

YACSD BYLAWS
Board of Directors of the Yosemite Alpine Community Services District
Fish Camp, California
Motion to Amend Section 7.11.

For purposes of context, Section of the 7.10 of the YACSD Bylaws reads:

Payment of Bills Owed to the District. Billing statements shall be made to all property owners annually, as soon as possible after July 1st and before July 31st. Bills for water services, fees, and taxes shall be due and payable immediately upon mailing. Bills shall become delinquent when payment is not received by September 1st or later date as may be specified in the billing statement.

Section of the 7.11 of the YACSD Bylaws currently reads:

Late Payment Penalties. If all or part of a bill is not paid, the District may discontinue any or all services pursuant to Government Code section 61115(a)(3)(B). For instance, water service may be discontinued when a delinquency in any payment occurs, until payment is made in full or a payment schedule is agreed between the Treasurer and the property owner. Penalties may be imposed when payment is delinquent. The basic penalty for the nonpayment of charges shall not exceed 10 percent, plus an additional penalty of not more than one percent per month for the nonpayment of the charges and the basic penalty. Penalties shall be decided by resolution by the Board.

It is moved to amend 7.11 of the YACSD Bylaws as follows:

Delete the following: ~~Penalties shall be decided by resolution by the Board.~~

Add the following phrase: *If the bill is not paid or payment postmarked by the specified due date (September 1 or later date as specified in the billing statement), the Treasurer will issue an Overdue Notice, notifying the property owner that payment is overdue and that payment must be paid or postmarked by 30 days from the date of the notice. A late penalty of 10% will be added to the first billing amount. An additional penalty of one percent per month will accrue on the unpaid balance.*

If payment is not received as described above, the Treasurer will issue a 10 Day Water Turn-off Notice to the property owner. If payment is not received by the turn-off date, the Treasurer will notify the Water Master (or designate) to turn off the water service to the property. A turn-off fee of \$100 will be added to the outstanding bill. In order to restore service, full payment of the original billing, the shut-off fee, penalties and a \$100 turn-on fee must be paid by certified check.

In some circumstances such as unforeseen financial hardship, the Treasurer may agree to a payment plan for an outstanding bill. If water service has already been turned off, a payment plan will not be offered and full payment must be made as described above. If water service has not been turned off, the Treasurer may enter into a payment arrangement of not less than \$300 per month until the original bill and additional penalties have been paid. An additional penalty of one percent per month will continue accruing on the unpaid balance. Missing a payment will result in the immediate issuance of a 10 day water turn-off notice and subsequent actions as described above.

There are some cases where property owners develop an undetected leak in their water line(s). To minimize this situation, the YACSD makes ongoing reminders to property owners to turn off their water mains when their properties are unoccupied. In the case of an undetected leak, the property owner may request a 25% discount of the water charge portion of the bill. The property owner must make this request in writing within 10 days of the leak being detected and must document the pre-emptive actions the owner took to prevent such an occurrence. Failing to shut off the water main will not be an adequate justification for a reduction of the bill . Because this is a “judgment call”, the Chairperson of the Board will make the decision as to whether the water charge portion may be discounted.

The amended bylaw 7.11 reads:

Late Payment Penalties. If all or part of a bill is not paid, the District may discontinue any or all services pursuant to Government Code section 61115(a)(3)(B). For instance, water service may be discontinued when a delinquency in any payment occurs, until payment is made in full or a payment schedule is agreed between the Treasurer and the property owner. Penalties may be imposed when payment is delinquent. The basic penalty for the nonpayment of charges shall not exceed 10 percent, plus an additional penalty of not more than one percent per month for the nonpayment of the charges and the basic penalty.

If the bill is not paid or payment postmarked by the specified due date (September 1 or later date as specified in the billing statement), the Treasurer will issue an Overdue Notice, notifying the property owner that payment is overdue and that payment must be paid or postmarked by 30 days from the date of the notice.. A late penalty of 10% will be added to the first billing amount. An additional penalty of one percent per month will accrue on the unpaid balance.

If payment is not received as described above, the Treasurer will issue a 10 Day Water Turn-off Notice to the property owner. If payment is not received by the turn-off date, the Treasurer will notify the Water Master (or designate) to turn off the water service to the property. A turn-off fee of \$100 will be added to the outstanding bill. In order to restore service, full payment of the original billing, the shut-off fee, penalties and a \$100 turn-on fee must be paid by certified check.

In some circumstances such as unforeseen financial hardship, the Treasurer may agree to a payment plan for an outstanding bill. If water service has already been turned off, a payment plan will not be offered and full payment must be made as described above. If water service has not been turned off, the Treasurer may enter into a payment arrangement of not less than \$300 per month until the original bill and additional penalties have been paid. An additional penalty of one percent per month will continue accruing on the unpaid balance. Missing a payment will result in the immediate issuance of a 10 day water turn-off notice and subsequent actions as described above.

There are some cases where property owners develop an undetected leak in their water line(s). To minimize this situation, the YACSD makes ongoing reminders to property owners to turn off their water mains when their properties are unoccupied. In the case of an undetected leak, the property owner may request a 25% discount of the water charge portion of the bill. The property owner must make this request in writing within 10 days of the leak being detected and must document the pre-emptive actions the owner took to prevent such an occurrence. Failing to shut off the water main will not be an adequate justification for a reduction of the bill . Because this is

a “judgment call”, the Chairperson of the Board will make the decision as to whether the water charge portion may be discounted.

This section amended and accepted by the Board of Directors on November 19, 2022

Moved: Patricia Frey

Seconded: _____

AYES:

NOES:

ABSTAIN:

ABSENT:

Result of vote: _____

I, Karen Glendenning, Secretary of the Board of Directors of the Yosemite Alpine Community Services District, Fish Camp, California, certify the results of this vote on the Motion to Amend, Qualifications for Directors duly made and entered in the minutes of the District on.

Karen Glendenning, Secretary YACSD