informs the City Council of the Budget and Finance Committee's recommendations regarding the attached staff report concerning the City's increasing utility service delinquencies.

DISCUSSION

On Tuesday, April 3, 1984 the Budget and Finance Committee heard the attached staff report concerning the City's increasing utility service delinquencies. As a result of testimony, the Committee recommended that the City Council:

1. Reject staff's recommendation to increase the delinquency penalty from 20% to 50%;

2. Approve staff's recommendation to reinstate the authority to effect water service stoppage for delinquent accounts;

3. Approve the resolution authorizing amendments to the Department of Finance and Public Works Department for FY 1983/84 to implement the water service stoppage program;

4. Approve the resolution authorizing the imposition of a $50.00 water turn-on charge for involuntary service stoppage;

5. Approve a resolution appointing Walter Thompson, Citizens Assistance Officer, as the hearing officer for purposes of City Code Section 64.146.

RECOMMENDATION

It is recommended that the City Council adopt the recommendations contained in the attached staff report as modified by the Budget and Finance Committee on Tuesday, April 3, 1984.

Respectfully submitted,

MICHAEL L. MEDEMA
Revenue Officer

RECOMMENDATION APPROVED:

WALTER J. SLIPE, City Manager

Attachment

All Districts
April 10, 1984

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CITY OF SACRAMENTO

DEPARTMENT OF FINANCE
REVENUE DIVISION
915 I STREET
ROOM 104
SACRAMENTO, CA 95814-2696
TELEPHONE (916) 449-5454

March 21, 1984
RD:841071-ADM:MLM:ld

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: **INCREASING CITY UTILITY BILLING DELINQUENCIES**

SUMMARY

The City's utility billing delinquencies are increasing at an alarming rate both in actual dollars and in the percentage of the amount billed. The City cannot allow this trend to continue and, therefore, must adopt a more aggressive collection policy.

BACKGROUND

Prior to September, 1978, the City forced payment of delinquent City utility bills through the stoppage of water service for nonpayment. This policy was effective and kept the delinquent amounts at a level of one percent or less of the amount billed. Liens were placed on the secured property tax rolls to collect the one percent or less delinquency not collected via the service stoppage.

The City discontinued the service stoppage policy in 1978 as one of the cost cutting measures in reaction to Proposition 13. Although effective, the service stoppage policy was an expensive process in relationship to the delinquency problem. It was envisioned that the City would not suffer a significant increase in delinquency as a result of the policy change. To ensure payment, a ten percent penalty was adopted. The collection effort relied totally on the lien process and the ten percent penalty.

Effective July 1, 1982, in response to an increase in the utility service delinquency from a pre-1978 level of one percent or less to a then alarming three percent level, the City increased the delinquency penalty to twenty percent. Staff was convinced this measure would solve the delinquency problem.

In June, 1983 staff reported to the City Council that the utility service delinquency had increased to five percent. Based upon a survey of the delinquency accounts and the conditions of the local economy, staff believed the

delinquency level was abnormally high and would abate as the economy improved. Staff began to closely monitor the delinquency level.

As of February, 1984, the utility service delinquency level has increased to five and six/tenths percent. In actual dollars, the delinquency level after seven months of billings is almost equal to the total delinquency for FY 1982/83. The continued increase, after the economy has returned to a prosperous mode, dispels the validity of staff's June 1983 assumption that the delinquency increases were related to the poor economy.

The following schedule summarizes the ten year history of the annual billings and the delinquency for the fiscal years 1974/75 through 1983/84.

City of Sacramento
City Utility Service Revenues and Delinquencies
1974/75 through 1983/84
($ in thousands)

Year	Total Revenue	Delinquency Liened	Percentage of Total Revenue
1974/75	$17,065	$ 95	.6
1975/76	16,723	86	.5
1976/77	19,774	179	.9
1977/78	21,089	202	1.0
********** WATER SHUT-OFF POLICY DISCONTINUED **********			
1978/79	21,804	450	2.1
1979/80	23,169	428	1.8
1980/81	25,354	637	2.5
1981/82	28,271	864	3.1
1982/83	29,979	1,488(A)	5.0
1983/84	35,606	2,008(B)	5.6

(A) Penalty for nonpayment increased from 10% to 20%
(B) Estimated

DISCUSSION

In response to the increased delinquency amount and percentage level, staff conducted a survey of other local companies and municipalities within the state

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[illegible]

[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
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(Exhibit I). It appears that the City's problem is not being experienced by a majority of those surveyed. Fourteen of the nineteen agencies surveyed reported a water shut-off policy to effect collection of delinquent accounts. Staff has concluded that the primary cause of the City's increasing delinquency is the lack of a policy of water service stoppage for nonpayment.

Staff further conducted an analysis of the "cost" of relying upon the lien process to ensure collection. A summary of that analysis is shown on the following schedule:

City of Sacramento
City Utility Service Liens and Payments Received
1974/75 through 1982/83
($ in thousands)

Year	Amount Liened	Amount Paid by County	Accumulative Amount Outstanding
1974/75	$ 95	$140	$< 45>
1975/76	86	89	< 48>
1976/77	179	135	< 4>
1977/78	202	157	41
********** WATER SHUT-OFF POLICY DISCONTINUED **********			
1978/79	450	181	310
1979/80	428	372	366
1980/81	637	396	607
1981/82	864	478	993
1982/83	1,488	678	1,803

Interestingly, the amount liened but not yet paid to the City has steadily grown since the service stoppage policy was discontinued in 1978. The rapidly increasing receivable is partially due to time delays inherent in the secured tax process. Approximately $148,000 of the FY 1982/83 increase is attributable to the penalty increase adopted July 1, 1982. According to the City Treasurer, the annual cost for interest income lost on the receivable for FY 1982/83 was in excess of $216,000.

The preceding analysis does not include the impact of the growing receivable on the utility rate structures. The rates charged paying customers must be increased to offset the growing receivable. The relationship between the

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[illegible]

[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
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[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

[illegible]

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receivable increase and the utility rate increases is direct and equal. For each one percent increase in the delinquency, rates must be increased by one percent.

Finally, staff has prepared an analysis of the delinquent accounts as of February 3, 1984 (Exhibit II) which details the delinquent accounts by the number of customers and the amounts. It also identifies the residential customers receiving water service, in addition to other utility services, as the largest category of the delinquent account.

PROPOSED SOLUTION

The City cannot allow the delinquency problem to continue its current growth pattern. Due to the reliance of the utility service funds upon the present income to meet present expenditures, the rates for the paying customers must be increased to carry the non-paying customers. Based on Exhibit II, this results in ninety percent of the customers who pay their bills (80,581) providing a subsidy to the other ten percent who do not (9,149), which is unfair.

