

October 9, 2020

Ms. Kathryn Cowdery
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: *Docket No. 20200199-WS – Proposed amendment of Rules 25-30.335, F.A.C. – Customer Billing*

Dear Ms. Cowdery,

In response to the revised proposed rule sent on September 29, 2020 via electronic mail in the above referenced docket (Customer Billing), I respectfully submit the following comments.

I serve in the position of Vice President of Investor Owned Utilities representing the following utilities, hereafter referenced as “**Collective Utilities**” regulated by the Florida Public Service Commission:

| | |
|----------------------------------|--------------------------------|
| Black Bear Waterworks, Inc. | Brendenwood Waterworks, Inc. |
| Brevard Waterworks, Inc. | Country Walk Utilities, Inc. |
| Duval Waterworks, Inc. | Gator Waterworks, Inc. |
| Harbor Waterworks, Inc. | HC Waterworks, Inc. |
| Jumper Creek Utility Company | Lake Idlewild Utility Company |
| Lake Talquin Waterworks, Inc. | Lakeside Waterworks, Inc. |
| LP Waterworks, Inc. | Merritt Island Utility Company |
| North Charlotte Waterworks, Inc. | Okaloosa Waterworks, Inc. |
| Pine Harbour Waterworks, Inc. | Raintree Waterworks, Inc. |
| Royal Waterworks, Inc. | Seminole Waterworks, Inc. |
| Sunny Hills Utility Company | The Woods Utility Company |

Collective Utilities provides the following comments to the revised proposed rule:

New Section (6) – Noticing

While not opposed to providing customer notice to the provision of continued billing for base facility charges, Collective Utilities believes that this proposed requirement as written may be onerous on the utilities. Several of the utilities above are very seasonal and may have up to 60% of their customers go back up north for the summers. Alternative notifications may be just as effective. These could include semi-annual (periodic) notification through bill inserts. When I worked for Aqua Utilities Florida (AUF), semi-annual “seasonal notices” were issued to customers. These were typically sent in the fall and spring when “snow birds” were either leaving the state or returning back to the state. Collective Utilities believe annual notification through bill stuffers would serve the same purpose. (See Attached example)

Another alternative could be to place notification on the utility's website so all customers may access. Finally, bill messages may be periodically placed on customers' bills as to serve as written notification.

Additional Consideration of Proposed Revisions

Collective Utilities respectfully suggests additional revisions/additions to the proposed rule. Two of the more financially impactful situations to investor owned water and wastewater utilities concerns landlord/tenant situations and inactive accounts.

In previous years, when I worked for the Florida Public Service Commission, the industry expressed numerous concerns on these two items. An internal workgroup formed with the staff at the FPSC attempted to engage the industry for suggested revisions to the billing rule. There were several meetings, but unfortunately, due to workload, no proposed revisions moved forward.

These situations exist when tenants run up large unpaid balance (past due) and then leaves without paying leaving large bad debt amounts, as well as vacant inactive accounts (properties). The suggested proposals to consider are as follows:

- 1) Do not allow a new account to be opened in a new *property owner's* name, until the delinquent amount is paid.
- 2) Hold the property owner (landlord) accountable for their tenants' unpaid balance.
- 3) Revert the account back to the property owner after any tenant leaves the premise.
- 4) Charge the base facility charge to all inactive accounts where water/wastewater service is available.

For the first item, this is common in governments. For example, the Florida Governmental Utility Authority (FGUA) requires that unpaid delinquent balances be paid prior to a new account being open in the new property owners' name. (See attached).

For the second item, this is also common in governments who pass relevant ordinances. See attached from the City of Albert Lea, Minnesota; City of Stockton, California; and Seattle, Washington. These cities require accounts to be only in the property owner's name and not the tenant. For the North City Water District in Washington, the district allows the account to be in either the owner or tenant's name but all unpaid water service charges are ultimately the responsibility of the property owner by state law. (See attached)

However, it should be noted there is a Florida Statute prohibiting municipalities in refusal or discontinuance of service to the owner of any rental unit or tenant or prospective tenant of such rental unit for nonpayment of service incurred by a former occupant of the rental unit, except to the extent that the present tenant or owner has benefitted directly from the service provided to the former occupant. (Section 180.135, F.S.)

Docket No. 20200119-WS – Customer Billing
October 9, 2020

For the third item, this is also a major impact on utilities. Many governments require this item. Again, the FGUA automatically reverts the account to the property owner. The property owner is charged the base facility charge for any inactive account. (see attached).

In the City of North Lauderdale, Florida, water and wastewater accounts are required to be placed into the property owners, and not the tenants' name. (Sec. 70-4 – North Lauderdale Code of Ordinances) The City will not provide service in the tenant's name. This was affirmed by Florida Fourth District Court of Appeals in Jass Properties, LLC v. City of North Lauderdale, 37 Fla. L. Weekly D2674 (Fla. 4th DCA November 21, 2012)

In the Cities of Dunedin and Safety Harbor, Florida, property owners are billed for utilities at vacant properties even though the water service is canceled. (see attached). This is also true for the FGUA.

This is similar to the current practice of charging a guaranteed revenue charge to vacant land where developers or prospective homebuilders have paid the service availability charge up front to ensure capacity. This recognizes that there are still fixed costs associated with the maintenance and repair of the water & wastewater systems, as well as fixed costs to ensure that water/wastewater service is available when the property becomes occupied.

Collective Utilities requests that these items be considered in the current rule revision. These items create major financial implications to small water and wastewater utilities. The investor owned utilities should be given the same type of consideration as cities, districts, authorities, and counties.

Thank you for your consideration, and if you have any questions, please do not hesitate to contact me at (727) 848-8292, ext. 245, or via e-mail at trendell@uswatercorp.net.

Respectfully submitted,



Troy Rendell
Vice President
Investor Owned Utilities



Seasonal Customer Information

If you spend only a portion of your time in Florida, please help us to accurately bill your account.

Here's how you can help:

- Contact our call center at 1.877.WTR.AQUA or 1.877.987.2782 as soon as possible and tell us that you're a seasonal customer. Doing so ensures you receive accurate bills throughout the year.
- You can turn your water off when you leave for the season and turn it on when you return. For assistance, call 1.877.WTR.AQUA or 1.877.987.2782.
- Prior to leaving your Florida home for the season, please notify us. Otherwise, your bill might be estimated while you're gone. In most cases, this will result in higher bills.

Florida's Administrative Code, Rule 25-30.335, requires that we bill you for your base facility charge each month regardless of whether or not you are home.

