

ORDINANCE NO. 3308

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, AMENDING SECTION 13.14.100(B) OF CHAPTER 13.14 OF THE CORONA MUNICIPAL CODE REGARDING THE DISCONTINUATION OF WATER AND SERVICE FOR NON-PAYMENT

WHEREAS, on September 28, 2018, the Governor of California approved Senate Bill No. 998 known as the Water Shutoff Protection Act (California Health & Safety Code §§ 116900 *et seq.*), which established new restrictions regarding discontinuation of residential water service due to non-payment, and other procedural notice requirements to be satisfied prior to service disconnection; and

WHEREAS, Senate Bill No. 998 requires water utilities to have a written policy regarding discontinuation of residential water service for non-payment available in prescribed languages on the utility's website and provided in writing to customers upon request; and

WHEREAS, Senate Bill No. 998 requires utilities that provide water to more than 200 service connections to comply with the bill's provisions no later than February 1, 2020; and

WHEREAS, the Corona City Council ("City Council") adopted Chapter 13.14 of the Corona Municipal Code ("CMC") establishing rules and regulations for the water and sewer system, including provisions related to billing, delinquency and penalties; and

WHEREAS, the City has determined that amendments to Section 13.14.100(B) (Billing, delinquency and penalties) of the CMC are necessary to bring the CMC into compliance with the Senate Bill 998 and to ensure that the City will apply its rules and regulations relating to delinquency and discontinuation of residential water service in a manner consistent with State law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The City Council finds and determines that the foregoing Recitals are true and correct and incorporates the Recitals herein.

SECTION 2. CEQA Findings. This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action makes changes to the City's process and protocol for discontinuation of water and sewer service due to non-payment, and there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no environmental analysis is required.

SECTION 3. Amendment. Subsection (B) of Section 13.14.100 (Billing, delinquency and penalties) of Chapter 13.14 (Water and Sewer Regulations) the Corona Municipal Code is hereby amended to read as follows:

“(B) Water and sewer bills, including service and penalty charges, are due and payable upon deposit by city in the United States mail ("date billed"), and shall be delinquent a maximum of 28twenty-one (21) calendar days after said-the date billed, at which time a delinquent fee equal to ten percent (- Upon delinquency, the General Manager or designee shall mail a second billing in the form of a delinquent notice. A 10%) of the past due amount penalty shall be assessed on that bill and a date of discontinuance of service, 46 days after the date billed, shall be noted. Thirty-nine days after the date billed, a notice of shutoff of service will be mailed to the billing address of the customer. A processing charge shall be assessed on that notice and a date of discontinuance of service shall again be noted. The charge for the notice of shutoff is set forth in the Schedule of User/Service Fees for Water and Sewer Usage. If it is determined to be in the best interest of the city, the General Manager or designee shall initiate an automated call out system as a courtesy reminder, in addition to the Final Notice. All delinquent accounts, with the exception of multiunit

~~residential structures and mobile home parks, unpaid at the close of business on the forty fifth calendar day after the date billed shall have service discontinued on the forty sixth day after said date without further notice. Prior to terminating service to multiunit residential structures and mobile home parks, all procedures as required by law will be exercised. The Department may discontinue water and sewer service for any delinquent accounts in accordance with the procedures set forth in Administrative Policy 03620.003 – Disconnection of Water and Sewer Service for Non-Payment.”~~

SECTION 5. Policy Amendments. The City Council hereby authorizes and directs the City Manager to implement and amend any applicable administrative policies regarding the disconnection of water and sewer service for non-payment and make such policies available on the City’s website and in writing upon request.

SECTION 6. Severability. If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 7. Conflicting Ordinances. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 8. Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a genal circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force on the 30th day after its adoption..

ADOPTED this 18th day of December, 2019.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held on the 4th day of December, 2019, and thereafter at a regular meeting held on the 18th day of December, 2019, it was duly passed and adopted by the following vote of the City Council:

AYES:

NOES:

ABSTAINED:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 18th day of December, 2019.

City Clerk of the City of Corona, California

(SEAL)

SUMMARY

On December 4, 2019, the Corona City Council will consider adopting an ordinance to amend Subsection 13.14.100(B) of Chapter 13.14 of the Corona Municipal Code related to the billing, delinquency and penalties in connection with water and sewer service in order to comply with State law.

A certified copy of the full text of this proposed ordinance is posted in the City Clerk's office.

The City Council meets at 6:30 p.m. in the Council Chambers in the **Corona** City Hall, located at 400 South Vicentia Avenue. The City Clerk's office is located in City Hall near the Council Chambers.