

Purpose:

The City recovers the cost of providing sewer conveyance and treatment services via a sewer service charge. The purpose of this policy is to establish a fair and equitable means of addressing over collection or under collection of sewer service charges due to billing errors or oversights. This includes both collection of sewer service charges from customers that have not been billed and refunding sewer service charges collected in excess.

Background:

On occasion, the City identifies circumstances in which users of the City's sewer system have not been properly billed, or have been billed for services not received. In these instances it is appropriate to back bill for services provided or refund sewer service charges collected in excess.

Policy:

I. Back Billing

It is appropriate to bill for sewer charges from customers that have not been billed for sewer service due to billing error or oversight. These unbilled sewer charges are not to be treated as overdue, unless there is evidence of intentional fraud.

1. Time Frame - Absent fraudulent actions on the part of the customer, back billing shall be limited to two (2) years.
2. Repayment Schedule - The standard repayment schedule in cases of back billing shall be equal to the duration of missed billings. For example, if a customer is back billed for 6 months of unbilled services, the standard repayment schedule is 6 months. Exceptions to this rule require approval of the Finance Director/Treasurer or designee. Upon account closure, any outstanding back bill amount shall be due and payable with the final regular billing.

II. Refunds

It is appropriate to issue refunds to customers that have paid for sewer services not received. Most often this is the result of incorrectly billing a customer that is on septic, and is therefore not using the City's sewer conveyance and treatment services. Refunds for sewer service charges collected for which no service has been provided must be made in accordance with § 53082 of the California Government Code.

1. Time Frame- As established in California Government Code § 53082(e), all claims for fees paid for sewer services not received must be filed within 180 days of the date of payment. This requirement effectively limits the refund period to a maximum of 180 days.

2. Repayment Schedule - Refunds for fees paid in excess shall be made in full within 30 days of final determination of refund eligibility.

Procedures:

Not applicable.

Forms:

Not applicable.

Government Code References:

[California Government Code § 53082\(e\)](#)

Policy History:

1. Issued 07/01/2014