



SunLand Water District

**POLICY RE:
RATES, PAYMENTS, DELINQUENT ACCOUNTS, LIENS AND FORECLOSURES**

Resolution No. 120 – as amended 4-16-24

(Supersedes Resolutions 113 and 68)

Reference: RCW 57.08.081

**A RESOLUTION OF THE SUNLAND WATER DISTRICT TO ESTABLISH A POLICY FOR
PAYMENTS, DELINQUENT ACCOUNTS, LIENS AND FORECLOSURES**

1.0 INTRODUCTION

This policy applies to the water and sewer services provided by the SunLand Water District pertaining to rates, late charges, payment of water and sewer services, collection of delinquent accounts, filing of liens, release of liens, and other actions such as foreclosure that might be taken to collect delinquent service fees owed to the District.

2.0 RATES

2.01 DEFINITIONS

Customer: A customer is a person(s) or legal entity responsible for District charges for water and/or sewer connection(s) to the District water and/or sewer system. There are two classes of customers:

- a. Customers whose connections lie within the SunLand Corporate Boundary
- b. Customers whose connections lie outside the SunLand Corporate Boundary.

All customers within each class, meter size, or connection type will be charged the same rate.

Connection Type: The District will bill three separate connection types:

- a. Residential Connection. Metered connection to single or multiple-family dwellings.
- b. Commercial Connection: Metered connections to commercial buildings of the SunLand Golf and Country Club, realty offices, and the SunLand Owner's Association.
- c. Irrigation Connection: Metered connection that supports landscaping.

Rate Basis: The District currently charges on a "flat fee" basis.

Location Surcharge. A 150% multiplier of the within Sunland water rate is applied to connections that lie outside the SunLand Corporate Boundary.



2.02 RATE SETTING PROCESS

The District Manager and staff will develop a proposed budget for the next calendar year, using the 6-year budgeting process. After all planned personnel, administrative and operating expenses are calculated, revenues required to cover those expenses and to replenish any needed reserve accounts will be determined.

The annual flat rate for each customer will be calculated based upon the proposed budget and connection type as noted below:

- Water and sewer customers.

The total annual rate represents a 33% charge for water and a 67% charge for sewer service.

- Irrigation only rates are charged by meter sizes as shown below.

2-inch meter connection

1-inch meter connection

3/4-inch and 5/8-inch meter connections

Irrigation rates are calculated as a percentage of the water rate charged residential customers within SunLand (e.g., 110%, 105%, etc.). The percentage rate calculation to be charged for each meter size will be determined as part of the budget process each fiscal year.

2.03 APPROVAL OF PROPOSED RATES

The District Manager and staff will present the proposed budget and rate schedule to the Board of Commissioners for consideration and/or approval no later than the scheduled September Board meeting.

If the proposed budget is not approved by the Commissioners, District staff will make revisions and have the final budget and rate schedule ready for approval no later than the November Board meeting.

When the proposed budget is approved, it will be formalized into a Resolution and signed by the Commissioners. The approved rate schedule will be published announcing the next year's rates.

3.0 ACCOUNTS RECEIVABLE/PAYMENT OPTIONS

Standard payment options are:

- a. Pay the annual bill in full.
- b. Make semi-annual payments.
- c. Make quarterly payments based on the annual bill divided by four (4).



- d. Forms of payment accepted: Personal check, cashier's check, cash, or credit card (with fee) are accepted. Credit card payments may be paid on the SWD website www.sunlandwater.com, or may be taken by district office personal via phone or in person. A third-party provides the credit card payment processing service and a fee in addition to the payment applies.

3.01 ALTERNATIVE PAYMENT OPTIONS

If a customer requires alternative payment options, their request must be brought to the Board of Commissioners for approval. A payment agreement between the account owner and the SWD will be required once an agreement is made. The agreement may be documented via email or by a written and signed agreement sent by US mail. The special agreement will be documented in the "Notes" section in the computer database for the customer's account.

4.0 DELINQUENT UTILITY SERVICE ACCOUNTS

4.01 DELINQUENT ACCOUNTS

For purposes of establishing delinquency, water and sewer service charges are due the first day of the 1st, 4th, 7th and 10th month of each calendar year. An account is considered delinquent if payment is not received in the SWD office by the first business day of the following month (e.g., February 1st for a January 1st due date). If a payment is received on the first business day, it will not be considered delinquent. Where a customer receives both water and sewer services from the SWD, both must be paid for the account to be considered current.

