

City of Upland
Discontinuation of Residential Water Service Policy

This policy will serve as a guide to inform Upland residential customers on options to bring delinquent accounts current and avoid discontinuation of residential water service for nonpayment. This Policy applies to all City accounts for residential water service, but does not apply to non-residential service. The City of Upland Utility Billing staff may be contacted in person at 460 N. Euclid Avenue or by phone at (909) 931-4150, to discuss the terms of this policy and options for avoiding discontinuation. The policy shall be available on the City's website in the following languages: English, Spanish, Korean, Vietnamese, Tagalog, and Chinese (Mandarin).

A) Billing and Due Dates:

1. Bills for water service will be rendered to each consumer on a bi-monthly basis.
2. Bills for water service are payable upon receipt and shall become delinquent and subject to late charges if not paid in full on or before twenty-five (25) days after the billing date.
3. Payment may be made in person at City Hall, at the drop box in the Civic Center parking lot, via mail or online.
4. It is the consumer's responsibility to ensure that payments are received in full by the due date.

B) Delinquent Accounts:

1. Delinquency Fee (Late Charge) - A charge of \$15.75 will be assessed for water bills not paid within forty-five (45) days from the date of the water bill.
2. Delinquent Notice - The City will inform the water service account holder of the delinquency and resulting Delinquency Fee by causing a Delinquent Notice to be mailed to the address of record and the address of the property owner, if different.
3. Pursuant to Upland Municipal Code Section 13.12.080 concerning Billing and Section 13.34 concerning Liens, for accounts where the water service is billed to the property owner, a water service account with a delinquent balance of greater than sixty (60) days may result in the recording of a lien against the property where the service is provided.

C) Discontinuation of Water Service per Customer's Request:

1. Water service may be discontinued at the customer's request, as long as the property is not tenant occupied (see C.2., below), at no additional charge, provided such request is placed with the Finance Division at least twenty-four (24) hours prior thereto in order to effect the discontinuation of services.
2. Tenant Accounts: The City is unable to discontinue water service to a property that is currently occupied. Therefore, all customers will be asked to verify all tenants have vacated the property before water service may be discontinued. It is the responsibility of the Landlord to provide such verification and to pay any service reconnection fees resulting from inaccurate verification.
3. Upon receipt and verification of the customer's request, the City will obtain a mail forwarding address, a final meter reading, and discontinue water service within one (1) business day.
4. The final bill will be mailed to the mailing address on file.
5. If the final bill amount is not received by the due date, the account is subject to collection and/or lien actions.
6. All approved refunds will be mailed to the mailing address on file.

D) Discontinuation of Water Service for Nonpayment:

1. Water service is subject to shut-off sixty (60) days after the bill becomes delinquent.

2. If water service is proposed for disconnection, the City shall attempt to notify the customer of record by mail and telephone, and shall attempt to notify any tenants/occupants living at the service address, as further described below.
 - a) Written notice to customer of record – At least fifteen (15) days before discontinuation of service, the City will send a written notice (Disconnection Notice) to the customer’s mailing address and will include all of the following:
 1. Customer’s name and address.
 2. Amount of the delinquency.
 3. Date by which payment or arrangement for payment must be made to avoid discontinuation of water service.
 4. A written procedure to apply for a short-term payment extension.
 5. A written procedure by which the customer can request a deferred, amortized, or alternative payment schedule.
 6. A written procedure to petition for bill review and appeal.
 7. A telephone number where the customer may request a payment arrangement or receive additional information from the City.
 - b) Notice by telephone to customer of record – At least seven (7) days before discontinuation of service, the City will make a reasonable, good faith effort to contact the customer or an adult person living at the premises of the customer by telephone. The City will offer to provide the customer with a copy of this policy and discuss alternative payment options. The City shall offer to discuss options for averting discontinuation such as alternate payment schedules, deferred payment plans, minimum payment options, and a petition for bill review and appeal.
 - c) Final posting at service address - If the City is unable to make contact with the customer or an adult person living with the customer by telephone, the City will make a good faith effort to leave a notice of imminent discontinuation of service and a copy of this Policy in a conspicuous place at the service address. The notice and copy of this Policy will be left at the residence at least forty-eight (48) hours before discontinuation of service. The notice will include:
 1. Customer’s name and address;
 2. Amount of the delinquency;
 3. Date by which payment or arrangement for payment must be made in order to avoid discontinuation of water service;
 4. Written procedure by which the customer can request a deferred, amortized or alternative payment schedule;
 5. Telephone number where the customer may request a payment arrangement or receive additional information from the City.
 - d) A fee as specified in the City’s schedule of fees and charges will be assessed and added to the outstanding balance on the customer’s account when the disconnection notice is issued.