The increase in the penalty amount in 1982 was not effective. Perhaps the lack of effectiveness is attributable to the small dollar cost of the increase on the average City utility bill. Based on FY 1983/84 data, the difference between a 10% penalty and a 20% penalty is $4.20. Increasing the penalty to 50% or 100% would result in a dollar cost to the customer of approximately $21.00 or $42.00. Staff is not convinced that this measure alone will solve the delinquency problem.

Staff is convinced that the reimposition of the policy of water service shut-off, combined with a significant penalty increase to 50%, will result in reduced delinquencies. Ninety-seven percent of the accounts and of the amount delinquent as of February 3, 1984 received water service (see Exhibit II). If service is stopped, the residence or building cannot be occupied. Stoppage of the water service generally results in prompt payment.

The reimposition of the policy of water service shut-off has potential pitfalls which must be considered. Some of these are:

1. The citizen ire caused by the stoppage of service.

2. An erroneous stoppage of service.

3. Stoppage of service in the case of financial or medical hardship.

4. Stoppage of service by a landlord as a means of harassing a tenant.

Due to these concerns, the City Code revisions proposed (Exhibit III) to reimpose the water service stoppage to effect collection of delinquent accounts mandate strict notice and procedural requirements. Further, the proposed water shut-off program is limited in scope. It is the intent of staff to target chronic offenders. The program proposed envisions twenty service shut-offs weekly. Based upon staff's experience with other jurisdictions that have service shut-off programs, a single water shut-off within a neighborhood generally results in payment from delinquent neighbors.

FINANCIAL DATA

The following schedule details the revenue and expenses for the water shut-off program for FY 1983/84 and FY 1984/85:

Revenue	FY 1983/84	FY 1984/85
Recovery of lost interest earnings	$ -0-	$216,000
Water shut-off fee	4,000	50,000
Total Revenue	$4,000	$266,000

Expenses		
Dept. of Finance - Revenue Division		
Project Manager	$ 8,540	$ 34,158
Typist Clerk II	5,215	20,863
Operating	2,952	8,008
Equipment	13,287	-0-
Total Dept. of Finance - Revenue Division	29,994	63,029
Public Works Dept. - Water & Sewer Division		
Leadworker	$ 5,792	$ 34,750
Overtime	833	5,000
Operating	300	1,800
Equipment	11,450	-0-
Total Public Works Dept. - Water & Sewer Div.	18,375	41,550
Total Expense	$48,369	$104,579
Net Gain (Loss)	($44,369)	$161,421

The staffing proposed is based upon the premise that the Department of Finance will be responsible for administration of the program and that the Public Works Department - Water and Sewer Division will only act as the shut-off and service restoration agent.

The direct expected fiscal benefits from the water shut-off program are the recovery of the interest income lost annually on the receivable and the involuntary water service restoration fee income. The interest income lost in

FY 1982/83 was estimated at $216,000 by the City Treasurer. Based upon the current trend, the annual interest income loss will grow by at least 50% and could reach 100% for each fiscal year. The involuntary water service restoration fee is projected at $50,000 annually based upon twenty shut-offs weekly. Ironically, the direct fiscal benefits will diminish with the development of a successful program.

The direct costs of the water shut-off program involve staffing and operations support for both the Department of Finance - Revenue Division and the Public Works Department - Water and Sewer Division. The $48,369 projected for FY 1983/84 includes the following one-time items:

Department of Finance - Revenue Division

Telephone Installation	$ 600
Automobile purchase	7,500
Desks, chairs, partitions	4,233
Typewriter	954
Freight	175
	$13,287

Public Works Department - Water & Sewer Division

Compact pickup with boxes	$ 8,400
Radio	2,350
Pipe locator	700
	$11,450

Total one-time costs	$24,737

RECOMMENDATION

It is recommended that the City Council:

1. Approve the attached ordinance which increases the delinquency penalty to 50% and re-establishes the authority to effect water service stoppage for delinquent accounts.

2. Approve the attached resolution authorizing the amendments to the Department of Finance and Public Works Department for FY 1983/84 to implement the water service stoppage program.

3. Approve the attached resolution authorizing the imposition of a $50.00 water turn-on charge for involuntary service stoppage.

Respectfully submitted,

MICHAEL L. MEDEMA
Revenue Officer

RECOMMENDATION APPROVED:

WALTER J. SLIRE, City Manager

Attachments

All Districts
April 10, 1984

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EXHIBIT I

DELINQUENT WATER BILLING ACCOUNT INFORMATION - OTHER AGENCIES

AS OF 1/11/84 EC CS

Local Agencies	Billing Cycle	Water Shut Off?	Delinquent Notice Schedule	Charge for Turn-on?	If Yes, $$ Amount	Delinquency Rate vs. prior years
Arcade County Walt Libal 972-7171	Bimonthly	Yes	Delinquent after end of cycle - 15 day note sent	Yes	$10.00	Down - no problem
Fair Oaks Irrigation Cindy - 967-5723	Nov & April 6 months-	No	Delinquent Jan & June 5% penalty Property tax lien after 1 year	-	-	10% -same as past
Fruitridge Vista Betty 421-3970	Bimonthly	Yes	Delinquent end of cycle. 7 day note 2nd bill, then 24 hrs	Yes	10.00 days 15.00 call	Same
Citizens Utilities Elizabeth 481-7350	Bimonthly	Yes	Due 19 days from mailing, then 2 weeks, then 5 days	Yes	10.00	Same
Carmichael Irrigation Madge 483-2453	Annually in Nov.	No	Delinquent after 10 days - then to property tax lien	-	-	Same
Out-Of-Area Agencies						
Fresno Water Co Mr Molina 488-1407	Bimonthly	Yes	Bill sent begin of cycle, delinquent after 30 days - 10 day note mailed, then 24 hour delivered	Yes	5.00 24-hr 8.00 on-off	Same - no problem
Hayward Water Co Nadine 784-8650	Bimonthly	Yes	Delinquent 6 months, then 5-day note mailed, then 24-hr delivered	Yes	20.00 off 10.00 on	Up due to more tenant skips - same o'wise
Redwood City Water Lana 369-6251	Bimonthly	Yes	Delinquent 30 days, reminder sent-then 10-day shutoff note	Yes	20.00 + 5%	Up - ±110/week shut off-20M accounts
Stockton Water Co Pat 944-8296	Monthly	Yes	Delinquent after 30 days - reminder sent, then 7 day note	Yes	10.00 days 20.00 nites	Up markedly - tenant skips up
San Jose Water Co Rodriguez 277-4373	Monthly	Yes	Delinquent 15 days - 15 day note sent after 2nd billing	Yes	5.00 + dep.	Down - more computerized, speeds up $$
E.B. M.U.D. Joan 451-3440	Bimonthly	Yes	Delinquent after 4 months - 15 day note - off at 5 months	Yes	7.50 days 10.00 nites	Up markedly - tenant skips up

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Enclosure (1)

DELINQUENCY SURVEY
(Waste Removal)

