

## ORDINANCE NO. O2023-01

### AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE CHAPTERS 14, 15, 16, 21, AND 31 REGARDING REFUND REQUESTS AND COLLECTION OF DELINQUENCIES

The Board of Directors of the Rancho Murieta Community Services District hereby ordains as follows:

**SECTION 1. PURPOSE AND AUTHORITY.** The purpose of this ordinance is to amend the District Code chapters concerning water, sewer, drainage, security, and solid waste service to clarify the timelines for customers refunds requests and the District's collection of delinquencies. This ordinance is adopted pursuant to Government Code section 61060 and other applicable law.

#### **SECTION 2. CODE AMENDMENT**

Chapter 14, section 9.01 is amended as follows:

##### **9.01 Collection of Charges for Water and Other Services**

The periodic charges imposed by this Chapter may be collected together with charges for any other utility service supplied by the District. If all or any part of the bill is not paid, the District may discontinue any or all of the service for which the bill is rendered in the manner herein provided. The District may take the actions authorized by this Section 9.00 or otherwise authorized by law to collect a delinquent bill for service for up to three years from the date of the delinquent bill for service.

Chapter 14, section 9.11 is amended as follows:

##### **9.11 Adjustment of Bills**

At the request of a customer or at the General Manager's discretion, the General Manager may correct any erroneous bill provided for in this Chapter for up to three years from the date of the erroneous bill for service adjust or grant rebates from the rates or fees provided in this Chapter in the event of a dispute relating to a charge to a customer; provided, however, that any customer request must be filed no later than one year from the date of the disputed bill and that all parties affected shall have a right to appeal the Manager's determination to the Board of Directors within fifteen (15) days of the date of the Manager's decision. The decision of the Board of Directors thereon shall be final and binding on all parties.

Chapter 15, section 7.05 is amended as follows:

##### **Chapter 7.05 Collection of Charges for Sewer and Other Services**

The rates and charges imposed by this Chapter may be collected together with charges for any other service provided by the District. If all or any part of the bill is not paid, the District may discontinue any or all of the services for which the bill is rendered in the manner herein provided. The District may take the actions authorized by this Section 7.00 or otherwise authorized by law to collect a delinquent bill for service for up to three years from the date of the delinquent bill for service.

Chapter 15, section 7.14 is amended as follows:

#### **Chapter 7.14 Adjustment of Bills**

At the request of a customer or at the General Manager's discretion, the General Manager may correct any erroneous bill provided for in this Chapter for up to three years from the date of the erroneous bill for service ~~adjust or grant rebates from the rates or fees provided in this Chapter in the event of a dispute relating to a charge to a customer;~~ provided, however, that any customer request must be filed no later than one year from the date of the disputed bill and that all parties affected shall have a right to appeal the Manager's determination to the Board of Directors within fifteen (15) days of the date of the Manager's decision. The decision of the Board of Directors thereon shall be final and binding on all parties.

Chapter 16, section 9.01 is amended as follows:

#### **9.01 Collection of Charges for Drainage and Other Services**

The periodic charges imposed by this Chapter may be collected together with charges for any other utility service supplied by the District. If all or any part of the bill is not paid, the District may discontinue any or all of the service for which the bill is rendered in the manner herein provided. The District may take the actions authorized by this Section 9.00 or otherwise authorized by law to collect a delinquent bill for service for up to three years from the date of the delinquent bill for service.

Chapter 16, section 9.10 is amended as follows:

#### **Chapter 9.10 Adjustment of Bills**

At the request of a customer or at the General Manager's discretion, the General Manager may correct any erroneous bill provided for in this Chapter for up to four years from the date of the erroneous bill for service ~~adjust or grant rebates from the rates or fees provided in this Chapter in the event of a dispute relating to a charge to a customer;~~ provided, however, that the customer request must be filed no later than four years from the date of payment of the disputed bill and that all parties affected shall have a right to appeal the Manager's determination to the Board of Directors within fifteen (15) days of the date of the Manager's decision. The decision of the Board of Directors thereon shall be final and binding on all parties. The District shall pay interest on the refunded amount at a rate of 3% per year calculated from the payment of the disputed bill or the date of the refund claim, whichever is later.

Chapter 21, section 7.03 is amended to add the following to the end of the existing text:

e. The District may take the actions authorized by this Section 7.00 or otherwise authorized by law to collect a delinquent bill for service for up to three years from the date of the delinquent bill for service.

Chapter 21, section 7.08 is added as follows:

#### **Chapter 7.08 Adjustment of Bills**

At the request of a customer or at the General Manager's discretion, the General Manager may correct any erroneous bill provided for in this Chapter for up to four years from the date of the erroneous bill for service; provided, however, that the customer request must be filed no later than four years from the date of payment of the disputed bill and that all parties affected shall have a right to appeal the Manager's determination to the Board of Directors within fifteen (15) days of the date of the Manager's decision. The decision of the Board of Directors thereon shall be final and binding on all parties. The District shall pay interest on the refunded amount at a rate of 3% per year calculated from the payment of the disputed bill or the date of the refund claim, whichever is later.

Chapter 31, section 4.03.b is amended as follows:

#### **b. Collection of Charges for Collection Services**

The rates and charges imposed by this Chapter may be collected together with charges for any other service provided by the District. If all or any part of the bill is not paid, the District may discontinue any or all of the services for which the bill is rendered in the manner herein provided. The District may take the actions authorized by this Section 4.00 or otherwise authorized by law to collect a delinquent bill for service for up to three years from the date of the delinquent bill for service.

Chapter 31, section 4.0.h is added as follows:

#### **h. Adjustment of Bills**

At the request of a customer or at the General Manager's discretion, the General Manager may correct any erroneous bill provided for in this Chapter for up to three years from the date of the erroneous bill for service adjust or grant rebates from the rates or fees provided in this Chapter in the event of a dispute relating to a charge to a customer; provided, however, that any customer request must be filed no later than one year from the date of the disputed bill and that all parties affected shall have a right to appeal the Manager's determination to the Board of Directors within fifteen (15) days of the date of the Manager's decision. The decision of the Board of Directors thereon shall be final and binding on all parties.

---

**SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect 30 days after its final passage.

**SECTION 4. SEVERABILITY.** If any section or provision of this ordinance or the application of it to any person, transaction or circumstance is held invalid or unenforceable, such invalidity or unenforceability shall not affect the other provisions of this ordinance that can be given effect without the invalid or unenforceable provision, and to this end the provisions of this ordinance are declared to be severable.

**SECTION 5. PUBLICATION.** The District Secretary is directed to publish this ordinance once in a newspaper of general circulation published in the District within 15 days after the adoption of the ordinance.

**INTRODUCED** by the Board of Directors on the 15<sup>th</sup> day of February 2023.

**PASSED AND ADOPTED** by the Board of Directors of the Rancho Murieta Community Services District at a regular meeting on the 15<sup>th</sup> day of March 2023 by the following roll call vote:

AYES: Maybee, Pohll, Jenco, Butler, Booth

NOES: None

ABSENT: ~~Maybee~~ NONE @w

ABSTAIN: None




\_\_\_\_\_  
Tim Maybee  
President, Board of Directors

Attest:



\_\_\_\_\_  
Michelle Rose, Temporary Office Technician

Attest Corrections:  
  
\_\_\_\_\_  
Amelia Wilder, District Secretary