

Refer to Ord 9889

RESOLUTION NO. 98-19

A RESOLUTION OF
THE BOARD OF DIRECTORS OF THE
PLUMAS EUREKA COMMUNITY SERVICES DISTRICT
AUTHORIZING AND REQUIRING THE LANDOWNERS
OF PLUMAS EUREKA ESTATES & EUREKA SPRINGS SUBDIVISION
WITH RESPECT TO PAYMENT FOR SERVICES

The Board of Directors of the Plumas Eureka Community Services District resolves as follows:

Sections:

- 3.01.10 Repeal
- 3.01.20 General Provisions
- 3.01.30 Description of Services and Billing Procedures
- 3.01.40 Procedure Prior to Discontinuing Service(s)
- 3.01.50 Basic Penalties
- 3.01.60 Collection Methods
- 3.01.70 Days and Hours Restrictions on Termination
- 3.01.80 Schedule of Fees, Rates and Charges

Section 3.01.10. Repeal

All rates, fees and charges for water and sewer services proscribed and set forth in all previously adopted ordinances, resolutions and orders by the Plumas Eureka Community Services District are hereby repealed.

Section 3.01.20. General Provisions

The Board of Directors shall review the district's rate structure each year, prior to the approval of the Fiscal Year Budget. The Board shall adjust all rates and charges to assure solvency and compliance with outstanding contractual obligations relating to services.

Section 3.01.30. Description of Services and Billing Procedures

Services for improved lots are comprised of Water, Sewer (if applicable), Leach Field Maintenance (if applicable), and Fire Assessment. Services for unimproved lots are comprised of Sewer Reserve fees and Dynamite Hill Leach Field Bond fees (if applicable, and Fire Assessment. In the case of rental property, the property owner name listed on Plumas County Tax Records is considered the party responsible for payment of all service fees.

(a) Charges and rates for those services are based on annual fees, but are billed in January and July of each year. All charges for services and facilities shall be listed on one invoice and collected together (Gov't Code 61621). The obligations may be paid, semi-annually, quarterly, or monthly*, at the option of the property owner.

* Property owners electing to pay monthly will be charged an additional fee of \$1.00 per month to reduce the resulting additional administrative costs.

(b) Payment is due within 30 calendar days from the date of the billing. If not paid within 30 days, the account will be considered past due, at which time a Statement and a Past Due Notice shall be forwarded. Failure to pay any portion of the invoice will be considered as a default on the account.

Section 3.01.40. Procedure Prior to Discontinuing Service(s)

(a) Past Due Notice shall include information regarding the following subjects:

- (1) Arrangements to make payments.
- (2) File a complaint or request an investigation regarding services or charges.
- (3) Request information regarding financial assistance.

(b) In the event payment is not received within 30 days AFTER the mailing of the Past Due notice, a Notice of Intent to Shut Off Service shall be forwarded. Said notice shall be sent by Certified Mail, Return Receipt Requested. A fee of \$25.00 shall be charged to the delinquent account.

(c) After the expiration of the additional thirty (30) days a Second Notice of intent to Shut Off Service will be mailed in a similar manner as proscribed in paragraph (b), and in addition a copy of the notice shall be posted on the dwelling property. If payment is not received within fifteen (15) days a Final 48 Hour Shut Off Notice shall be forwarded and posted. If full payment is not received, service will be discontinued.

(d) PECS D service rates are flat rates, charged on a fiscal year basis, predicated on issuance of the Will Serve Letter. Therefore billing for services will continue.

Section 3.01.50. Basic Penalties

Pursuant to the provisions of Gov't Code Section 61621. If payment is not received thirty (30) days after the end of the six (6) month period (the seventh month), a late charge of 10% of the amount outstanding during the six (6) month period will be levied on the account. After the eighth month a late charge of 1/2% of the amount outstanding during the six (6) month period will be levied. This will continue monthly until all fees have been paid.

Section 3.01.60. Collection Methods

If payment is not received within the fiscal year of the billing, the District may employ any and all legal methods to collect outstanding debts to include recording certificates specifically the amount(s) due and the recording of which constitutes a lien on the property.