January 10, 1983

City/County	Contact	Delinquency Experience	Remarks
Berkeley, CA	Leon Hightower (415)644-6470 UB Superintendent	No delinquency increase	Bills for garbage and sewer (water private - East Bay MUD.) City bills sent to Alameda County twice each year where they are assessed to property tax. Did have cash flow problem in 1978 when went to the Co. system
Davis, Ca	Don Bess (1)756-3743 Ext 164	No delinquency increase No water shut-off increases	Bills for garbage and water/sewer. Shuts off water when bill becomes delinquent. Facility cannot remain occupied after water shut-off. Does not lien.
Fresno, CA	Leon Molina (209)488-1345 or 1421	No delinquency increase	Bills for garbage, water/sewer. Shuts off water when bill becomes delinquent and 15 day water shut-off given (red tag at facility). Does not lien.
Pasadena, CA	Mary Bradley (215)577-4350	No delinquency increase	Bills for garbage, water/sewer, and electric power. Shuts off water/elec power when bill becomes delinquent. Does not lien.
Sacramento County	Ruth Baker 363-6531	No delinquency increase	Bills for garbage, sewer. Liens delinquent bills. Did have cash flow problems for garbage.
San Francisco, CA	Mr. Vasconcellos (415)558-3151	Has experienced large delinquency increase.	Bills water/sewer. Shuts off water when over $50.00. Liens all under $50. Examining bill collection procedure re shut-off vs. liens.

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City/County	Contact	Delinquency Experience	Remarks
San Jose, CA	Mr. Cardoza (408)277-5195	No current delinquency experience.. Did experience delinquency increase in 1982.	Bills for sewer and delinquent garbage fees (i.e. if private hauler is not paid within 45 days city is responsible for collection). Places liens against property to collect.
Stockton, CA	Mrs. Sanborn (209)944-8297	No delinquency crease.	Bills for water, sewer and delinquent garbage bills submitted by private hauler. Shuts off water and only liens for sewer bills.

EXHIBIT II

City of Sacramento
Delinquent Account Analysis
February 3, 1984

Type of Customer	Accounts Delinquent			Amount Delinquent		
	With Water	Without Water	Total	With Water	Without Water	Total
Residential	7,457	121	7,578	$921,583.66	$ 7,923.12	$ 929,506.78
Hospital	1	0	1	1,998.52	0	1,998.52
Government	109	20	129	52,061.09	3,722.80	55,783.89
Commercial	548	121	669	104,676.06	30,442.31	135,118.37
School	16	4	20	3,331.39	980.76	4,312.15
Outside City	207	0	707	12,121.74	0	12,121.74
Multiple	798	17	815	306,416.64	4,964.88	311,381.52
Total	9,136	283	9,419	$1,402,189.10	$48,033.87	$1,450,222.97

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTERS 19, 36, 47 AND 64 OF THE SACRAMENTO CITY CODE, RELATING TO UTILITY SERVICES CHARGES AND DISCONTINUANCE OF SERVICE ON ACCOUNT OF DELINQUENCY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Division 5 of Article I of Chapter 64 is hereby amended to read as follows:

Sec. 64.140 Utility services division created.

There is hereby created a division in the department of finance to be known as the utility services division, under the supervision of the utility services supervisor, which division shall be charged with the powers and duties to handle requests for starts and stops of sewer, water, and residential waste removal services; reconcile disputed bills; handle public inquiries about service and bills; collect delinquent accounts; conduct field investigations for vacancies and setting of rates; maintain a master billing file, and such other powers and duties as are imposed by any law of the state, by the provisions of the charter of the city, by the provisions of this code and other ordinances of the city or by direction of the city manager. The remedies set forth in this Code for collecting and enforcing charges for utility services provided by the city are cumulative and may be pursued alternately, consecutively, or concurrently.

Sec. 64.141 Billing for domestic utility services.

Notwithstanding any provision in this code to the contrary, fees and charges for all city domestic utility services provided for in this code (water, sewer, regional sewer, garbage and garden refuse) shall be billed on one bill in one total amount to the owner of the property to which such utility services were rendered. For purposes of this section, owner shall mean the person to which the property was assessed in the last equalized assessment roll of the County of Sacramento unless the utility services supervisor shall have the knowledge of the name of a person other than assessee claiming record ownership of such parcel of real property. "Domestic utility services" shall mean utility services to single or multiple dwelling units.

Sec. 64.142 Discontinuance of utility services for nonpayment of ~~commercial~~ charges.

~~Prior to the discontinuance of any commercial utility service for nonpayment of the bill, the utility services supervisor shall cause a notice that utility services may be discontinued for non-payment of charges and notice of an opportunity for a hearing on the delinquent utility charges to be mailed postage prepaid to the customer at the address of the property to which the services were rendered or at such other address as the customer may have given, in writing, to the utility services supervisor. If the customer desires a hearing thereon, he shall request such a hearing by notifying the utility services supervisor thereof in writing within ten (10) days after the date shown on the notice. Any such hearing shall be set not less than ten (10) days after receipt of the customer's request. The hearing shall be held before the director of finance or such other person, including the utility services supervisor, as he may designate. The decision of such person shall be final and conclusive. The expiration of the time within which to request a hearing or upon a decision adverse to the customer after hearing, the utility services supervisor may cause to be discontinued any or all utility service for which the delinquent bill was rendered until such bill, including any delinquent penalties thereon, has been fully paid. As used herein, customer means the owner or agent of the owner of the property receiving water or sewer service and shall also mean the occupant of the property receiving such service, where different from the owner.~~

If any person shall fail or refuse to pay all or part of the lawful charges, including both delinquent and current charges, for any municipal utility services, the water service and other services to the premises, regardless of tenancy, shall be discontinued in accordance with the procedures set forth in this Division.

Sec. 64.143 Discontinuance of utility services for nonpayment of charges -- requirement of advance notice.

Prior to the discontinuance of any utility service for nonpayment of the bill, or nonpayment of a portion thereof, the utility services supervisor shall cause a written notice that water services and other utility services will be discontinued for nonpayment of charges and notice of an opportunity for a hearing with the utility services supervisor or his designee to present objections to the outstanding bill and to protest the proposed termination of utility services as unjustified to be mailed postage prepaid to the persons specified in Section 64.144. The deadline for requesting a hearing shall be no less than 10 days after the date of mailing the notice.

Sec. 64.144 Discontinuance of utility services for nonpayment of charges -- to whom notice shall be sent.

If the bill is one for commercial utility services, the notice required by Section 64.143 shall be sent to the customer at the address of the property to which the services were rendered or at such other address as the customer may have given, in writing, to the utility services supervisor.

If the bill is one for domestic utility services, the notice required by Section 64.143 shall be sent to the owner of the property to which such utility services were rendered (as defined in Section 64.141) and, if the address of the owner is not the address of the property to which such utility services were rendered, notice also shall be sent to the address of the property to which such utility services were rendered, addressed to Occupant".