E) Alternative Payment Options to Avoid Discontinuation of Water Service:

1. Any customer may request a short-term payment extension or other type of payment arrangement described in this section one (1) time in a twelve (12) month period. If a customer submits his or her request within thirteen (13) days after mailing of a Disconnection Notice, the request will be reviewed by a manager of the City. City decisions regarding granting an extension or other alternative payment arrangements are final and are not subject to appeal.

2. Any customer unable to pay for water service within the normal billing cycle due to medical and financial hardship may request an alternative payment option to avoid discontinuation of service. The City shall grant the request if they satisfy all of the following conditions:
 - a) Health Conditions – The customer has certification of a “primary care provider,” as defined in the Welfare and Institutions Code Section 14088(b)(1)(A), stating discontinuation of residential water service will be life threatening to or pose a serious threat to the health and safety of a person residing at the property; and
 - b) Financial Inability – The customer demonstrates that he or she is financially unable to pay for water service by providing proof that any member of the household is currently a recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children; or the customer declares that the household’s income is less than 200% of the federal poverty level; and
 - c) Alternative Payment Options – The customer is willing to enter into one (1) of the following alternative payment options to be selected by the City, in its sole discretion: (i) an amortization agreement, (ii) an alternative payment schedule, or (iii) a temporary deferred payment plan, with respect to all delinquent charges to avoid discontinuation of water service.
3. The burden of proving compliance with the conditions described in Section E, Subdivision 2, is on the customer. In order to allow the City sufficient time to process any request for assistance by a customer, the customer is encouraged to provide the City with the necessary documentation demonstrating the medical issues, financial inability, and willingness to enter into any alternative payment option as far in advance of any proposed date for discontinuation of water service as possible. Upon receipt of such documentation, the City will review that documentation and respond to the customer within seven (7) calendar days to either request additional information, including information relating to the feasibility of the available alternative arrangement, or to notify the customer of the alternative payment option, and terms thereof, in which the City will allow the customer to participate. If the City has requested additional information, the customer will provide that requested information within five (5) calendar days of receipt of the City’s request. Within five (5) calendar days of its receipt of that additional information, the City will either notify the customer in writing that the customer does not meet the conditions, or notify the customer in writing of the alternative payment option, and terms thereof, in which the City will allow the customer to participate. Customers who fail to meet the conditions described in Section E, Subdivision 2, must pay the delinquent amount, including any penalties and other charges, owing to the City within the latter to occur: (i) two (2) business days after the date of notification of the City’s determination that the customer failed to meet those conditions; or (ii) the date of the impending water service discontinuation, as specified in the Disconnection Notice.
4. Amortization - If the City has selected this alternative payment option, the customer will enter into a written amortization plan for the unpaid balance in accordance with the following terms:
 - a) The Customer will pay the unpaid balance over a period defined by the City, not to exceed twelve (12) months from the original date of the bill.
 - b) The amortized payments will be combined with, and subject to the due date of the customer’s regular bill.
 - c) The customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to a payment plan.