The base facility charge covers the cost of constructing, replacing and maintaining the pipes and wells in your area that are always in operation whether you are at your home or not. ♦

Smart Watering Tips

- Maintain a lawn height of 2.5 to 3 inches to help protect the roots from heat stress and reduce the loss of moisture to evaporation.
- Avoid planting turf in areas that are difficult to irrigate properly, such as steep inclines and isolated strips along sidewalks and driveways.
- Aerate clay soils at least once a year to help the soil retain moisture.
- Promote deep root growth through a combination of proper watering, aerating, appropriate fertilization, thatch (grass clippings) control and attention to lawn height. A lawn with deep roots requires less water and is more resistant to drought and disease.
- Mulch around plants, bushes and trees to help the soil retain moisture, discourage the growth of weeds and provide essential nutrients.
- Plant in the spring or fall, when watering requirements are lower.
- When choosing plants, keep in mind that smaller ones require less water to become established.
- Use porous materials for walkways and patios to keep water in your yard and prevent wasteful runoff.
- Install a rain sensor on your irrigation system to prevent the system from watering while it is raining, or right after it has rained. ♠



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FGUA Customer Service Policies and Procedures

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Preface

The following Policies and Procedures pertain to any applicant or customer applying for or supplied with utility service by the Florida Governmental Utility Authority (FGUA) and apply to all systems unless otherwise noted. Customers are subject to, and required to, comply with the utility-specific Policies and Procedures for each service received from the FGUA.

The FGUA will endeavor to provide utility services without discrimination and in accordance with sound utility business principles, with rates reasonably uniform to all customers within classification and utility services pricing that will be based on providing competitive rates to all customers and within full compliance with utility bond covenants.

These Policies and Procedures are intended to provide guidance to FGUA customers and contractor staff to achieve the common goal of efficient, safe and customer responsive utility service. These Policies and Procedures may be updated or amended as needed and as approved by the FGUA Board.

When any customer comes in to initiate service for an address, determine:

- Is there a delinquent balance related to the service address?

Delinquent in this case speaks to any balance that is due at the time new service is requested.

- If “no”, then the account can be opened.
- If “yes”, proceed to questions below.

- Was the account in the property owner’s (or the prior property owner’s) name?

If necessary, verification can be made through a search on the local property appraiser’s site.

- If “yes”, a new **account cannot be opened** without the delinquent balance being paid.

If the account has a balance that is not yet due at that time a new account can be opened.

- If “no”, and the account with the delinquent balance was in a prior TENANT’S name, then the new **account can be opened WITHOUT the delinquent balance being paid.**

The delinquent balance should be pursued through collections against the prior account holder.

In cases where the account was in the property owner’s (or the prior property owner’s) name, the Rep should inform the new occupant that there is an outstanding delinquent balance on the property/account and that the new service cannot be initiated until full payment is made. Additionally, if a lien has already been filed, the account will be noted and the customer informed.

The new customer may not necessarily be responsible, however, the delinquent balance must be taken care of before a new account can be opened. Below are some possible Q&A for reference.

Customer Q: Why am I responsible for someone else’s account?

Representative A: In the state of FL, a delinquent utility bill from a property owner (or previous property owner) is effectively a lien on the property even if a lien has not been officially filed. Unfortunately, we are not allowed to initiate any new service until that delinquent balance has been paid.

Customer Q: Who can I contact about this?

Representative A: If you purchased the property and were not aware of the delinquent balance, you should contact your title company as they should have done a search of any outstanding balances the prior owner would be responsible for.

If you are renting, you should contact your landlord or the property owner and make them aware of the situation. They can contact us directly to arrange payment.

A customer should submit a “Request to Terminate” form to close an active account (*Exhibit B*). When a customer terminates, the account balance may be transferred to an open account if the accountholder has another account in the FGUA service area and the identity can be verified.

Base Utility Fees

Upon service activation, the customer will be billed and is obligated to pay minimum monthly fees for service availability, regardless of usage. Consumption is billed in addition to the base utility fees. Base charges cover the fixed costs of the utility such as line maintenance, plant operations, acquisition, capital improvements and debt service and are applied to all customer accounts to keep costs equitable.

Customers may only permanently disconnect from the FGUA system (and thereby not subject to Base Utility Fees) if they have an alternative legal water source. State law requires that a customer must be connected to sewer lines if they are available.

Inactive Account Fees

The FGUA board approved a fee for all ready to serve properties serviced by the utility without an active account. An inactive account fee is equal to the base utility fees for water and/or sewer service paid by open account holders and is billed monthly to every property owner.

When a utility account is opened at the property, either by the owner or a tenant, the account holder will pay the base fees and usage instead of the inactive fee. If a tenant vacates a property, the owner will be charged inactive fees.

When customers come in to terminate service, they should be given a copy of the "FGUA's Readiness to Serve (Inactive Account) policy" (Exhibit E).

Mandatory Sewer Connection Fees in Lehigh Acres

Florida State Law requires that a customer must be connected to sewer lines if they are available. Customers who fall into this category must undergo the process to become connected to the FGUA's system. In these cases, customers are notified by mail and have 365 days to complete the process. (Refer to the FGUA Mandatory Connection Policies for more information).

For questions regarding this policy or to obtain a customer payoff, contact the FGUA finance department in Longwood.

Meter Accessibility

The utility is required by state law to read the meter, and use the measurement to formulate a bill. A door tag will be left or a letter sent to secure permanent access for inaccessible meters (due to locked gates, bees in the meter box, something covering the meter, etc.) (*Exhibit G*).

In cases where the customer does not respond, the utility may have to send an estimated bill. The charges will be an average usage over the last twelve months. If the customer has not had an account for the last twelve months, available history will be used to determine the average. The bills will show the word ESTIMATED in all capital letters, and when the meter can be read again, any difference in usage will be charged or credited to the account.

Meter access concerns are on a case-by-case basis, with attempts to notify customers at least once and the intent to keep estimates to two or less per year per customer.

Depending on the circumstances, the customer may be given a credit on their account or submitted to the FGUA insurance company as a claim. The CSM/CFO may authorize a credit up to \$2,500 but if it is unclear who is at fault, the amount exceeds \$2,500, or the customer is specifically requesting a check reimbursement, the case may be submitted to the FGUA insurance company as a claim. In all cases, the CSM will inform the CFO of the incident. A claim must be accompanied by a brief summary of the incident, a damage report with an estimate to fix the issue and pictures of the damage if possible (this information can be compiled by the CSR from the customer and/or with assistance from the FGUA contractors). These items should be forwarded to the CSM/CFO.

Additionally, the Policy Guidance Memorandum dated June 1st, 2015 may be referenced for information on how to handle these concerns.

Adjustment for Utility Theft

A customer may be the victim of utility theft. In these cases, customers should file a police report and provide it to the FGUA for consideration. If a police report is supplied and a review of the customer's historical usage indicates utility theft occurred, a credit will be given based on the customer's twelve month history. The usage will be averaged and used as a baseline for establishing a credit. If a customer does not have a twelve month history, but has over three months, the same rule would apply. If a customer has less than a three months, their usage may be monitored going forward with a credit being given after three consecutive months have passed. In this case the customer would still be responsible for their current bill(s).

Administrative Adjustments

At the discretion of the FGUA, credits may be applied to accounts based on unusual and extenuating circumstances which shall be explained in the account comments. These credits must not exceed \$2,500 and must be approved by the CSM/CFO. Under its covenants to bondholders and rate resolutions, the FGUA is not able to provide free service of any kind.