Sec. 64.145 Discontinuance of utility services for nonpayment of charges -- contents of notice.

The notice required by Section 64.143 shall be substantially in the following form:

SERVICE ADDRESS: _____

NOTICE: The utility services bill for the above referenced service address is delinquent. Pursuant to Section 64.142 of the Sacramento City Code, THE CITY WILL SHUT OFF YOUR WATER SERVICE AND OTHER SERVICE TO_____

ON _____ unless delinquent and current charges of $ _____ (including penalties) are paid in full on or before _____.

YOU HAVE THE RIGHT TO A HEARING BEFORE the service is shut off. If you wish to present objections to the outstanding bill or to protest the proposed termination of utility services as unjustified, YOU MUST REQUEST A HEARING DATE NO LATER THAN _____, 19 __, at _____ p.m. TO REQUEST A HEARING CALL 449- _____ OR GO IN PERSON TO ROOM _____, SACRAMENTO, BETWEEN THE HOURS OF _____ a.m. and _____ p.m. MONDAY through FRIDAY.

The hearing will be informal and will be held before an employee of the City of Sacramento who is authorized to review disputed bills and correct any errors.

IF YOU ARE A TENANT OF RESIDENTIAL PREMISES AND IF YOU REQUEST AND ATTEND A HEARING YOU MAY REQUEST THAT THE SERVICE SHUT OFF BE DELAYED AN ADDITIONAL FIFTEEN CALENDAR DAYS.

If your water service is shut off, there will be a $ charge for reconnection after payment of the delinquent bill.

Section 64.149 of the Sacramento City Code provides that utility services shall not be discontinued at premises occupied by senior citizens of limited income or disabled persons of limited income. To take advantage of this provision you must request a hearing.

If you have any questions about this notice or the procedures for obtaining a hearing prior to the water service shut-off, call 449- or go to City Hall, Room , between the hours of a. m. and p.m. week days.

Sec. 64.146 Hearing -- Procedure.

Upon receipt of a request for hearing, a hearing shall be scheduled not later than ten days from the date of the request. The hearing shall be conducted in an informal manner by an employee of the city who shall have been designated by resolution of the city council to conduct such a hearing and who shall be authorized by the resolution to review disputed bills and to correct any errors. At the hearing evidence may be presented and shall be considered bearing on whether the correct amount has been charged for the service which has been rendered and whether such amount has been paid or is delinquent. At the conclusion of the hearing, the person conducting the hearing shall make a decision based upon the evidence and shall have the authority to adjust the amount due in a fair and equitable manner. The person conducting the hearing shall also have the authority to delay the date of utility service discontinuance under 64.147 by up to 15 additional calendar days if the premises served is a dwelling and if a tenant of the premises requests such a delay at the hearing. The decision of the person conducting the hearing shall be final and conclusive.

Sec. 64.147 Water and other utility services discontinued when.

If a hearing is not timely requested, or if a hearing has been requested and the person requesting the hearing fails to appear for it or have it continued, the city shall have the right to discontinue water service and other utility services.

If a hearing shall have been requested and conducted and the person in charge of conducting the hearing shall have determined the amount to be due thereafter, and the amount determined to be due is not paid in full within fifteen calendar days of the date of mailing of such decision, (or within thirty calendar days if a delay was authorized pursuant to Section 64.146), the city shall have the right to discontinue water service and other utility services.

Sec. 64.148 Final notice of discontinuance of utility service.

No less than seventy-two (72) hours prior to scheduled discontinuance of water service or other utility services, a final notice shall be mailed postage prepaid to those persons entitled to notice under Section 64.144, and a copy of the final notice shall be posted on the premises where service is to be discontinued. The final notice shall be in substantially the following form:

> WATER SERVICE (and other utility services) TO THE PREMISES LOCATED AT _____, SACRAMENTO, CALIFORNIA will be shut off for non payment of deliquent utility services charges on or after _____, 198 .
>
> FOR MORE INFORMATION, contact _____ at 449- _____ or go to City Hall, Room _____ between the hours of _____ a.m. and _____ p.m. Monday through Friday.

Sec. 64.149 Domestic utility services not to be discontinued -- certain circumstances.

No domestic utility service shall be discontinued on account of a delinquent domestic utilities services bill if it is demonstrated at a hearing provided under this Division that the occupant of the premises meets the qualifications set forth in Section 41.62(a)(1) through 41.62(a)(4) of this Code relating to refund of the utility users tax.

SECTION 2.

Section 47.7 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.7 Reconnection of water.

In no case shall the water be restored to any premises when shut off as provided in this chapter, unless the pipe leading thereto is directly connected with the city mains and unconnected with any other service pipe leading to any other premises, and except on payment of all arrearages and the additional amount covering costs~~,~~ ~~minimum charge not to be less than five dollars~~ for shutting off and letting on the water~~,~~. ~~provided, that in case of poverty, the city council may remit the additional sum.~~

SECTION 3.

Section 47.305 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.305 Same -- when due.

(a) Domestic service. All bills for domestic service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(b) Commercial service.

(1) Flat rate accounts. All bills for flat rate commercial service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(2) Metered accounts. All bills for commercial meter service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto. ~~The utility services officer may upon ten (10) days' written notice to the customer of such delinquency, cause the water to be turned off in the cases of all delinquent accounts as hereinbefore provided, provided, however, that the procedure set forth in Section 64.142 of the city code is first allowed.~~

SECTION 2.

Section 47.7 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.7 Reconnection of water.

In no case shall the water be restored to any premises when shut off as provided in this chapter, unless the pipe leading thereto is directly connected with the city mains and unconnected with any other service pipe leading to any other premises, and except on payment of all arrearages and the additional amount covering costs~~, minimum charge not to be less than five dollars~~ for shutting off and letting on the water~~,~~. ~~provided, that in case of poverty, the city council may remit the additional sum~~.

SECTION 3.

Section 47.305 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.305 Same -- when due.

(a) Domestic service. All bills for domestic service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(b) Commercial service.

(1) Flat rate accounts. All bills for flat rate commercial service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(2) Metered accounts. All bills for commercial meter service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto. ~~The utility services officer may upon ten (10) days' written notice to the customer of such delinquency, cause the water to be turned off in the cases of all delinquent accounts as hereinbefore provided, provided, however, that the procedure set forth in Section 64.142 of the city code is first allowed.~~

SECTION 4.

Section 47.306 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.306 Collection of water service charges with charges for other utility services -- Generally.

The water service charges imposed by this article ~~may~~ shall be collected together with the charges for any other utility service rendered to the property by the city. Such water service charges ~~may~~ shall be billed upon the same bill and collected as one item with such other utility service charges.

SECTION 5.

Section 47.307 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.307 Collection of water service charges with charges for other utility services -- nonpayment of bill.

