

CHAPTER 13.34
**LIEN PROCEDURE FOR DELINQUENT WATER, SEWER AND TRASH
COLLECTION SERVICE CHARGES**

§ 13.34.010. Definitions.

As used in this chapter, the following terms shall have the following definitions:

"City" shall mean the city of Upland.

"City clerk" shall mean the city clerk of the city of Upland.

"City council" shall mean the city council for the city of Upland.

"County" shall mean the county of San Bernardino.

"County auditor" shall mean the auditor-controller for the county of San Bernardino.

"County recorder" shall mean the recorder for the county of San Bernardino.

"Current assessment roll" shall mean current assessment roll for the county of San Bernardino.

"Delinquent service charges" shall mean service charges for water and/or sewer and/or trash collection services, including any associated penalties and fees, that remain unpaid for 60 days or more.

"Hearing" shall mean a proceeding before the Upland city council where protests and objections to the report may be heard and where the council may adopt, revise, change, reduce or modify any charge or overrule any or all objections to the charges contained in the report.

"Newspaper" shall refer to any newspaper of general circulation within the city of Upland.

"Property owner" shall mean the person, persons, or entity that is listed on the San Bernardino County Current Equalized Assessment Roll as the owner or owners of the subject property.

"Report" shall mean the report described in Section 13.34.020.
(Ord. 1891 § 7, 2015)

§ 13.34.020. Report of delinquent service charges.

The city may periodically cause to be created and filed with the city clerk a report describing properties with delinquent service charges and the amount of such charges.
(Ord. 1891 § 7, 2015)

§ 13.34.030. Notice of hearing to property owners.

The city council shall conduct a hearing where it will consider the contents of the report and any objections or protests from affected property owners. The city clerk shall publish notice of the date, time and location of the hearing in a newspaper of general circulation within the city of Upland, once a week for two consecutive weeks prior to the hearing as

set forth in California Government Code Section 6066. Notice containing the date, time and location of the hearing shall also be mailed to each property owner with delinquent service charges at least 10 days prior to the hearing.

(Ord. 1891 § 7, 2015)

§ 13.34.040. Hearing.

At the hearing, the city council shall hear any objections or protests from property owners with delinquent service charges. The city council may adopt, revise, change, reduce or modify any charge or overrule any or all objections to the charges contained in the report.

(Ord. 1891 § 7, 2015)

§ 13.34.050. Filing of report with county auditor.

If adopted by the city council, the city clerk shall file the report with the county auditor by August 10 of each year along with a signed statement that the report was adopted by the city council. The county auditor shall then enter the amount of a delinquent service charge against each property contained in the report as it appears on the current assessment roll.

(Ord. 1891 § 7, 2015)

§ 13.34.060. Filing of certificate with county recorder—Placement of lien.

After filing the report and statement with the county auditor pursuant to Section 13.34.050, the amount of delinquent service charges may be secured at any time by filing for record in the office of the county recorder a certificate specifying the amount of delinquent service charges and the name and address of the person liable for those unpaid charges.

(Ord. 1891 § 7, 2015)

§ 13.34.070. Fees.

The city may charge fees in connection with the provisions of this chapter in an amount set by resolution of the city council and such fees may be added onto the amount of any delinquency that is assessed on the tax roll or recorded against any property as a lien.

(Ord. 1891 § 7, 2015)