Service Termination or Turn-Off for Non-Payment

All systems except North Fort Myers

An account becomes past due after 20 days. At that time, the customer is sent a past due bill, called a "Final Notice" and given 10 days to make payment. This notifies the customer in writing of the amount past due, the notice date, the due date, and the fact that service could be disconnected if payment is not received within 10 days. On the 21st day late charges are incurred.

Accounts more than 30 days past due are subject to disconnect and will be charged a reconnect fee according to the resolution. Disconnected accounts will also be charged a deposit, if a deposit is not on file.

Delinquent accounts that are not in the property owner's name are eligible to be closed after 90 days of delinquency ***regardless of whether there is usage or not***. At that time, an account will be opened in the property owner's name.

Service Reactivation

Reactivation of service to a customer will occur after all past due amounts and any required deposits are paid. Although every effort is made to restore service as quickly as possible, customers must pay by 1pm to ensure reactivation occurs the same business day. If payment is made after 1pm but same day service reconnection is required and must be guaranteed, customers may elect to pay the afterhours turn on fee. This approval must be documented in the customer account.

Account Liens/Write-Offs

The write-off/collection report indicating all of the finalized accounts is run at the beginning of the month. When any portion of a bill appears in the 60 day column of the write-off collection report, the account should be written off.

At month end a write-off report is submitted to the FGUA Finance Office, and to the collection agency. Any account less than \$65 is not turned over to the collection agency. All write-off accounts are filed. The GSG CFO approves the debit/credit form for write-offs. The aged trial balance is reviewed quarterly and approved by the GSG CFO. New connections have a name and driver's license number search performed to see if the account had been previously written-off. Name, address and DL# should all be checked for duplicates.

All money received from bad debts is deposited and recorded on the daily cash report. When payment is received at a local customer service office for an account that is written off, payment is immediately applied to that receivable. It should be noted on the daily cash report and then it can be removed from collections by GSG Finance.

Restorations in the Right of Way

Occasionally, the FGUA may impact an area as a result of system maintenance or repairs. Although attempts may be made to restore sod and/or irrigation systems and driveways, the property owner takes all risk for plantings, trees, irrigation systems, etc. within the right-of-way. The FGUA does not assume liability for any damage caused to these areas and cannot provide compensation for items that may have been in the way of necessary repairs nor will any restoration efforts include any items that might cause direct interference with FGUA pipes or systems. If the FGUA is able to make reasonable attempts to restore property in the right of way, consideration will be given to make such replacements with like materials (such as concrete with concrete, pavers with pavers, similar sodding for the area etc.)

The FGUA will not be responsible for the repair of any private streets, private sidewalks, or private landscaped areas as a result of its utility maintenance obligations unless the FGUA determines it is in the Utilities best interest to impact such private facilities with the consent of the propertyowner.

Miscellaneous Services

Temporary Disconnection

A temporary disconnection will be honored if the customer so requests, but said customer will be billed and must pay monthly Base Utility Fees. In addition, an account reactivation fee may be assessed when full service is restored.

Sec. 70-4. - Water, sewer, and stormwater management rates.

- (a) Multifamily dwelling units which have only one meter servicing more than one dwelling unit shall be charged for water and wastewater regardless of occupancy and shall be based on the number of equivalent residential connections (ERC's) which have been adopted by the city for each water meter.
- (b) Charges for water services and facilities, charges for sewer services and facilities and charges for stormwater management utility fees not collected pursuant to the Uniform Assessment Collection Act shall be rendered to the utility customers on one bill, provided that the charges shall be listed separately thereon, and provided further, that no customer may pay the charges for any thereof without simultaneously paying the charges for the others thereof.
- (c) Water, sewer and stormwater management accounts shall be established in the name of the property owner.
 - (1) If a property ownership changes, it is the new property owner's responsibility to establish an account in their name.
 - (2) Utility accounts not placed into the property owner's name will be in violation of the city code and the city shall have the right to enforce compliance with this subsection through legally available avenues, and additional fines and fees may be imposed upon the property owner for violating this subsection.
 - a. The city shall provide a property owner with no less than 30 days written notice prior to imposition of the penalty and commencement of enforcement action authorized herein.
 - b. If a property owner produces an enforceable lease effective prior to November 13, 2007, for a tenant in whose name an account was legally established prior to November 13, 2007, the account may remain in the name of the tenant until expiration of the term of the lease provided to the city.
 - (3) City shall send all correspondence relating to an account, including invoices and notices, to the property address provided by the property owner or account holder to the city. Property owners and account holders are responsible for notifying the city of their current mailing address.
 - (4) Failure of the property owner to establish an account in their name or failure to provide the city of a current mailing address shall not release or diminish the obligation of the property owner to pay charges accrued on the property.

(Code 1976, § 17-2(a), (c); Ord. No. 94-3-865, § 2, 3-29-94; Ord. No. 95-7-892, § 2, 7-25-95; Ord. No. 07-11-1198, § 2, 11-13-07; Ord. No. 18-06-1376, § 2, 6-26-18; Ord. No. 19-05-1389, § 2, 5-28-19)

Sec. 70-6. - Billing procedure; delinquent accounts.

- (a) Bills for the city utility services shall be rendered once per month, based on the rate structure then in effect, and shall be due on or before the 21st calendar day subsequent to the bill date and is "past due" on the 22nd calendar day subsequent to the bill date.
- (b) If payment has not been received by the city before the close of business on the due date, a "past due" notice and a late payment fee, shall appear on the customer's subsequent bill.
- (c) If the "past due" payment amount is not received before the close of business on the 21st calendar day following the bill containing the "past due" notice, utility service will be disconnected without further

notice.

- (d) All utility payments received shall first be applied to the oldest balance on the account.
- (e) The finance director, or his/her designee, shall have the discretion to waive a first instance of a late payment fee based on the partial payment of an amount due at the time when a late fee would otherwise be applied.
- (f) All moneys owed to the city for services may be recorded as liens on the subject property when the delinquent amounts reaches \$500.00 for single residential, \$500.00 for each multi-family residential, or \$1,000.00 for nonresidential. The liens shall be recorded in the public records of Broward County and may be foreclosed in the same manner provided in F.S. ch. 702, as may be amended from time to time, for the foreclosure of mortgages on property. Such liens shall bear interest at the rate permitted by law from the date the lien is filed. Fees charged to record the lien shall follow section 2-223 and Appendix F, section 54 of this Code.
- (g) The city manager shall be authorized to increase or decrease temporary personnel on an as-needed basis, subject to budgetary availability, to address any increase or decrease in the demands on utility services.
- (h) In the event the city collects the stormwater management utility fee using the Uniform Assessment Collection Act, then the billing procedures in this section will not apply to the collection of stormwater utility fees unless the city is not able to use that method for a certain property, such as for government property.

