

9-3C-5: DISCONTINUING SERVICE:

- A. Disconnection For Nonpayment: Service may be discontinued for nonpayment of statements 60 days after the twenty fifth day of the month following the month during which the statement was sent. At least *seven (7)* days prior to such discontinuance, the customer will be *contacted by either a phone call and/or a final written notice* informing them that discontinuance will be enforced if payment is not made within the time specified in said notice. *The failure of the customer to receive any of the said notices shall not affect the city's power hereunder.* A customer's water service may be discontinued if water service furnished at a previous location is not paid for within the time herein fixed for the payment of statements. If a customer receives water service at more than one location and the bill for service at any one location is not paid within the time provided for payment, water service at all locations may be turned off. Domestic service, however, will not be turned off for nonpayment of statements for other classes of service.
- B. Utility Bill Appeal and Alternative and Deferred Payment Plans:
1. Utility Bill Appeal: Utility Bills may be appealed by filling out a Utility Bill Appeal Form available on the City of Solvang website at www.cityofsolvang.com or in person at City Hall at 1644 Oak Street. Water will not be shut off while a utility bill appeal is pending.
 2. Alternative Payment Plans: Utility customers may be granted an alternative payment plan, where the past due balance is extended no more than 20 calendar days out with no additional fees to the customer. A customer may receive no more than three (3) alternative payment plans a calendar year.
 3. Deferred Payment Plan: Offer a one time a calendar year deferred payment plan where the past due balance is amortized over a period not to exceed twelve-months in duration.
 4. Customers are allowed a penalty waiver of late fees not to exceed one time a calendar year.
- C. Disconnection Charge: A disconnection charge of forty six dollars (\$46.00) plus applicable penalties shall be imposed and collected prior to renewal of water service following discontinuance of service for nonpayment of city fees and charges. The disconnection charge shall be assessed as soon as city personnel leave the city offices to initiate a disconnection of service. A charge, in the amount to be determined by resolution of the city council, shall be imposed for checks returned by the bank for any reason; however, an additional forty six dollar (\$46.00) disconnection charge will be imposed for returned checks given to avoid discontinuance of service, with service again discontinued pending payment of all outstanding charges. Following payment of all fees and charges, reconnection will normally take place on the next business day reasonably possible for city staff. Any customer desiring reconnection outside of normal business hours (8:00 A.M. to 4:00 P.M. Monday through Friday except holidays) may receive the reconnection subject to the discretion of the city and subject to paying the *after hours disconnection fee of \$100 and the delinquent utility account balance in cash to the water department personnel. Exact amount only, no change will be made. Overpayments will appear as a credit on the utility account.* Disconnection charges and related fees shall be paid in the form of cash or its equivalent.

D. Prohibited Acts And Conditions: Water services may be refused or discontinued to any premises for the following acts or conditions:

1. Unsafe Apparatus: Where apparatus or appliances are in use which might endanger or disturb the service to other customers.
2. Cross Connections: Where there exists a cross connection in violation of state or federal laws, and/or where backflow prevention is determined necessary by the city inspector to protect the public health and safety.
3. Fraud Or Abuse: To protect the city against fraud or abuse.
4. Noncompliance With Regulations: For noncompliance with this code or any other regulation related to the water service.

E. Vacation Of Premises: Customers desiring to discontinue service should so notify the city two (2) working days prior to vacating the premises. Unless discontinuance of service is ordered, the customer shall be liable for charges whether or not any water is used.

F. Short Term Disconnection: Upon notification to the city, short term disconnections will be made where the time involved is *greater than 45 consecutive, calendar days*. (Ord. 16-318, 3-14-2016)

9-3C-6: COLLECTION AND ENFORCEMENT:

All users of the water system shall be deemed to have contracted with the city for the services of such system and to have agreed to comply with all the regulations of the city in regard thereto. No payment of water charges shall be accepted without payment of the sewer service charges. The city shall discontinue water service to any premises for which the sewer service charges are in arrears.

A. Service To Premises:

1. Using Both Sewer And Water: When premises are served by the city water system, sewer service charges shall be collected together with and not separately from the charges for water services rendered by the city, and all charges shall be billed upon the same bill and collected as one item. If all or any part of the bill is not paid, the city may discontinue any and all services for which the bill was rendered.
2. Using Only Sewer: Where the user of the sewer system is not a user of the city water system, they shall be billed separately for sewer service charges.

B. Penalty On Delinquency: All bills not paid on or before the twenty fifth day of the month following the month service is rendered shall be delinquent, unless the 25th falls on a Saturday, Sunday, or holiday the payment would be due by 5:00 pm the next business day, and a penalty of ten percent (10%) of the bill or amount due to be collected as a part of the principal amount thereof. All unpaid rates and charges and penalties herein provided may be collected by suit. Defendant shall pay all costs of suit, including attorney fees, in any judgment rendered in favor of the city.

- C. Nuisance During Disconnection: During the period of such disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the city council shall cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnection, there is to be paid to the city a reasonable attorney fee and costs of suit arising in said action.
- D. Enforcement: The procedure for disconnecting delinquent premises, as set out in section [9-3C-5](#) of this article, is established as a means of enforcement of collection of said charges, and not as a penalty. (Ord. 16-318, 3-14-2016)