If all or part of the bill is not paid, the utility services supervisor shall order the discontinuance of any and all utility services for which the bill is rendered~~.~~, including but not limited to the water service. Before any service is discontinued, the utility services supervisor shall follow the procedures for notice and opportunity for hearing contained in Division 5 of Article I of Chapter 64 of the Sacramento City Code.

SECTION 6.

Section 47.315 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.315 Adjustment of bills.

The utility services supervisor may adjust and grant rebates from the rates provided herein in the event of any dispute as to a charge to a customer. The decision of the utility services supervisor in respect thereto shall be final and conclusive on all parties. ~~,provided, however, that all parties affected thereby shall have a right to file an appeal of such determination withthe city council within ten (10) days after receipt of the utility services supervisor's decision. The decision of the city council in respect thereto shall be final and conclusive on all parties.~~

Section 7.

Section 47.317 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.317 ~~Discontinuance and restoration of commercial service.~~ Fee for restoration of water service.

~~If any commercial customer shall fail to pay any bill rendered, or fee and charge imposed, in accordance with the provisions of this article, at the time and in the manner provided, the utility services supervisor any cause the water to such commercial customer to be turned off. The water shall not again be turned on until the amount due is paid in full, plus twenty five dollars as a penalty for failure to pay such bill, fee or charge, and to cover the cost of making a service call to turn on the water. Prior to turning off the water, the procedure provided in Section 64.142 of the city code shall first be followed.~~

~~In the event the commercial customer turns on the water service or allows or causes it to be turned on after it has been turned off for the above or other reasons, the utility services supervisor may turn off the water service, and may charge and collect twenty five dollars for each timed this occurs, in addition to other amounts due from the commercial customer, before water service is restored.~~

In the event that water service to any premises is discontinued pursuant to Section 47.307, the water shall not again be turned on until the amount due is paid in full, plus a fee established by resolution of the city council to cover the cost of making a service call to turn on the water.

In the event that any person turns on water service or allows or causes it to be turned on after it has been turned off for non-payment of the utility services bill or other reasons, the utility services supervisor may turn off the water service, and may charge and collect an additional fee for each time this occurs, in addition to other amounts due, before water service is restored.

SECTION 8.

Section 36.560 of the Sacramento City City Code is hereby amended to read as follows:

Sec. 36.560 When charges due.

Flat rate accounts shall be billed periodically at approximately sixty-day intervals. All flat rate accounts shall be billed in advance for one-half the billing period.

Metered accounts shall be billed periodically at approximately sixty-day intervals.

(a) Domestic Service. All bills for domestic service shall become due and payable on the date of presentation and shall become delinquent if unpaid by the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(b) Commercial Service.

(1) Flat rates accounts. All bills for commercial meter service shall become due and payable on the date of presentation, and shall become delinquent if unpaid by the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(2) Metered accounts. All bills for commercial meter service shall become due and payable on the date of presentation, and shall become delinquent fifteen (15) days thereafter. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

SECTION 9.

Sections 36.561 and 36.562 are hereby added to the Sacramento City Code to read as follows:

Sec. 36.561 Collection of charges with charges for other utility services -- Generally.

The charges imposed by this article shall be collected together with the charges for any other utility services rendered to the property by the city. Such charges shall be billed upon the same bill and collected as one item with such other utility service charges.

Sec. 36.562 Collection of charges with charges for other utility services -- Nonpayment of bill.

If all or part of the bill is not paid, the utility services supervisor shall order the discontinuance of any and all utility services for which the bill is rendered, including but not limited to the water service. Before any service is discontinued, the utility services supervisor shall follow the procedures for notice and opportunity for hearing contained in Division 5 of Article I of Chapter 64 of the Sacramento City Code.

SECTION 10.

Section 36.563-1 is hereby added to the Sacramento City Code to read as follows:

Sec. 36.563-1 Lien recorded -- procedure.

(a) Notwithstanding any provision in this code to the contrary, any service charges imposed pursuant to this chapter which have become delinquent shall be subject to having the lien provided for in section 36.563 recorded with the County Recorder of the County of Sacramento pursuant to the procedure provided in this section.

(b) Prior to the recordation of a lien for delinquent charges, the utility services supervisor shall cause the notice of an opportunity for hearing on the delinquent charges to be mailed to the owner. Such notice shall be mailed postage prepaid. For purposes of this section, "owner" means the person to which the property was assessed in the last equalized assessment roll of the County of Sacramento unless the utility services supervisor has knowledge of the name of a person other than such assessee claiming record ownership of the property. If the owner desires a hearing thereon, he shall request such a hearing by notifying the utility services supervisor thereof in writing within ten (10) days after the date shown on the notice. Any such hearing shall be set not earlier than ten (1) days after receipt of the owner's request. The hearing shall be held before the director of finance or such other person, including the utility services supervisor, as he may designate. The decision of such person shall be final and conclusive.

(c) At the expiration of the time within which to request a hearing, or upon a decision adverse to the owner after hearing, the utility services supervisor shall cause such lien to be recorded with the Sacramento County Recorder in the form and manner prescribed by law. Thereafter, such lien shall not be released by the utility services supervisor unless and until it is fully and completely paid.

(d) The director of finance is hereby authorized to determine the amount of delinquency which will subject an individual lien to the recording procedures of this section; provided, however, that all liens resulting from delinquencies in excess of $50.00 shall be subject to the procedures of this section.

SECTION 11.

Section 36.801 of the Sacramento City Code is hereby amended to read as follows:

Sec. 36.801 Appeals -- Generally.

SECTION 10.

Section 36.563-1 is hereby added to the Sacramento City Code to read as follows:

Sec. 36.563-1 Lien recorded -- procedure.

(a) Notwithstanding any provision in this code to the contrary, any service charges imposed pursuant to this chapter which have become delinquent shall be subject to having the lien provided for in section 36.563 recorded with the County Recorder of the County of Sacramento pursuant to the procedure provided in this section.

(b) Prior to the recordation of a lien for delinquent charges, the utility services supervisor shall cause the notice of an opportunity for hearing on the delinquent charges to be mailed to the owner. Such notice shall be mailed postage prepaid. For purposes of this section, "owner" means the person to which the property was assessed in the last equalized assessment roll of the County of Sacramento unless the utility services supervisor has knowledge of the name of a person other than such assessee claiming record ownership of the property. If the owner desires a hearing thereon, he shall request such a hearing by notifying the utility services supervisor thereof in writing within ten (10) days after the date shown on the notice. Any such hearing shall be set not earlier than ten (1) days after receipt of the owner's request. The hearing shall be held before the director of finance or such other person, including the utility services supervisor, as he may designate. The decision of such person shall be final and conclusive.

(c) At the expiration of the time within which to request a hearing, or upon a decision adverse to the owner after hearing, the utility services supervisor shall cause such lien to be recorded with the Sacramento County Recorder in the form and manner prescribed by law. Thereafter, such lien shall not be released by the utility services supervisor unless and until it is fully and completely paid.

