

**HARTSTENE POINTE WATER AND SEWER DISTRICT
RESOLUTION 2010-01**

**A RESOLUTION OF THE HARTSTENE POINTE WATER-SEWER DISTRICT BOARD
OF COMMISSIONERS ESTABLISHING DISTRICT POLICY FOR DELINQUENT
WATER/SEWER ACCOUNT CHARGES AND SHUT-OFFS.**

WHEREAS, Hartstene Pointe Water-Sewer District will maintain its policies on delinquent accounts and shut offs; now,

THEREFORE THE BOARD OF COMMISSIONERS OF HARTSTENE POINTE WATER AND SEWER DISTRICT HEREBY RESOLVES:

SECTION 1: BILLING. The District hereby verifies the following District billing procedures:

- A) All accounts are billed on a bi-monthly basis;
- B) Payment of water and/or sewer account is due in full upon receipt. These accounts are considered delinquent if not paid by the due date stated on the billing;
- C) The District may accept partial payments of past due bills. However, acceptance of any partial payments by the District will not exempt a past due account from further collection efforts by the District or in any way change the account's status as being delinquent.

SECTION 2: ALLOCATION OF PAYMENTS. The following procedures shall govern the allocation of customer payments for sewer and water service:

- A) On combined billings for water and sewer service, payments will be allocated to the sewer portion of the billing first, and then to water portion of the billing;
- B) Any partial payment plans entered into between the District and the customer shall specify that all received payments will be applied to the sewer bill portion of the bill first and then to the water bill portion of the bill, unless otherwise agreed to in writing by the District and rate payer for good reason shown;

SECTION 3: PROCESSING PROCEDURES

- A) Delinquent Account Charge. It is the policy of Hartstene Pointe Water and Sewer District to assess each billing period, a penalty of ten percent (10%) of the unpaid balance, excluding late fees, for each account for which payment of a water/sewer bill is not received in full at the Hartstene Pointe Water and Sewer District office or its contract operator by the billing due date.


- B) Account Status. An account will remain in good standing even though full payment has not been received by the billing due date if all penalties are fully paid and the balance owed on the account remains below one hundred dollars (\$100.00 U.S.).
- C) Door Hangers. Should an overdue account balance exceed \$100.00 U.S., including penalties, for 90 calendar days or more, the customer will be notified by a “door hanger” that service will be “shut off” within 48 hours unless the water bill is paid in full or payment arrangements are made through Hartstene Pointe Water and Sewer District Customer Service Department within the 48 hour time period.
- D) Shut-offs. If it becomes necessary to turn off a water or sewer service, all overdue account balances, including late fees and the service turn-on fee, must be paid in full or through payment arrangements before service is restored. Water service will be shut-off for delinquent sewer accounts.
- E) Collection Companies: The District may use the services of a collection company to pursue payment of any delinquent account when the District General Manager or his/her designee considers the use of a collection company in the best interests of the District.
- F) Liens: Whenever the District’s connection charges, rates, or charges for service, are delinquent in an amount equaling or exceeding \$250 for sixty (60) days or more and at the discretion of the General Manager, the District shall certify the delinquencies to the Mason County Auditor. At the time certification is made, an additional lien processing fee shall be made against the delinquent property. At any time after delinquencies have been present for at least sixty (60) days, the District shall have the right to bring suit in Mason County Superior Court to foreclose against the delinquent property pursuant to the provisions of RCW 57.08.081.

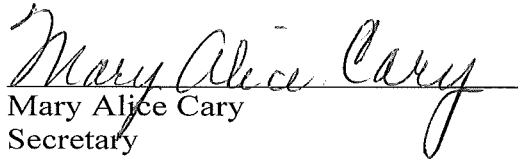
SECTION 5: APPEALS Disconnection of service, or disconnection procedures followed by the District, may be appealed to the Hartstene Pointe Water and Sewer District Board of Commissioners by the property owner. To be considered timely and subject to review by the District’s Board of Commissioners, an appeal must be delivered to the District’s General Manager or his designee within twenty days from the date service was disconnected. The appeal shall be in writing and succinctly state the full basis for the appeal and all reasons why the disconnection should not have occurred and/or why the procedures followed by the District in disconnecting service were inappropriate. The Board shall use its best efforts to decide whether duly filed appeals should be granted or denied within thirty (30) days of its receipt by the District. An appeal shall be filed with the District on the date personal service thereof on the appropriate District official occurs with a receipt being signed therefore by the District official, or three business days after the appeal is mailed to the District’s General Manager at the District’s headquarters by certified mail, return receipt requested.


SECTION 6. SAVINGS CLAUSE. If any section, sentence or portion of this resolution is for any reason determined to be unenforceable or invalid by a competent court of law, such determination shall not affect the remaining portions of this resolution.

ADOPTED, by the Board of Commissioners of Hartstene Pointe Water-Sewer District,
at a regular scheduled meeting on January 14, 2010.

Hartstene Pointe Water-Sewer District
Mason County, Washington


1/28/2010
William Parisio
Chairperson


Mary Alice Cary
Secretary


1/28/10
Roger Ray
Commissioner