
 <p style="text-align: center;"><b>City of Santa Ana</b> Administrative Policies and Procedures</p>	 City Manager's Authorization	
	<table border="1" style="width: 100%;"> <tr> <td style="width: 60%;"> Subject  <b>Residential Water Service Discontinuation Policy</b> </td> <td style="width: 40%;"> Date  July 4, 2024 </td> </tr> </table>	Subject <b>Residential Water Service Discontinuation Policy</b>
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**Purpose:**

This policy states the City of Santa Ana’s administrative actions for the administration of delinquent residential Municipal Utility Services customer water accounts, pursuant to the State of California’s Water Shutoff Protection Act (“Act”), Chapter 6 of Part 12 of Division 104 of the California Health and Safety Code. (*Health and Safety Code* § 116900 *et seq.*) As an urban or community water system that supplies water to more than 200 service connections, the City of Santa Ana must adhere to the regulations set forth in the Act. Words defined in the Santa Ana Municipal Code Section 39-15 shall have the same meaning in this Administrative Policy.

**Scope:**

This Policy applies only to residential water customers of the City of Santa Ana solely for nonpayment of their delinquent water utility bills.

**Policy:**

All water customers are advised to keep their contact information current and accurate to ensure all relevant notices are received on time. All communication regarding water billing, including reviews, inquiries, and other related matters, may be directed to the City's Municipal Utility Services (“MUS”) Division. You may reach MUS through the following methods:

- Telephone: (714) 647-5440
- Fax: (714) 647-5089
- Email: [mus.info@santa-ana.org](mailto:mus.info@santa-ana.org)
- In-Person: 20 Civic Center Plaza, Santa Ana, CA 92701
  - Monday - Thursday 7:30 AM - 5:30 PM
  - Alternating Fridays 8:00 AM - 5:00 PM
  - Closed legal holidays
- Mail:

Finance Department – Treasury Division M-13  
20 Civic Center Plaza  
PO Box 1964  
Santa Ana CA, 92702-1964

As stated in Santa Ana Municipal Code (SAMC) Chapter 39, Municipal Utility Services accounts are due fourteen (14) calendar days from the billing statement date. The due date is shown on the customer’s bill. Accounts will be assessed a ten percent (10%) penalty if payment is not received by the due date printed on the billing statement.

The following rules apply to the administration of delinquent residential water accounts:

- (1) Responsibility of the Customer: Utility service customers are responsible for ensuring payment methods and contact information (including mailing address and/or email address) are correct on their accounts. Rejected or returned payments due to expired credit/debit cards, insufficient funds, or other circumstances may result in penalties being charged to the service account
- (2) Shutoff Eligibility: Residential water service customers may be subject to disconnection of water service if any of the following conditions are met:
  - a. The customer has been delinquent for at least sixty (60) calendar days on their current utility bill, and the customer has not availed themselves of any applicable protections under the Act. A delinquency/disconnection notice will be provided at least thirty (30) calendar days prior to shutoff.
  - b. The customer fails to comply with the terms of a City approved payment plan (alternative payment schedule). A disconnection notice will be provided at least five (5) business days prior to shutoff.
  - c. The customer, while undertaking a City approved payment plan (alternative payment schedule) on a prior bill, becomes delinquent for at least sixty (60) calendar days on their current utility bill. A disconnection notice will be provided at least five (5) business days prior to shutoff.
- (3) Delinquency Notice: A notice of payment delinquency and impending discontinuation of service ("Delinquency Notice") will be mailed to the customer address designated on the account if a bill is not paid by the due date marked on the statement. If the mailing address and the address of the property to which water service is provided are different, a second Delinquency Notice will be mailed to the service address, addressed to "Occupant." A penalty will also be charged to the account. This Delinquency Notice shall also serve as an impending shutoff alert informing the customer that they will be subject to water service discontinuation if the bill remains delinquent after a total of sixty (60) calendar days from the due date.
- (4) Deferrals, Reductions, Amortization Payments, or Alternative Payment Schedules: The City will not discontinue service while a customer's payment is subject to a City-approved deferral, amortization, or alternative payment schedule, and the customer remains in compliance with the City approved payment arrangement and their current bill. Only one payment plan may be exercised at a time per utility services account. A residential water customer may submit a written request for a payment arrangement to the City prior to the deadline shown on the Delinquency Notice. A request will be granted if the customer can meet **all** of the following conditions:
  - a. Submit to MUS a certification of a primary care provider (as defined in California Welfare and Institutions Code Section 14088(b)(1)(A)) that discontinuation of residential water service will be life-threatening to, or pose a serious threat to the health and safety of the customer or a legal occupant within the service location, as required by the Act. "Form A: Certification of a Primary Care Provider (PCP)" is available for use by a customer to provide the requisite certification from a primary care provider.