(d) The director of finance is hereby authorized to determine the amount of delinquency which will subject an individual lien to the recording procedures of this section; provided, however, that all liens resulting from delinquencies in excess of $50.00 shall be subject to the procedures of this section.

SECTION 11.

Section 36.801 of the Sacramento City Code is hereby amended to read as follows:

Sec. 36.801 Appeals -- Generally.

Any person adversely and directly affected by any determination made by the superintendent or the utility services supervisor pursuant to the provisions of this chapter may appeal said determination to the city council~~.~~; provided, however, that this Article shall not apply to determinations made pursuant to the hearing procedure contained in Division 5 of Article I of Chapter 64 of the Sacramento City Code.

SECTION 12.

Section 19.111 of the Sacramento City Code is hereby amended to read as follows:

Sec. 19.111 Same -- Collection of fees with charges for other utility services; discontinuance for nonpayment.

The fees for garbage collection service shall be charged by placing such fee to be designated as "garbage collection service" on the bi-monthly municipal service bills and shall be collected together with the charges for any other utility service rendered to the property by the City as one item. ~~and~~ The fees shall be payable at the same time and place and in the same manner and shall be subject to the same penalty for delinquency as is presently in effect for city water and sewer services. When garbage service is stopped at the request of an occupant or owner upon the vacation of the premises, the closing bill rendered shall be due and payable by the occupant or owner when billed. If all or part of the bill is not paid, the utility services supervisor shall order the discontinuance of any and all utility services for which the bill is rendered, including but not limited to the water service. Before any service is discontinued, the utility services supervisor shall follow the procedures for notice and opportunity for hearing contained in Division 5 of Article I of Chapter 64 of the Sacramento City Code.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

_____
MAYOR

ATTEST:

_____
CITY CLERK

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTERS 19, 36, 47 AND 64 OF THE SACRAMENTO CITY CODE, RELATING TO UTILITY SERVICES CHARGES AND DISCONTINUANCE OF SERVICE ON ACCOUNT OF DELINQUENCY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Division 5 of Article I of Chapter 64 is hereby amended to read as follows:

Sec. 64.140 Utility services division created.

There is hereby created a division in the department of finance to be known as the utility services division, under the supervision of the utility services supervisor, which division shall be charged with the powers and duties to handle requests for starts and stops of sewer, water, and residential waste removal services; reconcile disputed bills; handle public inquiries about service and bills; collect delinquent accounts; conduct field investigations for vacancies and setting of rates; maintain a master billing file, and such other powers and duties as are imposed by any law of the state, by the provisions of the charter of the city, by the provisions of this code and other ordinances of the city or by direction of the city manager. The remedies set forth in this Code for collecting and enforcing charges for utility services provided by the city are cumulative and may be pursued alternately, consecutively, or concurrently.

Sec. 64.141 Billing for domestic utility services.

Notwithstanding any provision in this code to the contrary, fees and charges for all city domestic utility services provided for in this code (water, sewer, regional sewer, garbage and garden refuse) shall be billed on one bill in one total amount to the owner of the property to which such utility services were rendered. For purposes of this section, owner shall mean the person to which the property was assessed in the last equalized assessment roll of the County of Sacramento unless the utility services supervisor shall have the knowledge of the name of a person other than assessee claiming record ownership of such parcel of real property. "Domestic utility services" shall mean utility services to single or multiple dwelling units.

Sec. 64.142 Discontinuance of utility services for nonpayment of charges.

If any person shall fail or refuse to pay all or part of the lawful charges, including both delinquent and current charges, for any municipal utility services, the water service and other services to the premises, regardless of tenancy, shall be discontinued in accordance with the procedures set forth in this Division.

Sec. 64.143 Discontinuance of utility services for nonpayment of charges -- requirement of advance notice.

Prior to the discontinuance of any utility service for nonpayment of the bill, or nonpayment of a portion thereof, the utility services supervisor shall cause a written notice that water services and other utility services will be discontinued for nonpayment of charges and notice of an opportunity for a hearing with the utility services supervisor or his designee to present objections to the outstanding bill and to protest the proposed termination of utility services as unjustified to be mailed postage prepaid to the persons specified in Section 64.144. The deadline for requesting a hearing shall be no less than 10 days after the date of mailing the notice.

Sec. 64.144 Discontinuance of utility services for nonpayment of charges -- to whom notice shall be sent.

If the bill is one for commercial utility services, the notice required by Section 64.143 shall be sent to the customer at the address of the property to which the services were rendered or at such other address as the customer may have given, in writing, to the util-ity services supervisor.

If the bill is one for domestic utility services, the notice required by Section 64.143 shall be sent to the owner of the property to which such utility services were rendered (as defined in Section 64.141) and, if the address of the owner is not the address of the property to which such utility services were rendered, notice also shall be sent to the address of the property to which such utility services were rendered, addressed to "Occupant".

Sec. 64.145 Discontinuance of utility services for nonpayment of charges -- contents of notice.

The notice required by Section 64.143 shall be substantially in the following form:

SERVICE ADDRESS: _____

NOTICE: The utility services bill for the above referenced service address is delinquent. Pursuant

to Section 64.142 of the Sacramento City Code, THE CITY WILL SHUT OFF YOUR WATER SERVICE AND OTHER SERVICE TO _____ ON _____ unless delinquent and current charges of $ _____ (including penalties) are paid in full on or before _____.

YOU HAVE THE RIGHT TO A HEARING BEFORE the service is shut off. If you wish to present objections to the outstanding bill or to protest the proposed termination of utility services as unjustified, YOU MUST REQUEST A HEARING DATE NO LATER THAN _____, 19 __, at _____ p.m. TO REQUEST A HEARING CALL 449-_____ OR GO IN PERSON TO CITY HALL, 915 I STREET, ROOM _____, SACRAMENTO, BETWEEN THE HOURS OF _____ a.m. and _____ p.m. MONDAY through FRIDAY.

The hearing will be informal and will be held before an employee of the City of Sacramento who is authorized to review disputed bills and correct any errors.

IF YOU ARE A TENANT OF RESIDENTIAL PREMISES AND IF YOU REQUEST AND ATTEND A HEARING YOU MAY REQUEST THAT THE SERVICE SHUT OFF BE DELAYED AN ADDITIONAL FIFTEEN CALENDAR DAYS.

If your water service is shut off, there will be a $ _____ charge for reconnection after payment of the delinquent bill.

Section 64.149 of the Sacramento City Code provides that utility services shall not be discontinued at premises occupied by senior citizens of limited income or disabled persons of limited income. To take advantage of this provision you must request a hearing.

If you have any questions about this notice or the procedures for obtaining a hearing prior to the water service shut-off, call 449-_____ or go to City Hall, Room ____, between the hours of _____ a. m. and _____ p.m. week days.

Sec. 64.146 Hearing -- Procedure.