(Code 1976, § 17-4; Ord. No. 92-9-829, § 4, 9-8-92; Ord. No. 94-3-865, § 4, 3-29-94; Ord. No. 07-11-1198, § 3, 11-13-07; Ord. No. 09-03-1218, § 2, 3-31-09; Ord. No. 18-06-1376, § 3, 6-26-18; Ord. No. 19-05-1389, § 2, 5-28-19)

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JASS PROPERTIES LLC v. CITY OF NORTH LAUDERDALE

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JASS PROPERTIES, LLC, a Florida limited liability company, Appellant, v. CITY OF NORTH LAUDERDALE, Appellee.

No. 4D11-4830.

Decided: November 21, 2012

James C. Brady, of Arnstein & Lehr LLP, Fort Lauderdale, for appellant. Michael D. Cirullo, Jr. and Samuel S. Goren, of Goren, Cherof, Doody & Ezrol, P.A., Fort Lauderdale, for appellee.

The issue in this case is whether section 180.135, Florida Statutes (2010), precludes a city from requiring landlords, but not their tenants, to contract with the city for water and sewer services. We hold that the statute does not restrict a city from doing so and affirm the final summary judgment of the circuit court.

Jass Properties, LLC, is a residential landlord in the City of North Lauderdale. The City is the exclusive provider of water and sewer services within the City. The City requires Jass, but not its tenants, to open an account for water and sewer services, even though the services directly benefit the tenants. The City will not open an account in a tenant's name. Thus, if Jass does not contract for these services, the City will not deliver the services to its tenants, which would render its residential buildings uninhabitable. The City acts under the authority of Section 70-4(c) of the City of North Lauderdale's Code of Ordinances, which provides:

Water, sewer and stormwater management accounts shall be established in the name of the property owner.

Jass contends that the ordinance conflicts with section 180.135, Florida Statutes (2010), which provides in pertinent part:

(1)(a) Any other provision of law to the contrary notwithstanding, no municipality may refuse services or discontinue utility, water, or sewer services to the owner of any rental unit or to a tenant or prospective tenant of such rental unit for nonpayment of service charges incurred by a former occupant of the rental unit; any such unpaid service charges incurred by a former

occupant will not be the basis for any lien against the rental property or legal action against the present tenant or owner to recover such charges except to the extent that the present tenant or owner has benefited directly from the service provided to the former occupant.

(b) This section applies only if the former occupant of the rental unit contracted for such services with the municipality or if the municipality provided services with knowledge of the former occupant's name and the period the occupant was provided the services.

(2) The provisions of this section may not be waived through any contractual arrangement between a municipality and a landlord whereby the landlord agrees to be responsible for a tenant's or future tenant's payment of service charges.

It is well settled that a municipality may not enact a local ordinance that conflicts with a state statute. See, e.g., *City of Kissimmee v. Fla. Retail Fed'n, Inc.*, 915 So.2d 205, 209 (Fla. 5th DCA 2005). To determine whether a conflict exists, a court must examine whether the two legislative enactments can coexist or "whether one must violate one provision in order to comply with the other." *Sarasota Alliance for Fair Elections, Inc. v. Browning*, 28 So.3d 880, 888 (Fla.2010) (quoting *Laborers' Int'l Union of N. Am., Local 478 v. Burroughs*, 541 So.2d 1160, 1161 (Fla.1989)); see also *City of Kissimmee*, 915 So.2d at 209. "Courts are therefore concerned with whether compliance with a [municipal] ordinance [r]equires a violation of a state statute or renders compliance with a state statute impossible." *Jordan Chapel Freewill Baptist Church v. Dade Cnty.*, 334 So.2d 661, 664 (Fla. 3d DCA 1976). If so, then the type of direct conflict exists that invalidates the ordinance.

This case does not involve such a direct conflict. Section 180.135 does not expressly prohibit the City from declining to contract with tenants for water utility services and restricting service agreements to property owners. Nothing in the statute mandates that tenants have the ability to contract directly with a municipality for services. We agree with the observation of the circuit court that "[b]y requiring landlords to actively manage their private business interests, [the] City avoids the burden of dealing with perhaps hundreds or thousands of individual tenants who might be behind on their bills." We see nothing in the statute that prevents the City from enacting an ordinance designed to constrain costs that might otherwise be borne by the taxpayers.

Affirmed.

PER CURIAM.

GROSS, CONNER, JJ., and COX, JACK S., Associate Judge., concur.

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Research

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Albert Lea, MN 56007
507-377-4300

Hours:

Mon-Fri 8 a.m. – 5 p.m.

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Utility Billing FAQ's for Landlords

Why are City utilities the responsibility of the property owner, when it is the tenant or occupant using the water?

State law recognizes that the primary parties to the water supply transaction are the City, as supplier, and the property benefited by water service availability.

Minn. Stat. 444.075, s.3(e), authorizes the City to charge the owner and to certify unpaid charges against the property served as a tax. Minn. Stat.

325E.025, s.2, distinguishes other types of utility services (such as electrical, gas, propane, and telephone) from water utilities, recognizing that water utilities provide a unique benefit to the property and are essential to human habitation. In fact, the law prohibits owners from renting out any premises without a connection to the water system. Gas, electric, propane, and phone utilities provide a benefit primarily to the end user – accordingly, the landlord is not responsible for their payment and unpaid charges cannot be assessed against the property.

Does the City have the authority to make me responsible for utilities used by the tenant?

Ultimately, if City utility bills remain unpaid, state law allows the City to assess the charges, penalties and interest against the real property served by the utility. This is consistent with the concept that it is the property that receives the benefit of the utility service, not simply the user. *Minn. Stat. 444.075, s. 3(e)* states: The governing body may make charges a charge against the owner, lessee, occupant or all of them and may provide and covenant for certifying unpaid charges to the county auditor with taxes against property served...

Minn. Stat. 116A.22 provides: Charges established for connections to and the use and availability of service from any water or sewer or combined system, if not paid when due, shall, together with any penalties established for nonpayment, become a lien upon the property connected or for which service was made available. Written notice shall be mailed to the owner of any property as to which such charges then due and unpaid, stating the amount of the charges and any penalty thereon and that unless paid the same will be certified...and assessed as a tax...upon the property for collection with and as part of other taxes...

City code Sec 66-11(a) provides: Payment for service and charges provided for municipal utilities shall be the primary responsibility of the owner of the premises served and shall be billed to the owner unless otherwise authorized in writing by the tenant and owner and consented to by the city...

What difficulties has the City encountered in billing the property's tenant?

Almost all of the problems experienced by City utility billing staff with tenant billed accounts revolve around the fact that the City is not a party to the lease and has no knowledge about its specific terms. Some problems include:

- The City does not have the ability to identify and track the tenant. The landlord controls the rental relationship, not the City, and can manage the risk inherent in the rental of the property by being selective when choosing a tenant and establishing the lease terms and manner in which rent is collected. Often, the City is not told of a change in tenancy until the new tenant receives the utility bill later.
- The landlord controls the lease to which the city is not a party. The landlord can fashion the lease to fit the creditworthiness of the tenant. Landlords have the authority to require a security deposit for the last month's utility charges and to make non-payment of utilities breach of the lease and grounds for eviction. Lease agreements differ in their apportionment of the responsibility for municipal utility payment, particularly at the point where a tenant moves out.
- Tenant billing involves city staff in disputes over usage. Tenant occupancies do not coincide with City utility billing periods, hence a great deal of staff time is currently devoted to apportioned billing between outgoing and new tenants. This is an additional service, outside the normal billing cycle for which the City does not charge a fee.
- Tenant billing complicates the City's ability to assess. Tenant billing is inconsistent with the City's ultimate collection tool – assessment against the property. It creates an unnecessary legal issue as to proper notice of the delinquency and opportunity to pay prior to the start of the assessment process.