Section 3.01.70. Days and Hours Restrictions on Termination

The District shall not, by reason of delinquency in payment for any services, cause cessation of the services on any Saturday, Sunday, Legal Holiday, or at any time during which the business offices of the District are not open to the public.

Section 3.01.80. Schedule of Fees, Rates, and Charges

The following are the annual fees, rates and charges which will be applied on the effective date of this ordinance.

Fees: Plumas Eureka Estates

| | | |
|--|-----------|------|
| Water Residential (Service Size 3/4") | \$ 198.00 | Year |
| Water " " " " " (Service Size 1") | \$ 198.00 | " " |
| Water " " " " " (Service Size 1 1/2") | \$ 346.80 | " " |
| Water " " " " " (Service Size 2") | \$ 514.08 | " " |
| Water Commercial (Service Size 1 1/2") | \$ 498.96 | " " |
| Water " " " " " (Service Size 2") | \$ 734.40 | " " |
| Water Hook-up - At issue of Will Serve | \$1000.00 | --- |

Note: At this time, a security deposit is not required for commencement of water service to an improved lot. This is subject to change.

| | | |
|------------------------------------|-----------|-----|
| Sewer (Full Service) | \$ 595.20 | " " |
| Sewer (Reserve) | \$ 240.00 | " " |
| Madora Leach Field Maintenance Fee | \$ 25.00 | " " |
| Fire Improved Lot | \$ 43.20 | " " |
| Fire Unimproved Lot | \$ 20.00 | " " |

Fees: Eureka Springs Subdivision

| | | |
|--|-----------|------|
| Water (System Buy-in 10 years) | \$ 150.00 | Year |
| Water Residential (Service Size 3/4") | \$ 198.00 | " " |
| Water " " " " " (Service Size 1") | \$ 198.00 | " " |
| Water " " " " " (Service Size 1 1/2") | \$ 346.80 | " " |
| Water " " " " " (Service Size 2") | \$ 514.08 | " " |
| Water Commercial (Service Size 1 1/2") | \$ 498.96 | " " |
| Water " " " " " (Service Size 2") | \$ 734.40 | " " |
| ----- | | |
| Sewer (Improvement Dist. see agmt) | \$4621.50 | --- |
| Sewer (Full Service) | \$ 595.20 | Year |
| Sewer (Reserve) | \$ 240.00 | " " |
| ----- | | |
| Fire Protection (in lieu of receipt of property tax monies per ESS Agmt) | \$ 75.00 | " " |
| Fire Improved Lot (ESS Agreement) | \$ 43.20 | " " |
| Fire Unimproved Lot (ESS Agreement) | \$ 20.00 | " " |
| Fire Unimproved Lot (PECSD FD) | \$ 20.00 | " " |
| ----- | | |
| Returned Check Charge | \$ 15.00 | |
| Service Reconnection Fee | \$ 20.00 | |

*All fees are subject to change.

Approval of this resolution by the Plumas Eureka Community Services District Board of Directors will be retroactive to all existing property owner accounts.

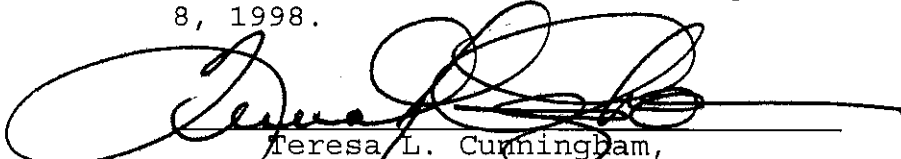
THIS BILLING POLICY RESOLUTION WAS ACCEPTED ON THIS THE 8 th DAY OF April, 1998, by the following vote of the governing body.

AYES: *RK Williams, N. Nichols, A. Richard*

NOES:

~~ABSENT:~~ *R. Lang, J. MacGregor*

I hereby certify that the foregoing is a true and correct copy of the PECSD Billing Policy Resolution #98-19, adopted by the Board of Directors at the Board Meeting held on April 8, 1998.


Teresa L. Cunningham,
Clerk to the Board of Directors