Upon receipt of a request for hearing, a hearing shall be scheduled not later than ten days from the date of the request. The hearing shall be conducted in an informal manner by an employee of the city who shall have been designated by resolution of the

city council to conduct such a hearing and who shall be authorized by the resolution to review disputed bills and to correct any errors. At the hearing evidence may be presented and shall be considered bearing on whether the correct amount has been charged for the service which has been rendered and whether such amount has been paid or is delinquent. At the conclusion of the hearing, the person conducting the hearing shall make a decision based upon the evidence and shall have the authority to adjust the amount due in a fair and equitable manner. The person conducting the hearing shall also have the authority to delay the date of utility service discontinuance under 64.147 by up to 15 additional calendar days if the premises served is a dwelling and if a tenant of the premises requests such a delay at the hearing. The decision of the person conducting the hearing shall be final and conclusive.

Sec. 64.147 Water and other utility services discontinued when.

If a hearing is not timely requested, or if a hearing has been requested and the person requesting the hearing fails to appear for it or have it continued, the city shall have the right to discontinue water service and other utility services.

If a hearing shall have been requested and conducted and the person in charge of conducting the hearing shall have determined the amount to be due thereafter, and the amount determined to be due is not paid in full within fifteen calendar days of the date of mailing of such decision, (or within thirty calendar days if a delay was authorized pursuant to Section 64.146), the city shall have the right to discontinue water service and other utility services.

Sec. 64.148 Final notice of discontinuance of utility service.

No less than seventy-two (72) hours prior to scheduled discontinuance of water service or other utility services, a final notice shall be mailed postage prepaid to those persons entitled to notice under Section 64.144, and a copy of the final notice shall be posted on the premises where service is to be discontinued. The final notice shall be in substantially the following form:

> WATER SERVICE (and other utility services) TO THE PREMISES LOCATED AT _____, SACRAMENTO, CALIFORNIA will be shut off for non payment of deliquent utility services charges on or after _____, 198_.
>
> FOR MORE INFORMATION, contact _____ at 449-_____ or go to City Hall, Room _____ between the hours of _____ a.m. and _____ p.m. Monday through Friday.

Sec. 64.149 Domestic utility services not to be discontinued --certain circumstances.

No domestic utility service shall be discontinued on account of a delinquent domestic utilities services bill if it is demonstrated at a hearing provided under this Division that the occupant of the premises meets the qualifications set forth in Section 41.62(a)(1) through 41.62(a)(4) of this Code relating to refund of the utility users tax.

SECTION 2.

Section 47.7 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.7 Reconnection of water.

In no case shall the water be restored to any premises when shut off as provided in this chapter, unless the pipe leading thereto is directly connected with the city mains and unconnected with any other service pipe leading to any other premises, and except on payment of all arrearages and the additional amount covering costs for shutting off and letting on the water.

SECTION 3.

Section 47.305 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.305 Same -- when due.

(a) Domestic service. All bills for domestic service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(b) Commercial service.

(1) Flat rate accounts. All bills for flat rate commercial service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(2) Metered accounts. All bills for commercial meter service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

Sec. 64.149 Domestic utility services not to be discontinued --certain circumstances.

No domestic utility service shall be discontinued on account of a delinquent domestic utilities services bill if it is demonstrated at a hearing provided under this Division that the occupant of the premises meets the qualifications set forth in Section 41.62(a)(1) through 41.62(a)(4) of this Code relating to refund of the utility users tax.

SECTION 2.

Section 47.7 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.7 Reconnection of water.

In no case shall the water be restored to any premises when shut off as provided in this chapter, unless the pipe leading thereto is directly connected with the city mains and unconnected with any other service pipe leading to any other premises, and except on payment of all arrearages and the additional amount covering costs for shutting off and letting on the water.

SECTION 3.

Section 47.305 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.305 Same -- when due.

(a) Domestic service. All bills for domestic service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(b) Commercial service.

(1) Flat rate accounts. All bills for flat rate commercial service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(2) Metered accounts. All bills for commercial meter service shall become due and payable on the date of presentation and shall become delinquent if unpaid by fifteen (15) days after the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

SECTION 4.

Section 47.306 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.306 Collection of water service charges with charges for other utility services -- Generally.

The water service charges imposed by this article shall be collected together with the charges for any other utility service rendered to the property by the city. Such water service charges shall be billed upon the same bill and collected as one item with such other utility service charges.

SECTION 5.

Section 47.307 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.307 Collection of water service charges with charges for other utility services -- nonpayment of bill.

If all or part of the bill is not paid, the utility services supervisor shall order the discontinuance of any and all utility services for which the bill is rendered, including but not limited to the water service. Before any service is discontinued, the utility services supervisor shall follow the procedures for notice and opportunity for hearing contained in Division 5 of Article I of Chapter 64 of the Sacramento City Code.

SECTION 6.

Section 47.315 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.315 Adjustment of bills.

The utility services supervisor may adjust and grant rebates from the rates provided herein in the event of any dispute as to a charge to a customer. The decision of the utility services supervisor in respect thereto shall be final and conclusive on all parties.

Section 7.

Section 47.317 of the Sacramento City Code is hereby amended to read as follows:

Sec. 47.317 Fee for restoration of water service.

In the event that water service to any premises is discontinued pursuant to Section 47.307, the water shall not again be turned on until the amount due is paid in full, plus a fee established by resolution of the City Council to cover the cost of making a service call to turn on the water.

In the event that any person turns on water service or allows or causes it to be turned on after it has been turned off for non-payment of the utility services bill or other reasons, the utility services supervisor may turn off the water service, and may charge and collect a fee established by resolution of the City Council for each time this occurs, in addition to other amounts due, before water service is restored.

SECTION 8.

Section 36.560 of the Sacramento City City Code is hereby amended to read as follows:

Sec. 36.560 When charges due.

Flat rate accounts shall be billed periodically at approximately sixty-day intervals. All flat rate accounts shall be billed in advance for one-half the billing period.

Metered accounts shall be billed periodically at approximately sixty-day intervals.

(a) Domestic Service. All bills for domestic service shall become due and payable on the date of presentation and shall become delinquent if unpaid by the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(b) Commercial Service.

(1) Flat rates accounts. All bills for commercial meter service shall become due and payable on the date of presentation, and shall become delinquent if unpaid by the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(2) Metered accounts. All bills for commercial meter service shall become due and payable on the date of presentation, and shall become delinquent fifteen (15) days thereafter. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

SECTION 9.

Sections 36.561 and 36.562 are hereby added to the Sacramento City Code to read as follows:

Sec. 36.561 Collection of charges with charges for other utility services -- Generally.

The charges imposed by this article shall be collected together with the charges for any other utility services rendered to the

In the event that any person turns on water service or allows or causes it to be turned on after it has been turned off for non-payment of the utility services bill or other reasons, the utility services supervisor may turn off the water service, and may charge and collect a fee established by resolution of the City Council for each time this occurs, in addition to other amounts due, before water service is restored.

