

ATTACHMENT B

Victorville Municipal Code 6.36.085

California Health and Safety Code Sections 6520.10 and 6520.11

VICTORVILLE MUNICIPAL CODE

Section 6.36.085

Collection procedure for delinquent accounts—Creation of lien.

- (a) The furnishing of collection services to customers of the city's solid waste system shall be subject to the provisions of this chapter and the rules and regulations.
- (b) Any fees authorized by this chapter, the balance of which remain unpaid and delinquent for sixty days or more, will become a lien against the premises to which such services are rendered, in accordance with the following procedure:
 - (1) The city council shall cause a report of delinquent fees for collection services to be prepared periodically, but in no event less than once a year. The city council shall fix a time, date and place for hearing the report and any objections or protests thereto.
 - (2) The city council shall cause notice of the hearing to be mailed to the landowners (owners of premises) listed on the report not less than fifteen days prior to the date of the hearing.
 - (3) At the hearing, the city council shall hear any objections or protests of landowners liable to be assessed for delinquent fees. The city council may make such revisions or corrections to the report as it deems just, after which, by resolution, the report shall be confirmed.
 - (4) The delinquent fees set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the premises for the amount of such delinquent fees, including such late charges and cost of lien as are set forth in the report as confirmed.
 - (5) A certified copy of the confirmed report shall be filed with the city clerk, or auditor appointed by the city council, for the amounts of the respective assessments against the respective parcels of land as they appear on the current assessment roll. The lien created attaches upon recordation, in the office of the county recorder, of a certified copy of the resolution of confirmation. The assessment may be collected at the same time and in the same manner as other property taxes and liens are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of city ad valorem property taxes shall be applicable to such assessment.

HEALTH AND SAFETY CODE

Section 6520.10

On or before August 10, the board may certify to the board of supervisors and county auditor a statement of any delinquent and unpaid charges for sewer and other services, or either, requested in writing by the owner of the property that remain delinquent and

unpaid for a period of 60 days or more on July 1. The amount of any charges for sewer and other services, or either, included in the statement of delinquent and unpaid charges shall be added to and become a part of the annual taxes next levied upon the property for which the sewer service was provided and upon the property subject to the charges for any other district services and shall constitute a lien on that property as of the same time and in the same manner as does the tax lien securing the annual taxes. All laws applicable to the levy, collection, and enforcement of ad valorem taxes shall be applicable to the charges, except that if any real property to which the lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon prior to the date on which the first installment of the taxes would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to the real property and the charges relating to the property shall be transferred to the unsecured roll for collection. The county shall deduct from the charges collected an amount sufficient to compensate the county for costs incurred in collecting the delinquent and unpaid charges. The amount of the compensation shall be fixed by agreement between the board of supervisors and the district's board of directors.

Section 6520.11

A district shall notify the assessee shown on the latest equalized assessment roll whenever delinquent and unpaid charges for sewer and other services, or either, which could become a lien on the property pursuant to Section 6520.10 remain delinquent and unpaid for 60 days.