

RESOLUTION No. 23-04

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WESTMORLAND RELATING TO
BILLING FOR WATER, SEWER, SOLID WASTE
AND STATE AB 939**

WHEREAS, The City Council of the City of Westmorland has adopted resolutions relating to the billing, payment, and collection of payments for water, sewer, trash and related services, it is the intent of this resolution to clarify these subjects and, to the extent inconsistent with the terms set forth herein, supersede prior Ordinance No. 97-6 and 01-02.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. **Billing Date:** All charges for the city services (water, sewer, solid waste, State AB939) will be billed on or near the 1st working day of each month for the previous month's services and are due on the 22nd day of each month. The customer is responsible for the bill even if the customer does not receive the bill.
2. **Penalty:** The bill becomes delinquent if not paid by the 22nd day of the calendar month following the due date specified on the bill. A ten-dollar (\$10.00) penalty is assessed on the current amount owed.
3. **Discontinuances of Service:** If payment of all delinquent charges have not been RECEIVED in City Hall during normal working hours prior to the date set forth in the monthly billing and described on a calendar approved annually, the water services will be discontinued. Discontinuation of residential water service for non-payment shall be in conformance with The City of Westmorland's Residential Water Disconnect Policy, a copy of which is attached hereto and incorporated herein by reference.
4. **Delinquency Fee:** A delinquency fee of \$10.00 will be applied to all accounts not paid by 5:00 p.m. of the day prior to the scheduled turn off day.
5. **After Hours Turn on Fee:** A fee of \$50.00 applies to any account requesting services after 5:00 p.m. on scheduled turn off day, and after 2:00 p.m. any other day of the working week.
6. **All New Accounts:** All applications for Water Services require a Social Security Administration Number, Federal Identification Number, Valid Driver's License, or Department of Motor Vehicle Identification Card. Owners must provide proof of ownership, Realtor's must provide proof of listing. Tenants must provide a rental agreement including the signed authorization from the property owner on the Application for Service.
7. **Owner/Property Manager/Realtor/Tenant Account:** An owner may authorize an account to be established in the name of the property manager/realtor/tenant. The owner shall guarantee payment of all bills. All previous charges on account must be paid in full before water is turned on in the new property manager/realtor/tenant's name.
8. **Account Deposit:** A deposit of \$200.00 is required. Account balance must be paid in full prior to closing of account. Deposit will be applied to the closing bill with the remaining balance, if any, refunded.

9. Utility Billing Landlord Services Continuation Agreement: Where an owner authorizes an account to be in the name of another party, the owner shall sign a continuation agreement. Such agreement will provide for continuation of service upon termination of same by the authorized third party. Among other things, the agreement will provide that the services will continue in the name of the owner for a period of not to exceed thirty (30) days, unless extended with the express written consent of the City. In this circumstance owner will not be required to post the deposit normally required of new accounts.
10. Returned check: A fee of \$25.00 will be charged for the 1st returned check and \$35.00 for additional checks from the bank for any reason for which the bank refused payment. The check is to be replaced in cash or by money order within 5 days of receiving notice. If the City receives 3 returned checks within a one-year (1) period, the City will no longer accept personal/business checks for any City service from that party for the next twelve-month (12) period.
11. Closed Account: An account without payment activity for two consecutive months is subjected to termination without further notice. Account holder/authorized signer is responsible for any and all charges accrued.
12. Collections: Any balance remaining on a closed account after 30 days at the discretion of the City will be forwarded to a collection agency or may be submitted to the County for a lien on the property without further notice.
13. Acceptance of loose coins and rolled coins for payment of Utility Bill: The City will not accept more than \$5.00 in unrolled coins as payment.

PASSED AND ADOPTED at a Regular Meeting of the City Council held on the 15th day of March 2023.

Judith Rivera

JUDITH RIVERA, MAYOR
City of Westmorland

ATTEST:

Christine C. Pisch

CHRISTINE PISCH,
City Clerk

I, CHRISTINE PISCH, City clerk of the City of Westmorland, California, do hereby certify that the foregoing Resolution 23-04, was passed and adopted by the City Council of the City of Westmorland at a regular meeting held on the 15th day of March, 2023, and that it was so adopted by the following roll call vote:

AYES: 4

NOES: 0

ABSENT: 1

Christine C. Pisch

CHRISTINE PISCH,
City Clerk