

Attachment A

Utility Billing Policy

I. Utility Charges are the Responsibility of the Property Owner

- A. All utility charges imposed by the City of Portola are the ultimate responsibility of the property owner where the service is provided regardless of whether the owner resides at the property or leases it to a third party.
- B. The City of Portola reserves the right to collect any unpaid debt resulting from utility charges from the owner of the property, regardless of whether the charges were incurred by the property owner or another party. The process for collection of any unpaid debt will be determined by the City and may include termination of service until the debt is paid, collection from the property owner and/or the placement of a lien and/or assessment on the property.
- C. Utility services will be billed to the property owner. The property owner may elect to complete an authorization form that will allow the City to send a copy of the billing to a tenant or property manager and receive payment from a tenant or property manager.

II. Commencement of Services

- A. When property that is connected to the City's water distribution system and/or sewer collection system is acquired or changes ownership, the property owner shall complete an "Application and Agreement for Utility Services" form within thirty days of acquisition. All applications must be made, in person, via fax, e-mail or some other electronic means, during normal business hours. The City requires this application to be completed and submitted at least 24 hours prior to the requested effective date of service.
- B. A deposit in the amount equal to two months of the current Base Rate billing will be collected and held by the City unless a waiver of the deposit is requested and granted based on the following conditions.
 - 1) Credit worthiness determined by previous utility account in good standing with the City of Portola.
 - 2) Successful completion of a credit check through a third party credit rating service engaged by the City.
- C. The deposit will be held by the City for one year from the date utility service began at which time the account will be reviewed and if payment history shows an account in good standing, with no more than 4 penalties over a one year period, the deposit will then be credited back to the utility account.

- D. When service is terminated and a deposit is being held by the City, the deposit will be credited toward the final bill and any excess refunded to the customer.
- E. Deposit refunds will be processed through the City's accounts payable procedures and schedules.
- F. A deposit cannot be transferred to another utility account unless final payment on the account has been paid in full.
- G. A transfer fee will be included on the first monthly bill. Any changes to the information, i.e. name, mailing address, phone number or e-mail address provided on the application shall be submitted in writing either in person, by fax, e-mail or some other electronic form.
- H. If an applicant for utility service has an outstanding balance from a previous service with the City the applicant shall be required to satisfy the outstanding debt prior to commencement of new service.

III. Monthly Billing

- A. Utility charges shall be billed on the first working day of each month and will include charges incurred during the previous month. Billings may include previously billed and unpaid charges, penalties, interest, late charges and service related fees.
- B. Utility charges are due and payable on the date the billing is mailed. Charges are deemed delinquent twenty days after the mailing of the bill. If not paid within the aforesaid twenty days, a penalty equal to ten percent (10%) of the amount due will be assessed. Failure to receive the bill does not waive the charges or the delinquent penalty.
- C. Following the assessment of the delinquent penalty, the property owner will be given a period of ten (10) days to provide payment to the City. If payment is not received by the end of this ten (10) day period, the City will give notice of termination of service. This termination notice will be posted at the property and will state the date and time the service will be terminated.

IV. Termination of Service by the Property Owner

- A. At the time a property is transferred the property owner shall complete a "Utility Services Termination Request." The City will then, on the effective date, shut the water service off at the property.
- B. If a property owner wishes to temporarily, for a period not less than sixty (60) days, shut off the water the property owner shall complete the "Utility Services Termination Request" and the City will shut off the water service at the property. The service availability charge will continue to be billed to the property owner.

V. Termination of Service by the City

- A. If service is terminated due to failure to pay, the customer will be required to pay a charge for restoration of service, any past due amounts and an amount sufficient to establish a deposit equal to two months of base rate prior to restoration of service.

VI. NSF Checks

- A. Upon return of a check for non-sufficient funds, the City will, as soon is practical, deliver to the property owner a notice giving the property owner 24 hours to satisfy the NSF check or pay the bill.

VII. Tenant/Property Management Authorization Form

- A. If a property owner wishes to have the City provide the utility bill to a tenant or property manager, the property owner must complete a “Tenant/Property Management Authorization Form.” This form authorizes the City to send bills and receive payment from someone other than the property owner, but does not relieve the property owner of the responsibility for payment.

VIII. Service Availability Charge

- A. All property connected to the City’s water distribution and/or sewer collection system will be billed a monthly service availability charge regardless of usage or occupation.
- B. The water service availability charge is equal to the monthly water meter charge as set by the City Council in the City of Portola Fee Schedule.
- C. For residential units the sewer availability charge will take effect when the monthly water meter usage is zero.
- D. Commercial, government, school, church and mixed use units will be charged the monthly sewer base charge unless the property owner has completed a “Utility Services Termination Request” and the City turns off the utility service at the meter. This utility service termination is only available for periods greater than 60 days. Once the utility service is terminated the account will be charged the sewer service availability charge until such time that service is resumed.

IX. Refuse Collection Service

- A. Upon commencement of utility service with the City, all units that are occupied, as defined in the City’s Franchise Agreement for Refuse Collection and the City of Portola Municipal Codes, and as noted by the property owner on the application for service are required to have refuse collection service. Billing information will be forwarded to the City’s franchise refuse collection company. Refuse collection billing will be processed by the franchisee in accordance with

franchise regulations. Failure to pay for refuse collection services may result in a disruption of utility service by the City in accordance with the procedure set forth in Section III (C). If utility service is terminated by the City for failure to pay refuse collection a charge to restore utility service will be charged in accordance with Section V (A).

X. Landfill Closure and Solid Waste Fees

- A. Utility bills for service within the limits of the City of Portola include monthly fees for landfill closure and administration of the City's solid waste enterprise. Single family and multifamily residential units will be billed these monthly fees for each residential unit. Commercial units will be billed these monthly fees for each water service connected to the unit. Mixed use units will be billed these monthly fees for each residential unit and for each water service connected to a commercial unit.
- B. These monthly fees are charged to all utility accounts unless the account is being charged the service availability charge in accordance with Section VIII.

XI. Miscellaneous

- A. The water meter is the property of the City of Portola. Property owners, tenants, property managers, plumbers and contractors are not authorized to operate valves or interfere with water meters.
- B. In the event water is turned on at the meter by the City when the property owner or agent is not present and the meter indicates water is flowing the City will turn the water back off and the customer will be notified. The City will assist the customer to determine when the water meter may be turned on.
- C. All requests relating to utility service shall be routed through City Hall. City employees working in the field are not authorized to take service calls or accept payments.

XII. Definitions

- A. ***Utility Charges*** – All fees and rates associated with water and sewer service provided to a customer by the City of Portola, including; monthly base fees, water consumption rate, sewer volume charge, service calls, transfer fee, reconnection fee. Landfill Closure and Solid Waste Administration Fee.
- B. ***Base Rate Billing*** – The water meter rate, monthly sewer rate, landfill closure fee and solid waste administration fee.
- C. ***Account in Good Standing*** – A utility account that for a period of at least 12 months has been delinquent no more than three (3) times.
- D. ***Transfer Fee*** – The fee applied to each account at the time an account is activated.