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Section 36.560 of the Sacramento City City Code is hereby amended to read as follows:

Sec. 36.560 When charges due.

Flat rate accounts shall be billed periodically at approximately sixty-day intervals. All flat rate accounts shall be billed in advance for one-half the billing period.

Metered accounts shall be billed periodically at approximately sixty-day intervals.

(a) Domestic Service. All bills for domestic service shall become due and payable on the date of presentation and shall become delinquent if unpaid by the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(b) Commercial Service.

(1) Flat rates accounts. All bills for commercial meter service shall become due and payable on the date of presentation, and shall become delinquent if unpaid by the close of the billing period for which the bill was rendered, as shown on the utility bill. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

(2) Metered accounts. All bills for commercial meter service shall become due and payable on the date of presentation, and shall become delinquent fifteen (15) days thereafter. In the event any bill becomes delinquent, a penalty of twenty percent (20%) shall be added thereto.

SECTION 9.

Sections 36.561 and 36.562 are hereby added to the Sacramento City Code to read as follows:

Sec. 36.561 Collection of charges with charges for other utility services -- Generally.

The charges imposed by this article shall be collected together with the charges for any other utility services rendered to the

property by the city. Such charges shall be billed upon the same bill and collected as one item with such other utility service charges.

Sec. 36.562 Collection of charges with charges for other utility services -- Nonpayment of bill.

If all or part of the bill is not paid, the utility services supervisor shall order the discontinuance of any and all utility services for which the bill is rendered, including but not limited to the water service. Before any service is discontinued, the utility services supervisor shall follow the procedures for notice and opportunity for hearing contained in Division 5 of Article I of Chapter 64 of the Sacramento City Code.

SECTION 10.

Section 36.563-1 is hereby added to the Sacramento City Code to read as follows:

Sec. 36.563-1 Lien recorded -- procedure.

(a) Notwithstanding any provision in this code to the contrary, any service charges imposed pursuant to this chapter which have become delinquent shall be subject to having the lien provided for in section 36.563 recorded with the County Recorder of the County of Sacramento pursuant to the procedure provided in this section.

(b) Prior to the recordation of a lien for delinquent charges, the utility services supervisor shall cause the notice of an opportunity for hearing on the delinquent charges to be mailed to the owner. Such notice shall be mailed postage prepaid. For purposes of this section, "owner" means the person to which the property was assessed in the last equalized assessment roll of the County of Sacramento unless the utility services supervisor has knowledge of the name of a person other than such assessee claiming record ownership of the property. If the owner desires a hearing thereon, he shall request such a hearing by notifying the utility services supervisor thereof in writing within ten (10) days after the date shown on the notice. Any such hearing shall be set not earlier than ten (1) days after receipt of the owner's request. The hearing shall be held before the director of finance or such other person, including the utility services supervisor, as he may designate. The decision of such person shall be final and conclusive.

(c) At the expiration of the time within which to request a hearing, or upon a decision adverse to the owner after hearing, the utility services supervisor shall cause such lien to be recorded with the Sacramento County Recorder in the form and manner prescribed by law. Thereafter, such lien shall not be released by the utility services supervisor unless and until it is fully and completely paid.

(d) The director of finance is hereby authorized to determine the amount of delinquency which will subject an individual lien to the recording procedures of this section; provided, however, that all liens resulting from delinquencies in excess of $5,000 shall be subject to the procedures of this section.

SECTION 11.

Section 36.801 of the Sacramento City Code is hereby amended to read as follows:

Sec. 36.801 Appeals -- Generally.

Any person adversely and directly affected by any determination made by the superintendent or the utility services supervisor pursuant to the provisions of this chapter may appeal said determination to the city council; provided, however, that this Article shall not apply to determinations made pursuant to the hearing procedure contained in Division 5 of Article I of Chapter 64 of the Sacramento City Code.

SECTION 12.

Section 19.111 of the Sacramento City Code is hereby amended to read as follows:

Sec. 19.111 Same -- Collection of fees with charges for other utility services; discontinuance for nonpayment.

The fees for garbage collection service shall be charged by placing such fee to be designated as "garbage collection service" on the bi-monthly municipal service bills and shall be collected together with the charges for any other utility service rendered to the property by the City as one item. The fees shall be payable at the same time and place and in the same manner and shall be subject to the same penalty for delinquency as is presently in effect for city water and sewer services. When garbage service is stopped at the request of an occupant or owner upon the vacation of the premises, the closing bill rendered shall be due and payable by the occupant or owner when billed. If all or part of the bill is not paid, the utility services supervisor shall order the discontinuance of any and all utility services for which the bill is rendered, including but not limited to the water service. Before any service is discontinued, the utility services supervisor shall follow the procedures for notice and opportunity for hearing contained in Division 5 of Article I of Chapter 64 of the Sacramento City Code.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

28

RESOLUTION NO. 84-297

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

A RESOLUTION AUTHORIZING THE EXPENDITURE DURING FY 1983/84 OF $48,369 EQUALLY FROM THE CITY'S WATER, SEWER, AND WASTE REMOVAL FUNDS FOR THE PURPOSE OF ESTABLISHING A WATER SHUT-OFF POLICY FOR DELINQUENT CITY UTILITY ACCOUNTS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City Council authorize the expenditure during FY 1983/84 of $48,369 equally from the City's Water, Sewer, and Waste Removal Funds for the purpose of establishing a water shut-off policy for delinquent City utility accounts. The amount authorized is to be expended by the Department of Finance - Revenue Division and the Public Works Department - Water and Sewer Division in the following manner:

Department of Finance - Revenue Division

Employee Services	$13,755
Operations	2,952
Equipment	13,287

Public Works Department - Water & Sewer Divison

Employee Services	$ 6,625
Operations	300
Equipment	11,450

APPROVED
BY THE CITY COUNCIL

APR 10 1984

OFFICE OF THE
CITY CLERK

MAYOR

ATTEST:

CITY CLERK

28

RESOLUTION NO. 84-298

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

A RESOLUTION IMPOSING A $50.00 FEE FOR THE RESTART OF INVOLUNTARILY STOPPED CITY WATER SERVICE

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City Council authorize the imposition of a $50.00 fee for the restart of involuntarily stopped City water service.

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

APR 10 1984

OFFICE OF THE
CITY CLERK

28

RESOLUTION NO. 84-299

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

A RESOLUTION APPOINTING WALTER THOMPSON, CITIZENS ASSISTANCE OFFICER, AS THE HEARING OFFICER FOR PURPOSES OF CITY CODE SECTION 64.146

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That Walter Thompson, Citizens Assistance Officer, is hereby appointed as the hearing officer for the purposes of City Code Section 64.146.

MAYOR

ATTEST:

APPROVED
BY THE CITY COUNCIL

APR 10 1984

OFFICE OF THE
CITY CLERK

CITY CLERK