4.02 LATE CHARGES

A late fee of \$25.00 will be charged for each delinquent payment. If late fees are not paid with the delinquent payment, and not paid in full before or with the next quarterly payment, an additional late fee of \$25.00 will accrue per quarter on unpaid late charges until the applicable late charge(s) are paid in full and the account is brought to current status.

Account owners may contest late charges at the monthly Board of Commissioners meeting, either in person or in writing by letter or email to the office administrator showing good cause for the late payment. The following reasons are examples of reasons eligible for consideration in determining whether or not the customer is able to show good cause for late payment of their utility bill:

- Hospitalization of customer or their immediate family
- Customer is bedridden or otherwise incapacitated to such an extent that they are unable to leave their home to prepare and mail the payment.
- If there is a change in the District's billing/payment system, a late fee can be waived once during the transition period.
- If the District's made an administrative error in crediting the account.



- If an emergency has been declared.
- Other serious extenuating circumstances deemed as appropriate reasons by the Board.

After the Board's decision, the office administrator will respond in writing or email, notifying the customer if an adjustment of the late fees will be made.

If the Board does not find good cause for the customer's late payment, the customer will be informed in writing by email or letter. The decision of the Board in each case will be final and recorded in the minutes of the meeting. If a late charge is waived, the office staff will delete the charge from the account and document the Board decision in the "Notes" section of the computer database for the customer's account.

4.02.1 SHORT PAYMENTS

The office staff is authorized by the Board of Commissioners to accept short customer payments of \$25.00 or less to be paid in the following quarter without charging a late fee and without requiring Board review.

4.02.2 RETURNED CHECK FEE

A \$20.00 fee will be charged for any check returned by the payee's bank for any reason. This fee will be in addition to any late charges that may apply for delinquent payments.

4.03 PAST DUE ACCOUNTS

A late charge billing is sent, via regular mail, to the recorded homeowner at the address in the SWD database. Follow-up notices may also be sent via email, if an email address was made available to the SWD.

4.04 SHUT-OFF NOTICE

Notice of intent to suspend water service (Shut-Off Notice) will be posted via a door-hanger at the property location at least 14 days prior to such suspension. Water service will be subject to termination the 60th day past the due date and will not resume until the current balance due, all delinquencies and penalties, and the reactivation fee are paid in full by cash, cashier's check, or credit card paid through a third-party credit card processor (fees may apply). (See Sections 4.08 and 4.09 re Authorized Reactivation and Unauthorized Reactivation fees.)

Unpaid late charges will not cause the water service to be shut off. Late fees cease to be charged when water service is shut off by SWD personnel due to non-payment. Once water service resumes, late fees will be incurred if the account becomes delinquent again.

The Shut-Off Notice states the deadline for receipt of payment, the day and time for termination of service if payment is not received, and the amount of the reactivation fee. The Notice also includes an excerpt from Washington State Law RCW 57.08.081 (see Attachment).



4.05 APPEAL

In the event the property owner believes there is an error in the billing, or in the event the property owner disputes the amount due set forth, they shall be entitled to a hearing before the District Manager, or his/her designee, prior to termination of service, provided that a written request for such hearing is received by the District Manager no later than the close of business on the day before the payment due date. At the hearing, the property owner shall have the opportunity to present oral or written information in support of his/her claim of error or irregularity. After giving careful consideration to any information presented, the District Manager, or his/her designee, shall make any adjustment in the bill he/she deems appropriate to correct any applicable errors. Any adjustment beyond correction of billing errors must be taken to the Board of Commissioners for consideration of a fair and equitable decision which shall be in writing and shall be final and conclusive.

4.06. FAILURE TO RECEIVE A BILL

Failure to receive a bill does not relieve a customer of the responsibility for payment of charges and penalties.

4.07. SERVICE TERMINATION

If a delinquent account is not paid before the required payment date specified on the Shut-Off Notice, water service shall be terminated on the date stated on the notice.

4.08. AUTHORIZED REACTIVATION

If water service is discontinued, service shall be reactivated when the delinquent amount and the penalty charges for this property are paid in cash, cashier's check or credit card paid through a third-party credit card processor (fees may apply). There shall be a \$250.00 fee for authorized reactivation service during regular business hours, Monday through Friday, 8:00 a.m. to 4:00 p.m. or a charge of \$275.00 after regular District business hours.