Why are City utility charges like street assessments?

In providing both services, the City must protect the public health, safety and welfare. It does more than provide water to make building habitable, it also must protect the water supply. Like streets, the water system is part of the City's infrastructure that has to be maintained and kept safe. The water bill reflects these other duties too.

Will the City continue to shut off the water for non-payment?

Yes. If you receive a disconnect notice, please call the utility bill office at 507-377-4300.

Where can I have my bill sent?

Any address where you can regularly be reached – such as your home or business address.

Can I still have the bill sent to my property manager?

Yes. An agreement signed by the owner and the property manager must be completed authorizing the utility billing office to send the bill to someone other than the property owner. The owner's name must also appear in the billing address for the property manager. This form can be downloaded [here](#).

What if I am selling my property on contract for deed?

There is an agreement that is signed by both parties to the contract to authorize the utility bill be sent to the purchaser under the contract for deed. This form can be downloaded [here](#).

What, if anything, happens before the City disconnects?

You and the occupant will be sent a written notice 7 days prior to shut off that will state the reason for disconnection, the date of shut off, the amount past due, as well as the amount currently owing on the account, including late fees, service charges and penalties. You and your tenant will have an opportunity to contact City staff prior to the date for shut off.

You, as owner, are responsible for the bill. If tenants pay the delinquent bill to avoid disconnection, that payment may qualify as rent under Minn. Stat. 504B.215.



Home... > Administrative Services > Utility Billing > Account Opening

Other Pages In This Section ▾

Utility Billing

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| Services and Rates |
| Utility Billing Forms |
| Online Bill Pay Options |
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| Account Closing |
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| For Real Estate Agents |
| Landlord Service Agreement |
| Payment Information |
| Payment System Maintenance |

Contact Us

Hours of Service

Related Information

Documents

Account Opening

When you open a utility account, you will receive water service through one of the two water service providers - the City of Stockton or the California Water Company (Cal Water). The City provides sewer and stormwater services to all Stockton residents. Customers will also see a solid waste (garbage and recycling) service charge on the utility bill. These services are provided by Republic or Waste Management through a franchise agreement with the City.

City of Stockton Water Service Area

In the City's water service area, the City bills residential customers for water, sewer, stormwater, garbage and recycling on one bill. Commercial and industrial customers receive a bill from the City for sewer and stormwater, and a solid waste bill directly from Republic or Waste Management for a garbage and recycling services.

- Utility accounts for addresses in the City of Stockton water service area are established only for property owners or their legal tenants. (See "Changes to Utility Billing - Owner-only Billing")
- An application for service is required for each address.
- Please be prepared to provide proof of ownership or a copy of rental/lease agreement (if applicable) plus:
 - Valid government issued ID

- o Telephone numbers
- o Employment information
- o For residential services, a previous address for each adult resident of the property is required
- Any outstanding charges owed to the City of Stockton by any adult resident of the premises plus any required fees, charges, and deposits, must be paid before an application can be approved.
- Fill out a [Request to Start Application](#). Applications are also accepted by phone at [Utility Billing phone](#) or in person at our office during regular business hours. Required documents can be e-mailed to [Utility Billing Customer Service](#).
- Services will be provided on the next business day following approval of completed application.
- Property Owners/Managers may create a standing request to automatically activate utility services in the owner's name when a tenant discontinues services, visit our [Landlord Service Agreement page](#) and submit a [Landlord Service Agreement Form](#).

Owner Certification of Tenant Move Out (City Water Service Area Only)

The certification of Tenant Move Out form is completed at the request of a Utility Billing Customer Service Representative or Collector. Please call Utility Billing Customer Service listed on our [Contact Us page](#) as additional information may be required prior to starting services.

- [Tenant Move Out Form](#)

Changes to Utility Billing - Owner-only Billing

Starting August 15, 2020, utility bills for the City's water service area will begin conversion to property-owner billed accounts:

- All new accounts will be opened in the name of the property owner of record (owner-only billed).
- Existing accounts billed to tenants can be converted upon request of the property owner or authorized property manager/agent.
- When tenant accounts are closed, all existing tenant-billed accounts will be converted to owner-only accounts.
- Beginning January 1, 2021, all existing tenant-billed accounts will be converted to owner-only accounts.

New accounts - Owner-only Billing

- The property owner of record must be the account holder.
- A \$125 deposit will be collected for each service account.
- The property owner can request that bills are mailed care-of tenant or sent to any other address, however, the property owner is still ultimately responsible for payment.

Existing Tenant Accounts

- As the account holder, the tenant is responsible for all charges billed in the tenant's name.
- The property owner is not responsible for delinquent service charges and penalties billed in the tenant's name.
- Change to owner-only billing may be initiated upon owner request or when the City converts to an owner account.

Closed Tenant Accounts

- Tenant is responsible for all charges billed to the tenant as the account holder.
- The property owner is not responsible for charges billed to the tenant account holder.

Utility Bill Mailing Address

When tenant accounts are closed, a new account will be opened in the name of the property owner of record.

- The bill will be mailed to the address on the San Joaquin County tax roll until/unless the property owner or authorized manager/agent requests a change in the mailing address.
- The property owner is responsible for all owner-only account charges, regardless of the mailing address.

For questions, please [contact Utility Billing Customer Service](#).

California Water Company (Cal Water) Service Area

If your address is served by the California Water Company (Cal Water):

- Cal Water will send a bill for water service.
- The City of Stockton will send a bill for sewer and stormwater; residential bills will include a charge for garbage and recycling services.

Changes to Utility Billing - Owner-only Billing

Starting March 7, 2019, City utility bills that do not include water service (non-water accounts) will begin the conversion to property owner-only billed accounts.

- All new accounts will be owner-only billed.
- Existing accounts billed to tenants can be converted upon request of the property owner or authorized property manager/agent.
- When tenant accounts are closed, new accounts will be opened as owner-only accounts.
- All existing tenant-billed accounts will be converted to owner-only accounts by December 31, 2020.

New Accounts - Owner-only Billing

- The property owner of record must be the account holder.
- A \$125 deposit will be collected for each service account.
- The property owner can request that bills are mailed care-of tenant or sent to any other address.
- The property owner is responsible for payment.

Existing Tenant Accounts

- As the account holder, the tenant is responsible for all charges billed in the tenant's name.
- The property owner is not responsible for delinquent service charges and penalties billed in the tenant's name.
- Change to owner-only initiated upon owner request or when City converts to an owner account.