5. Alternative Payment Schedule - If the City has selected this alternative payment option, the customer will enter into a written alternative payment schedule for the unpaid balance in accordance with the following terms:
 - a) The customer will pay the unpaid balance, over a period defined by the City, not to exceed twelve (12) months from the original date of the bill.
 - b) The City will develop an alternative payment schedule for the customer. The alternative schedule may provide for periodic lump sum payments that do not coincide with the established payment date, may provide for payments to be made more frequently than monthly, or may provide that payments be made less frequently than monthly, provided that in all cases the unpaid balance and penalty charges will be paid in full over the period established by the City.
 - c) The customer may not request further alternative payment schedules of any subsequent unpaid charges while paying delinquent charges pursuant to a payment schedule.
6. Temporary Deferral of Payment - If the City has selected this alternative payment option, the customer will have payment of the unpaid balance temporarily deferred for a period of up to six (6) months after the payment is due. The City will determine, in its discretion, how long of a deferral will be provided to the customer.
 - a) The customer will pay the unpaid balance by the deferral date determined by the City.
 - b) The customer may not request further temporary deferral of payments of any subsequent unpaid charges while paying delinquent charges pursuant to a payment plan.
7. All alternative payment options require a Financial Hardship Agreement to be signed by the customer of record. Failure to comply with the agreement or failure to pay charges accrued in each subsequent billing period will result in the discontinuation of water service.
8. If a customer fails to comply with the terms of any of the alternative payment options for sixty (60) calendar days or more, or fails to pay the customer's current service charges for sixty (60) calendar days or more, the City will post a written disconnection notice in a prominent location at the service address. The disconnection notice will be delivered to the property no less than five (5) business days in advance of discontinuance of water service.

F) Restoration of Water Service:

1. Customers whose water service was discontinued due to nonpayment are responsible for all unpaid bills and associated fees. After residential water service has been discontinued, one of the following must apply before water service is reconnected:
 - a) Delinquent balance including penalties are paid in full; or
 - b) The City agrees, in its sole discretion, to grant a qualified customer's request for an amortization schedule, an alternative payment schedule, a temporary deferral of payment that was made after the water service was already discontinued, and the customer has signed a Financial Hardship Agreement.
2. If water service has been discontinued and is to be reconnected, then any reconnection fees during the City's normal operating hours cannot exceed \$50.00, and reconnection fees during non-operational hours cannot exceed \$150.00 for customers with a household income below 200% of the federal poverty line or if the customer or any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women,

Infants, and Children. Customers who do not meet the above requirements shall pay the then-applicable amount restoration of service under the City's schedule of fees and charges.

G) Appeals:

1. If you believe your bill is incorrect, please contact the City immediately. Timely appeal requests must be received no later than ten (10) calendar days after the mailing of the Disconnection Notice.
 - a) Complete the Utility Billing Appeal Request Form and submit the form either in person to the Finance Division or via email at UtilityServices@uplandca.gov.
 - b) A timely appeal request will be reviewed by the Utilities Operations Manager and Utility Billing Supervisor. The review will include consideration of whether the customer may receive an amortization of the amount due.
 - c) Service will not be discontinued while a timely appeal request is under review.
 - d) Once the Utilities Operation Manager and Utility Billing Supervisor has reviewed the appeal request, the customer will be contacted in writing with the resolution. All undisputed amounts are to be paid during the normal billing cycle.
 - e) Any overcharges will be reflected as a credit on the next regular bill to the customer, or refunded directly to the customer at the sole discretion of the City.
 - f) If the customer disagrees with the resolution of their appeals request, then the customer may request an appeals hearing with the City Manager within ten (10) business days of the City's mailing of its initial written determination.
 - g) If the customer disagrees with the determination of the City Manager, the customer may appeal the determination to the City Council by filing a written notice of appeal with the City Clerk within ten (10) business days of the City Manager's written determination. Upon receiving the notice of appeal, the City Clerk will set the matter to be considered at an upcoming City Council meeting and mail the customer written notice of the time and place of the meeting at least ten (10) days before the meeting. The decision of the City Council shall be final.

H) Procedures for Occupants or Tenants to Become Customers of the City:

1. This section shall apply only when the property owner, landlord, manager, or operator of a residential service address is listed as the customer of record and has been issued a Disconnection Notice.
2. The City will make service available to the actual residential occupants if each occupant agrees to the terms and conditions of service and otherwise meets the requirements of the City's rules and regulations. Notwithstanding, if one or more of the occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the City, or if there is a physical means, legally available to the City, of selectively discontinuing service to those occupants who have not met the requirements of the City's rules and regulations, the City shall make service available to the occupants who have met those requirements.
3. To be eligible to become a customer without paying the amount due on the delinquent account, the occupant shall verify that the delinquent customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code, at the discretion of the City.
4. If prior service for a period of time is a condition for establishing credit with the City, residence and proof of prompt payment of rent for that period of time is a satisfactory equivalent.