

CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT
1350 S "E" St.
San Bernardino, California 92408

RULE AND REGULATION NO. 10
ACQUISITION, DISCONTINUANCE AND RESTORATION OF SERVICE

The City of San Bernardino Municipal Water Department (Department) can be contacted by phone at (909) 384-5095 to discuss options for averting discontinuation of water service for nonpayment under the terms of this Rule and Regulation. This Rule and Regulation will be made available on the Department's website in the following languages: English, Spanish, Korean, Vietnamese, Tagalog and Chinese (Mandarin).

A. Acquisition of Service (Water and Sewer):

1. As defined in Rule and Regulation No. 5, a customer request for service through an existing service connection will be charged a forty dollar (\$40.00) account establishment fee.
2. All applications received on a business day will be connected the next business day.
3. A fee of one-hundred fifty dollars (\$150.00) will be charged for a same business day after- hours service connection. Payment is required at the time of request.

That fee will be refunded if, at the discretion of field staff, the after-hours service connection cannot be completed without safety risks to employees.

4. Any request for service is subject to the terms of Rule and Regulation No. 8, Application for Service, Credit, and Deposit.

B. Discontinuance of Service at Customer Request

1. Service may be discontinued at the customer's request at no charge.
2. Upon receipt of customer's request, the Department will take a final meter reading and discontinue service within one business day.
3. The Department will temporarily discontinue water service without charge to internal plumbing of a residence when emergency repairs are necessary. Upon notification that repairs are complete, the Department shall restore water service without charge.

C. Discontinuance of Service – Other:

1. Service may be discontinued by the Department for various reasons, including but not limited to:
 - a. diversion or theft of service;

- b. non-compliance with rules and regulations;
- c. nonpayment of past due bills;
- d. reasonable access denied to Department;
- e. unauthorized use of service;
- f. unsafe or illegal apparatus;
- g. use of service to the detriment of others;
- h. vacating premises without notification to the Department; or
- i. violation of law or code

2. The Department will not discontinue service:

- a. On any Saturday, Sunday, legal holiday or the last business day of the week.
- b. During a pending dispute between the customer and Department, provided that the Department determines that resolution of the dispute is reasonably foreseeable.
- c. After incorrect billing by the Department, provided that the Department agrees that the billing is incorrect.
- d. When discontinuation of service will likely cause detriment to the health of the customer and if said customer provides:
 - i. certification from a licensed physician that discontinuation of water service will cause a detriment to health; and
 - ii. an installment arrangement to bring the account current.

3. Written Disconnection Notice

- a. The Department will mail a disconnection notice fifteen (15) days prior to disconnection of a service for non-payment of bills. Every good faith effort will be made to contact the customer via telephone should the written notice be returned by the post office.
- b. If the Department is unable to reach a customer via telephone, then written notice will be posted on the property.
- c. All discontinuation notices shall contain the following:
 - i. Customer's name
 - ii. Service address
 - iii. Amount Past Due
 - iv. Date by which payment or, payment arrangements are required to avoid disconnection of service
 - v. Description of the process for payment arrangements
 - vi. Description of the process to dispute or appeal a bill
 - vii. Direct phone number and weblink to the Department's Discontinuance and Restoration of Service Policy (this policy)

D. Alternative Payment Arrangements for Delinquent Bills

1. Any customer who is unable to pay for water service within the normal payment period allowed may request an alternative payment arrangement to avoid disruption of service if **all** of the following conditions are met:
 - a. A primary care provider certifies that the discontinuation of water service will pose a serious or potentially fatal threat to a resident. The primary care certification must have been signed and dated within the last six months.
 - b. The customer demonstrates inability to pay. A customer can demonstrate an inability to pay based on the receipt of certain public assistance by someone in the household, or a declaration from the customer that the household is below 200 percent of the federal poverty level.
 - c. The customer is willing to enter into an alternative payment arrangement

2. Payment arrangements that extend into the next billing period are considered an amortization (payment) plan, which must be in writing and signed by the customer of record.
 - a. A payment plan will amortize the unpaid balance over a period defined by the Department, not to exceed 12 months from the original date of the bill. The amortized payments will be combined with, and subject to the due date of, the customer's regular bill.
 - b. The customer must comply with the terms of the payment plan and remain current as charges accrue in each subsequent billing period.
 - c. The customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to a payment plan.

3. Failure to comply with the terms of a payment plan will result in the issuance of a written disconnection notice. The disconnection notice will be in the form of a door hanger delivered to the premises no less than five (5) business days in advance of discontinuance of service.

E. Restoration of Service:

1. A customer whose service is discontinued for any reason under paragraph C.1 above may be required to pay a deposit, as set forth in Rule and Regulation No. 8, and pay delinquency charges, as set forth in Rule and Regulation No. 6, for each incident during which the service was discontinued. In addition, the customer is responsible for payment of all bills, fees and charges. In the case of services that have been illegally restored or damaged due to tampering, the customer will pay for all damage to Department property. The customer is responsible for all damage whether or not the service is restored.
 - a. Legal tenants at property where service has been disconnected for nonpayment in the name of the property owner or his/her authorized agent may establish accounts and assume responsibility for future bills. Tenants

can become a customer by establishing an account either individually or with other occupants on the same property providing a deposit is paid, and proof of legal tenancy is provided to the Department. Current unpaid bills remain the responsibility of the current accountholder.

2. A fee of one-hundred fifty dollars (\$150.00) will be charged for a same business day after-hours service restoration. That fee will be refunded if, at the discretion of field staff, the after-hours service restoration cannot be completed without safety risks to employees

In addition to all fees above:

- a. In the event water service is found to be unauthorized and the locking device used to discontinue service is found damaged, missing or tampered with, a \$200.00 fee will be assessed. The cost for repair or replacement of the damaged equipment will be added to the \$200.00 fee, and all must be paid prior to the restoration of water service.
- b. In the event there is illegal or unauthorized use of water due to the installation of a straight pipe or any other method of connecting to the water system illegally or without Department authorization, a penalty will be assessed based on meter size. That penalty is two hundred and fifty dollars (\$250.00) for a meter size two inches or smaller, and five hundred dollars (\$500.00) for a meter size greater than two inches. This penalty, plus outstanding bills, including estimated unauthorized water consumption and damaged equipment costs, must be paid prior to the restoration of water service.

F. Disputed Bill Procedure

1. If you believe your bill is incorrect, please contact Customer Service within 10 days of receiving your bill.
 - a. You may visit our office during regular business hours or call the Customer Service line at (909) 384-5095 for an explanation of your bill.
 - b. If you disagree with the explanation you may ask to speak to a supervisor.
 - c. If the matter remains unsettled, you may apply for a management review by sending a written requested to: Administrative Services Manager, P.O. Box 710, San Bernardino, CA 92402.
 - d. Your service will not be subject to disconnection while your dispute is under review.
 - e. Within fourteen business days of receipt of your dispute, a final resolution and explanation will be provided to you.

G. Capping Sewer Laterals

1. The General Manager is hereby authorized to issue sewer capping permits upon the payment of a fee set by resolution of the Water Board.

2. When a sewer capping permit has been issued, the SBMWD Collections Section will schedule for capping and will cap the sewer lateral. The issuance of the permit gives the SBMWD Collections Section and contractors necessary to perform the work the authority to enter onto the private property of the requesting party to perform the required work.
3. Upon completion of the capping work, a sewer capping receipt number should be issued to the Development Services Department as set forth in SBMC Section 13.08.105.

Approved by Water Board: July 27, 2021
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