- b. Submit to MUS proof that the customer is financially unable to pay for residential water service within the normal billing cycle as required by the Act. "Form B: Certification of Financial Hardship" is available for use by a customer to provide the requisite form of proof, along with documentation that the customer (or any member of their 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; or, in the alternative, the customer may declare that their annual income is less than 200 percent of the federal poverty level.
  - c. The customer is willing to enter into a City approved payment arrangement, alternative payment schedule, or a plan for deferred or reduced payment with respect to all delinquent charges. The City reserves the right to approve the specific form of the payment option, and may set the parameters of that payment option. Submittal of "Form C: Request for Payment Plan Relating to Utility Services" is required to be considered for a City approved amortization agreement, alternative payment schedule, or a plan for deferred or reduced payments. Payment plans are generally broken into twelve (12) installments paid on a monthly basis. The City may request that the customer pay an average of their typical monthly bill as a down payment to initiate the payment plan. Customers must maintain their monthly installment payments in addition to their bimonthly regular charges to remain in compliance. The City will not issue separate bills or notices for the monthly installments under the payment plan and it is the responsibility of the customer to pay in a timely manner.
- (5) Contest or Appeal a Bill: Customers desiring to initiate a request to contest or appeal services or charges shown on a water bill must submit "Form D: Request to Contest or Appeal Utility Service Charges" to MUS by the due date shown on the billing statement. The City may not consider any appeal submitted after the due date. The Finance and Management Services Director or their designee will review any such appeal. The customer will be informed of the City's determination on the appeal in writing and all decisions will be final. If charges are determined to be incorrect, MUS will provide a corrected billing statement and payment of the revised charges will be due within ten (10) calendar days of the revised billing statement date. If the charges are determined to be correct, the customer will be required to pay all outstanding amounts within five (5) business days from the date that a determination is sent to the customer. If any payments are sent via USPS mail, they must be postmarked by the due date. If an appeal is under review by the City or any resulting investigation is pending, the City will not discontinue residential water service.
- (6) Owner-Occupant Relationship and Responsibilities: The property owner of the premises where the water service is being provided, shall be the customer on record with the City, by default, unless a transfer of responsibility occurs. The property owner is responsible for ensuring occupants on the property are legally permitted to occupy the premises and are aware of the utility service accounts associated with the property. If the property owner is the customer on record and residential tenants or occupants were notified that service may be discontinued due to a delinquent bill, as required by the Act, the tenants or occupants may become customers of the City without being required to pay the delinquent charges of the property owner. Residential tenants or occupants who wish to

become utility customers of the City must contact MUS for more information, as indicated above.

- (7) **Prevailing Law:** In the event there should be a conflict between this administrative policy and the Act, as amended from time to time, the provisions of Health and Safety Code § 116900 *et seq.* and their amendments shall prevail.
- (8) **Authorization:** The authorization for this administrative policy is derived under the City of Santa Ana Municipal Code, Chapter 39, Section 39-22 and the Water Shutoff Protection Act.
- (9) **Effective Date:** This administrative policy shall commence and become effective on July 4, 2024.