Closed Tenant Accounts

- Tenant is responsible for all charges billed to the tenant as the account holder.
- The property owner is not responsible for charges billed to the tenant account holder.

Utility Bill Mailing Address

When tenant accounts are closed, a new account will be opened in the name of the property owner of record.

- The bill will be mailed to the address on the San Joaquin County tax roll until/unless the property owner or authorized manager/agent requests a change in the mailing address.
- The property owner is responsible for all owner-only account charges, regardless of the mailing address.

For questions, please contact [Utility Billing Customer Service](#).

External Links

[California Water Company](#)

This City of Stockton web page last reviewed on --- 6/24/2020

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General Contact Information: 425 N. El Dorado St * Stockton, CA * 95202

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Select Year: 2019

The 2019 Florida Statutes

[Title XII](#)
MUNICIPALITIES

[Chapter 180](#)
MUNICIPAL PUBLIC WORKS

[View Entire Chapter](#)

180.135 Utility services; refusal or discontinuance of services for nonpayment of service charges by former occupant of rental unit prohibited; unpaid service charges of former occupant not to be basis for lien against rental property, exception.—

(1)(a) Any other provision of law to the contrary notwithstanding, no municipality may refuse services or discontinue utility, water, or sewer services to the owner of any rental unit or to a tenant or prospective tenant of such rental unit for nonpayment of service charges incurred by a former occupant of the rental unit; any such unpaid service charges incurred by a former occupant will not be the basis for any lien against the rental property or legal action against the present tenant or owner to recover such charges except to the extent that the present tenant or owner has benefited directly from the service provided to the former occupant.

(b) This section applies only if the former occupant of the rental unit contracted for such services with the municipality or if the municipality provided services with knowledge of the former occupant's name and the period the occupant was provided the services.

(2) The provisions of this section may not be waived through any contractual arrangement between a municipality and a landlord whereby the landlord agrees to be responsible for a tenant's or future tenant's payment of service charges.

(3) Any other provision of law to the contrary notwithstanding, any municipality may adopt an ordinance authorizing the municipality to withdraw and expend any security deposit collected by the municipality from any occupant or tenant for the provision of utility, water, or sewer services for the nonpayment of service charges by the occupant or tenant.

(4) In any case where a tenant subject to part II of chapter 83 does not make payment for service charges to a municipality for the provision of utility, water, or sewer services, the landlord may thereupon commence eviction proceedings. Nothing in this section shall be construed to prohibit a municipality from discontinuing service to a tenant who is in arrears 30 days or more, or as required by bond covenant.

History.—s. 1, ch. 84-292; s. 1, ch. 88-332; s. 1, ch. 89-272.

- [Small Works Roster Application](#)
- [Contact](#)

New Accounts and Service Changes

New Account: for homeowners

If you have recently purchased a home in the North City Water District service area, please contact our office at 206.362.8100. In order to set up a new account, we will simply need the owner's name and billing information as well as the date the house was purchased. All new accounts incur a one-time setup fee of \$10.00. Homeowners, it is important that you keep current contact information on your account.



New Account: for renters and tenants

You are responsible to check with your landlord and/or property owner to find out who s/he deems responsible for paying the water bill (you or the property owner), and where the current statement is being sent. If the statement is being mailed to the prior tenant, the property owner will need to file a "Request to Bill Non Owner" form (which can be downloaded from the [Forms page](#) of our website) in order to ensure uninterrupted billing and water service.

A \$10 set up fee will be applied to your first bill. You will want to verify with the owner that all previous charges on the account have been paid.

Service Change: for landlords with new renters or tenants

If a property owner would like to have the water bill sent directly to a tenant or other person, the property owner must complete a form called "Request to Bill Non-Owner," which can be downloaded [HERE](#). This process may incur a setup fee of \$25 if it is the first time the name on the account is being changed at the owner's request. Shut off notices will still be sent to the property owner.

Regardless of where the statement is sent, any and all unpaid water service charges levied against a property are ultimately the responsibility of the property owner by law.



Service Change: Moving or Selling

If you are moving or selling, please contact our office a minimum of one week prior to your move or sale closing date. This will allow us time to schedule a final meter reading and prepare your final bill. A meter reading fee of \$25 will apply. When you call, have the following information ready to give to our staff:

- Your account number
- The closing date
- The name of your escrow company
- Your forwarding address

Latest News

- [FREE Online Savvy Gardener Class – Water-Smart Gardening](#)
- [New Financial Assistance Programs for Customers Impacted by COVID-19](#)
- [North City Jazz Walk – Online and Free for 2020!](#)

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- [Water Quality Reports](#)
- [Water Saving Tips](#)
- [Water-Related Advice](#)

RCW 35.21.217**Utility services—Deposit—Tenants' delinquencies—Notice—Lien.**

(1) Prior to furnishing utility services, a city or town may require a deposit to guarantee payment for services. However, failure to require a deposit does not affect the validity of any lien authorized by RCW 35.21.290 or 35.67.200. A city or town may determine how to apply partial payments on past due accounts.

(2) A city or town may provide a real property owner or the owner's designee with duplicates of tenant utility service bills, or may notify an owner or the owner's designee that a tenant's utility account is delinquent. However, if an owner or the owner's designee notifies the city or town in writing that a property served by the city or town is a residential rental property, asks to be notified of a tenant's delinquency, and has provided, in writing, a complete and accurate mailing address, the city or town shall notify the owner or the owner's designee of a residential tenant's delinquency at the same time and in the same manner the city or town notifies the tenant of the tenant's delinquency or by mail, and the city or town is prohibited from collecting from the owner or the owner's designee any charges for electric light or power services more than four months past due. When a city or town provides a real property owner or the owner's designee with duplicates of residential tenant utility service bills or notice that a tenant's utility account is delinquent, the city or town shall notify the tenant that it is providing the duplicate bills or delinquency notice to the owner or the owner's designee.

(3) After August 1, 2010, if a city or town fails to notify the owner of a tenant's delinquency after receiving a written request to do so and after receiving the other information required by subsection (2) of this section, the city or town shall have no lien against the premises for the residential tenant's delinquent and unpaid charges and is prohibited from collecting the tenant's delinquent and unpaid charges for electric light or power services from the owner or the owner's designee.

(4) When a utility account is in a tenant's name, the owner or the owner's designee shall notify the city or town in writing within fourteen days of the termination of the rental agreement and vacation of the premises. If the owner or the owner's designee fails to provide this notice, a city or town providing electric light or power services is not limited to collecting only up to four months of a tenant's delinquent charges from the owner or the owner's designee, provided that the city or town has complied with the notification requirements of subsection (2) of this section.

