

CITY OF SPOKANE DEPARTMENT POLICY AND PROCEDURE	DEPT 5200-24-03 LGL 2024-0033
TITLE: UTILITY SHUT OFFS FOR NONPAYMENT DURING EXTREME HEAT EFFECTIVE DATE: November 22, 2024 REVISION DATE: N/A	

1.0 GENERAL

- 1.1 ESHB 1329 enacted by Washington State Legislature in 2023 prohibits water utilities from disconnecting water services due to nonpayment from residential users during certain heat-related events.
- 1.2 City of Spokane establishes this policy to comply with ESHB 1329 during a National Weather Service heat related event. ESHB 1329 is codified in RCW 35.21.302.
- 1.3 The provisions of this policy apply exclusively to residential users.
- 1.4 TABLE OF CONTENTS:
  - 1.0 GENERAL
  - 2.0 DEPARTMENTS/DIVISIONS AFFECTED
  - 3.0 REFERENCES
  - 4.0 DEFINITIONS
  - 5.0 POLICY
  - 6.0 PROCEDURE
  - 7.0 RESPONSIBILITIES
  - 8.0 APPENDICES

2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy is applicable to Utility Division, Utility Billing and Spokane Water and Hydroelectric Department.

3.0 REFERENCES AND REGULATIONS

- RCW 57.08.081 Rates and charges – Delinquencies – Heat-related alert limitations
- RCW 35.21.290 Utility services – Lien for
- RCW 35.21.300 Utility services – Enforcement of lien – Limitations of termination of service for residential heating

RCW 35.21.302 Utility services – Involuntary termination of service during heat-related alerts prohibited-Reconnection and repayment plan-Report.

#### 4.0 DEFINITIONS

4.1 “National Weather Service heat-related alert” or “alert” includes any day that the National Weather Service has issued or has announced that it will issue an extreme heat warning, a heat advisory, an excessive heat watch, or a similar alert, for the area in which the residential user’s address is located.

#### 5.0 POLICY

5.1 It is the policy of the City of Spokane to ensure all utility service fees are paid in a timely manner. Chapter 13.01 of the Spokane Municipal Code establishes administrative provisions for billing and collection of amounts owed for utility services.

5.2 RCW 35.21.290 and 35.21.300 provide that the lien for charges for delinquent water utility accounts may only be enforced by cutting off the service until the delinquent and unpaid utility charges are paid.

5.3 RCW 35.21.302 prohibits water utilities from disconnecting water services due to nonpayment during certain heat-related events.

#### 6.0 PROCEDURE

##### 6.1 Notification and Contact information

Regular bills, delinquency notices, and tags delivered to the property after water service is disconnected shall include the following text:

“During a National Weather Service heat-related alert, you may request reinstatement of service by calling 311, or for outside city limits, (509) 755-2489 during the period covered by the alert.”

##### 6.2 Delay of Water Disconnections

On the regularly scheduled shut-off day, Finance and Public Works staff will review the current National Weather Service data to determine if a heat-related alert is in effect. If there is no heat-related alert in place, shut offs for nonpayment will occur per the usual process.

If a heat-related alert is in effect for the scheduled date of shut off, water disconnection for nonpayment will be delayed until the next available day in the current week when the heat-related alert is lifted.

If the National Weather Service heat-related alert remains in place for the current week and the following week, the water disconnection for nonpayment will be rescheduled to the subsequent month on the regularly scheduled shut-off day.

### 6.3 Reinstatement Parameters

Customers requesting reinstatement of service due to a National Weather Service heat-related alert can avoid immediate shutoff once the alert is lifted by:

1. Paying the past due balance in full prior to the alert being lifted.
2. Entering into a payment plan by contacting the City prior to the alert being lifted.
  - a. The payment plan will stipulate that the current bill must be paid and remain current.
  - b. The past-due balance must be paid by the following May 15<sup>th</sup>, or as soon as possible after May 15<sup>th</sup> if needed to maintain monthly payments that are no greater than six percent (6.00%) of the customer's monthly income. Customers can choose to pay more than six percent (6.00%) of their monthly income to pay the past due amount prior to the following May 15<sup>th</sup>.
  - c. Failure to maintain the payment plan will result in shut-off of services.

Subject to the foregoing parameters and the provisions of ESHB 1329, upon receipt of a request for reinstatement of service the City shall promptly make a reasonable attempt to reconnect service to the customer's dwelling.

If a customer fails to maintain the payment plan, declines to pay the full past-due amount, or refuses to fill out a payment plan, the water service will be disconnected on the first business day after the National Weather Service heat-related alert is lifted.

### 6.4 Charges and Fees

For customers requesting services to be restored during a National Weather Service heat-related alert, the utility shut-off and turn-on charges established by the City of Spokane's Municipal Code 13.01.0314 fee schedule shall not apply. Penalties charged in the normal course of business for any past due amounts will still be assessed.

6.5 Reporting

The City of Spokane will maintain required documentation containing the number of customers shut off during a National Weather Service heat-related alert. This information will be reported on an annual basis to the Department of Commerce as required by ESHB 1329/RCW 35.21.302.

7.0 RESPONSIBILITIES

The Utility Division, Utility Billing, Finance and Spokane Water and Hydroelectric Departments shall administer this policy.

8.0 APPENDICES

None.

APPROVED BY:

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Michael J. Piccolo (Nov 21, 2024 14:17 PST)  
City Attorney

Nov 21, 2024  
Date

Marlene Feist  
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Nov 21, 2024  
Date

Alex Scott  
Alex Scott (Nov 22, 2024 11:04 PST)  
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Nov 22, 2024  
Date











# DEPT 5200-24-03.pdf (Utility Shut Offs for Non-Payment During Extreme Heat)


Final Audit Report

2024-11-22


Created:	2024-11-21
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-  Signer mpiccolo@spokanecity.org entered name at signing as Michael J. Piccolo  
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