4.08.1 AUCTIONED PROPERTY

Unless otherwise authorized by the Board of Commissioners, the buyer of an auctioned property must pay all past due service fees, late fees, and the reconnection fee in order to restore service that has been discontinued.

4.09. UNAUTHORIZED REACTIVATION

If a previously terminated service is reactivated without written consent of the District by any party other than SWD personnel, an Unauthorized Reactivation Fee of \$500.00 shall be assessed against the serviced property, regardless of who is actually responsible for the reactivation. Thereafter, the water meter shall be locked. Before service will be reactivated, all fees, delinquent amounts and penalties



must be paid by cash, cashier's check, or credit card paid through a third-party credit card processor (fees may apply).

If the lock on a locked meter is cut or otherwise tampered with, a System Tampering Charge shall be assessed (See Section 6.0 below). Any resulting damage to the water service lines, equipment or other parts of the public utility system will be repaired at the property owner's expense.

4.10 TEMPORARY REACTIVATION OF SERVICE

If service has been discontinued due to delinquency, an authorized agent of the owner of the property may request in writing to have service temporarily reactivated to facilitate the sale of the property. There shall be a prepaid \$80.00 charge for temporary reactivation of service during regular business hours (8 a.m. to 4 p.m.), Monday through Friday, or a charge of \$150.00 for service restoration outside these hours. The temporary restoration of service shall not exceed 24 hours.

5.0 ADDITIONAL FEES

5.01 AFTER-HOURS SERVICE

Any after-hours call for service will be assessed a minimum fee of \$125.00.

5.02 TURN-OFF/TURN-ON SERVICE

There will be a one-time service charge of \$ 45.00 to have a residential water service turned off, with no additional charge for turning the water back on during normal business hours (9 a.m. to 4 p.m. Monday through Friday). Reconnection after regular hours will be assessed a fee of \$ 125.00.

A minimum of two (2) business days' notice must be given to the District Office prior to service being turned off or restored by calling 360-683-3905 during the office hours of 9 to 1 Monday through Friday.

To ensure there are no interior water leaks, a person with authorized access to the residence must be at the location when service is reconnected.

6.0 LIEN AND FORECLOSURE

6.01 NOTICE OF INTENTION TO FILE LIEN

Sixty (60) days after an account becomes delinquent, the District may send a letter to the property owner(s) of record of the delinquent property. The letter shall notify the interested party/parties of the District's intention to file a lien against the property and to give the interested party/parties the opportunity to take action to prevent the District's lien filing.

6.02 LIEN AND FORECLOSURE POLICY

The policy concerning lien and foreclosure of delinquent accounts shall be as follows:



5762 Woodcock Road

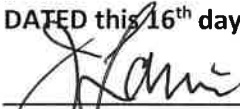
Sequim, WA 98382

WHEREAS, RCW 57.08.08 is a law of the State of Washington, regarding Rates and charges – Delinquencies, and

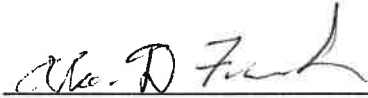
WHEREAS, the SunLand Water District wishes to comply with said law and safeguard the funds of the public utility; now, therefore be it

RESOLVED, that the SunLand Water District Board of Commissioners adopts the SunLand Water District Rates, Payments, Delinquent Accounts, Liens and Foreclosures Policy as amended on April 16, 2024.

DATED this 16th day of April 2024.



Jim Larison, President



Al Frank, Secretary



John Lewis, Commissioner



5762 Woodcock Road

Sequim, WA 98382

ATTACHMENT TO RESOLUTION 120

EXCERPT FROM RCW 57.08.081

(4) The district may, at any time after the connection charges or rates and charges for services supplied or available and penalties are delinquent for a period of sixty days, bring suit in foreclosure by civil action in the superior court of the county in which the real property is located. The court may allow, in addition to the costs and disbursements provided by statute, attorneys' fees, title search and report costs, and expenses as it adjudges reasonable. The action shall be in rem, and may be brought in the name of the district against an individual or against all of those who are delinquent in one action. The laws and rules of the court shall control as in other civil actions.

(5) In addition to the right to foreclose provided in this section, the district may also cut off all or part of the service after charges for water or sewer service supplied or available are delinquent for a period of thirty days.