(5)(a) If an occupied multiple residential rental unit receives utility service through a single utility account, if the utility account's billing address is not the same as the service address of a residential rental property, or if the city or town has been notified that a tenant resides at the service address, the city or town shall make a good faith and reasonable effort to provide written notice to the service address of pending disconnection of electric power and light or water service for nonpayment at least seven calendar days prior to disconnection. The purpose of this notice is to provide any affected tenant an opportunity to resolve the delinquency with his or her landlord or to arrange for continued service. If requested, a city or town shall provide electric power and light or water services to an affected tenant on the same terms and conditions as other residential utility customers, without requiring that he or she pay delinquent amounts for services billed directly to the property owner or a previous tenant except as otherwise allowed by law and only where the city or town offers the opportunity for the affected tenant to set up a reasonable payment plan for the delinquent amounts legally due. If a landlord fails to pay for electric power and light or water services, any tenant who requests that the services be placed in his or her name may deduct from the rent due all reasonable charges paid by the tenant to the city or town for such services. A landlord may not take or threaten to take reprisals or retaliatory action as defined in RCW 59.18.240 against a tenant who deducts from his or her rent payments made to a city or town as provided in this subsection.

(b) Nothing in this subsection (5) affects the validity of any lien authorized by RCW 35.21.290 or 35.67.200. Furthermore, a city or town that provides electric power and light or water services to a residential tenant in these circumstances shall retain the right to collect from the property owner,

previous tenant, or both, any delinquent amounts due for service previously provided to the service address if the city or town has complied with the notification requirements of subsection (2) of this section when applicable.

[2011 c 151 § 5; 2010 c 135 § 1; 1998 c 285 § 1.]

RCW 57.08.081

Rates and charges—Delinquencies.

(1) Subject to *RCW 57.08.005(6), the commissioners of any district shall provide for revenues by fixing rates and charges for furnishing sewer and drainage service and facilities to those to whom service is available or for providing water, such rates and charges to be fixed as deemed necessary by the commissioners, so that uniform charges will be made for the same class of customer or service and facility. Rates and charges may be combined for the furnishing of more than one type of sewer or drainage service and facilities.

(2) In classifying customers of such water, sewer, or drainage system, the board of commissioners may in its discretion consider any or all of the following factors: The difference in cost to various customers; the location of the various customers within and without the district; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the service and facility furnished; the time of its use; the achievement of water conservation goals and the discouragement of wasteful practices; capital contributions made to the system including but not limited to assessments; and any other matters which present a reasonable difference as a ground for distinction. Rates shall be established as deemed proper by the commissioners and as fixed by resolution and shall produce revenues sufficient to take care of the costs of maintenance and operation, revenue bond and warrant interest and principal amortization requirements, and all other charges necessary for efficient and proper operation of the system. Prior to furnishing services, a district may require a deposit to guarantee payment for services. However, failure to require a deposit does not affect the validity of any lien authorized by this section.

(3) The commissioners shall enforce collection of connection charges, and rates and charges for water supplied against property owners connecting with the system or receiving such water, and for sewer and drainage services charged against property to which and its owners to whom the service is available, such charges being deemed charges against the property served, by addition of penalties of not more than ten percent thereof in case of failure to pay the charges at times fixed by resolution. The commissioners may provide by resolution that where either connection charges or rates and charges for services supplied are delinquent for any specified period of time, the district shall certify the delinquencies to the auditor of the county in which the real property is located, and the charges and any penalties added thereto and interest thereon at the rate of not more than the prime lending rate of the district's bank plus four percentage points per year shall be a lien against the property upon which the service was received, subject only to the lien for general taxes.

(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.

(6) A district may determine how to apply partial payments on past due accounts.

(7) A district may provide a real property owner or the owner's designee with duplicate bills for service to tenants, or may notify an owner or the owner's designee that a tenant's service account is delinquent. However, if an owner or the owner's designee notifies the district in writing that a property served by the district is a rental property, asks to be notified of a tenant's delinquency, and has provided, in writing, a complete and accurate mailing address, the district shall notify the owner or the owner's

designee of a tenant's delinquency at the same time and in the same manner the district notifies the tenant of the tenant's delinquency or by mail. When a district provides a real property owner or the owner's designee with duplicates of tenant utility service bills or notice that a tenant's utility account is delinquent, the district shall notify the tenant that it is providing the duplicate bills or delinquency notice to the owner or the owner's designee. After January 1, 1999, if a district fails to notify the owner of a tenant's delinquency after receiving a written request to do so and after receiving the other information required by this subsection (7), the district shall have no lien against the premises for the tenant's delinquent and unpaid charges.

[2003 c 394 § 6; 1999 c 153 § 11. Prior: 1998 c 285 § 2; 1998 c 106 § 9; 1997 c 447 § 19; 1996 c 230 § 314.]

NOTES:

***Reviser's note:** RCW 57.08.005 was amended by 2009 c 253 § 1, changing subsection (6) to subsection (7).

Part headings not law—1999 c 153: See note following RCW 57.04.050.

Finding—Purpose—1997 c 447: See note following RCW 70.05.074.

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.

Assessments and charges against state lands: Chapter 79.44 RCW.

English ▼

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Help prevent the spread of COVID-19 in King County

Help prevent the spread of COVID-19 in King County. **Find out more at King County Public Health (<https://www.kingcounty.gov/depts/health/communicable-diseases/disease-control/novel-coronavirus.aspx>).**

Renting In Seattle (rentinginseattle)

Utilities

Seattle Public Utilities

Seattle Public Utilities ([//seattle.gov/util](http://seattle.gov/util)) (SPU) is the City department responsible for water, sewer, and garbage accounts. Since 2011, new tenants cannot open accounts in their own names. The landlord is responsible for the overall account. You may be responsible for paying the cost of the utility

charges if the rental agreement states that in the terms and conditions. You should be provided with a copy of the actual bill if the landlord charges you directly. Failure to pay your bill on time can result in a shut-off notice and/or a "14 Day Notice to Pay or Vacate" by your landlord.

- **Tip:** Failure to report leaks, running toilets, and other service issues to the landlord promptly can make you responsible for some or all of the cost.
- **Tip:** Never flush anything besides toilet paper. A plumbing clog is expensive to repair and your landlord can charge you the entire cost. Don't believe the marketing claims on products for 'flushable' wipes, etc.
- **Tip:** Failure to pay your utility bill on time can result in eviction.
- **Tip:** SPU has programs to help with **utility discounts or payments** ([//www.seattle.gov/util/MyServices/MyAccount/GetHelpwithUtilityBill/index.htm](http://www.seattle.gov/util/MyServices/MyAccount/GetHelpwithUtilityBill/index.htm)).

Seattle City Light

Seattle City Light ([//www.seattle.gov/light](http://www.seattle.gov/light)) (SCL) is the City department responsible for electricity accounts. You can open an account in your own name. You are responsible for letting SCL know when you move out. Failure to pay your bill on time can result in a shut-off by SCL and/or a "14 Day Notice to Pay or Vacate" by your landlord.

- **Tip:** SCL has programs to help with **utility discounts and payments** ([//www.seattle.gov/light/assistance/](http://www.seattle.gov/light/assistance/)).

Third Party Billing Ordinance

The City's Third Party Billing Ordinance protects renters who pay a landlord or a billing company for water, sewer, garbage, or electrical services in residential buildings with 3 or more units. Complaints of violations are made to the **Office of the Hearing Examiner** ([//www.seattle.gov/examiner/](http://www.seattle.gov/examiner/)).

