

RESOLUTION NO. 2012 – 28
FREMONT SANITATION DISTRICT

RESOLUTION REVISING THE FREMONT SANITATION DISTRICT RULES AND REGULATIONS

WHEREAS, after extensive research by the Finance Office of the District, they find it appropriate to restructure the District's penalty process, and

WHEREAS, under the Fremont Sanitation District Bylaws, the Board of Directors has the authority to make and change rules, regulations, procedures, and policy statements, consistent with statues for the management of the business and affairs of the District, and

WHEREAS, after further review, it is determined to be appropriate to amend Article III, Section 304 Billing, C and D of the Rules and Regulations of the Fremont Sanitation District to establish an updated penalty process.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FREMONT SANITATION DISTRICT THAT:

1. The District Manager and other appropriate officials of the District are hereby authorized and directed to amend Article III, Section 304 Billing, C to read as follows:
 - C. A bill is due on the day it is mailed by the District. If a bill is not paid in full by the due date printed on the bill, then penalties shall be assessed against the account based on the following schedule:

Accounts 30 days past due will receive a \$5.00 penalty

Accounts 60 days past due will receive a \$5.00 penalty

Accounts 90 days past due will receive a \$5.00 penalty

Accounts 120 days past due will receive a \$5.00 penalty

Accounts more than 150 days past due shall be subject to further penalties and actions as outlined in Article II, Section 218. In addition to those penalties, 1% of the outstanding balance shall be assessed per billing period until the outstanding amount is paid in full.
2. The District Manager and other appropriate officials of the District are hereby authorized and directed to amend Article III, Section 304 Billing, D to read as follows:
 - D. All costs of collection of overdue accounts shall be paid by the property owner.
 1. In the event a lien is authorized by the Board under the authority of Article III, the District Manager, or his designee, shall prepare a statement of lien and notify the property owner that the statement of lien will be recorded if the account is not paid within fifteen days, and shall subsequently record the statement of lien if the account is not so paid.
 2. Fees and costs associated with the preparation, recording, and releasing of liens will be set by policy established by the Board, and shall be reviewed periodically to ensure such fees and costs are sufficient and reasonable.
 3. The fees and costs incurred by the District will be added to the amount due.
 4. Any other costs of collection incurred by the District will be added to the amount due.
3. The Chairman of the Board, other elected and appointed District officials, and employees are authorized and directed to take such further action as may be required to enforce this new penalty process as set forth in Section 1 and 2 of this Resolution. Furthermore, this process will take effect on September 1, 2012.

DULY ADOPTED at the regular meeting of the Board of Directors of the Fremont Sanitation District on August 21, 2012, by roll call vote of the members of the Board of Directors as follows:

Dana Angel	AYE/NAY/ABSENT
Fred Batson	AYE/NAY/ABSENT
Scott Eilert	AYE/NAY/ABSENT
Harold Henson	AYE/NAY/ABSENT
Robert Jacobshagen	AYE/NAY/ABSENT
Clyde Kremer	AYE/NAY/ABSENT
James Schauer	AYE/NAY/ABSENT

FREMONT SANITATION DISTRICT

Attest: _____ By: _____
Secretary / Treasurer Chairman