What should a tenant's utility bill include?

- The name, business address, and telephone number of the landlord or third party billing agent, whichever one sent the bill to the tenant.
- The basis for each separate charge, including service charges and late fees, if any, as a line item, and the total amount of the bill.

Rates and Bill Information

[CLICK HERE for CURRENT rates effective 10/01/2020](#)

[Click here for rates effective from 10/1/2019-9/30/2020](#)

[Click here for Rates from 10/1/2018-09/30/2019](#)

[Click here for rates from 10/1/2017-9/30/2018](#)

[Click here for rates from 10/1/2016-9/30/2017](#)

[Click here for rates from 10/1/2015-9/30/2016](#)

[Click here for rates from 10/01/2014-09/30/2015](#)

[Click here for rates from 10/01/2013-09/30/2014](#)

[Click here for rates from 10/01/2012-09/30/2013](#)

Discontinued Service and Vacant Properties:

Even though water service is canceled, discontinued, and/or property is vacant, property owners will continue to be billed a Unit Charge, Capital Recovery Fee, Stormwater Fee and Dormant Trash and Garbage charge.

Understanding Your Bill:

Water is the potable water used in your home or business, billed by the 1,000 gallons. Meters are read monthly.

Reclaimed Water is a charge for reclaimed water used in irrigation systems, billed by the 1,000 gallons. Meters are read monthly.

Reclaimed Water Surcharge Fee is imposed on all RW used over your allowed base surcharge rate. This fee is imposed during our dry season (Feb 1-June 30) to encourage customers to conserve water.

Capital Recovery Fee is for the costs associated with providing reclaimed water from the reclaimed facility.

Irrigation charge is for water used for sprinkling, billed by the 1,000 gallons. Meters are read monthly.

Sewer is the charge for processing of sewage and is based on water usage.

Trash and Garbage (solid waste) is a charge for removal of solid waste.

The City of Safety Harbor Florida

Utility Billing

Manage Your Utility Bill Online

City utility customers now have the ability to access utility accounts and pay bills online.

[Login/Register](#)

[Go Paperless](#)

[Automatic Bank Draft Form](#)

ALERT

The City will return to normal operating procedures, effective September 1, 2020. The result will be that terminations of service for non-payment will resume.

If you have an unpaid past due balance, the City is offering payment plans to avoid termination of service. Contact (727) 724-1555 for assistance.

****Financial assistance may be available through Pinellas County. See below for details.****

To assist with paying utility bills and other qualified expenses, Pinellas County has broadened eligibility for individuals and families who need assistance through the Pinellas CARES Financial Assistance program. For additional information, call Tampa Bay Cares by dialing 211, visit the Pinellas CARES webpage at <https://covid19.pinellascounty.org/pinellascareindividual/> or text COVIDCARES to 898211.

New Resident Water Connection

Deposits

A deposit fee is required of all customers. Interest is earned on the deposit and is credited to the utility account annually. Deposits are held until an account is closed and is then applied to the final bill. The balance, if any, is refunded to the customer.

- City Residents \$100 for owners \$160 for renters
- Outside City Limits \$125 for owners \$200 for renters

- Cash, check, or money order only

Good Credit

Owners with 24 months of good credit may request a refund of their deposit (good credit is defined as no more than 2 late notices in the preceding 24 months, no returned checks, and no disconnections).

Utility Bill

The utility bill for water, sewer, sanitation, stormwater and recycling is charged as follows (rates outside city limits are 25% higher):

Consumption Rates for Water (Based on Thousands of Gallons)

| Gallons | 2019 Charge | 2020 Charge |
|-------------------|-------------|-------------|
| 0-5.0 Gallons | \$3.27 | \$3.65 |
| 5.0-10.0 Gallons | \$8.18 | \$9.12 |
| 10.0-20.0 Gallons | \$18.41 | \$20.53 |
| Over 20 Gallons | \$26.59 | \$29.65 |

| Service | 2019 Charge | 2020 Charge |
|-----------------------------------|---|---|
| Water Service, Monthly | Base Charge: \$20.46 | Base Charge: \$22.81 |
| Sewer Service, Monthly | Base Charge: \$21.77 | Base Charge: \$24.27 |
| Sanitation Service, Monthly | Flat Charge: \$26.60 | Flat Charge: \$28.20 |
| Stormwater Service, Monthly | Flat Charge: \$10.61 (Per Residential Unit) | Flat Charge: \$10.93 (Per Residential Unit) |
| Street Light Assessment (Monthly) | \$3.25 (Per Residential Unit) | \$3.25 (Per Residential Unit) |
| Total Base Monthly Bill | \$82.69 | \$89.46 |

Consumption Rates for Sewer (Based on Thousand Gallons of Water Used)

| Gallons | 2019 Charge | 2020 Charge |
|--------------|-------------|-------------|
| 0-15 Gallons | \$6.72 | \$7.49 |

Service Charges

| Service | Charge Amount |
|---------------|---------------|
| 1st Reading | \$7.50 |
| Check Reading | No Charge |

| Service | Charge Amount |
|-----------------------|--|
| Delinquent Turn Off | No Charge |
| Delinquent Turn On | \$15 - \$25 |
| Returned Check Charge | \$25 if the face value does not exceed \$50 \$30 if the face value is more than \$50 but does not exceed \$300 \$40 if the face value is more than \$300 |
| Meter Bench Check | \$50 |
| After Hours Services | 50% Higher |

Miscellaneous Service Charges

Every developed property within city limits, to which sewer and sanitation services are available, is subject to a service charge (although the water service may be off or the property is unoccupied). There will also be a service charge to restore service at a later date.

Outside City Limits

City sanitation services are **not** available outside City Limits. Private agencies are responsible for providing the service.

Payment Requirements

- All accounts are billed monthly and will become delinquent 20 days after billing.
- Customers not paying their bill by the delinquent date will be mailed a delinquent notice that will extend the due date by 7 days.
- Failure to pay the bill by the extended due date will result in a discontinuance of water service and service fees will apply.
- The delinquent bills must be paid before the restoration of service. Even if a delinquent bill is paid to a City Representative when they call to shut off the water, a service fee will be charged.

Payment Options

As a convenience for our customers, we provide a variety of payment options to pay the utility bill.

1. **Online Utility Billing Payment** - For more information, see Pay your Utility Bill Online at the top of this page.
2. **Direct Debit** - To utilize this payment method, [visit our online utility billing payment system](#). The City will automatically withdraw your utility bill from your specified bank account each month two days prior to the due date listed on your statement.
3. **Mail** - We accept check or money orders through the mail:
City of Safety Harbor
750 Main Street
Safety Harbor, FL 34695
4. **Drop Box** - There is an after-hours utility payment drop box located at the front entrance of City Hall along the right wall. You may use this slot anytime day or night. Payments placed in the box will be processed the next working day.
5. **City Hall** - Payments can be made in person at City Hall. We accept cash, checks and money orders in the office.

Advance Payment

These are also acceptable and need only be forwarded to our office with your account number.

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