

MEMORANDUM OF LAW

DATE: June 13, 1994

TO: Charles W. Yackly, Deputy Director, Services
Division, Water Utilities

FROM: City Attorney

SUBJECT: Refund of Sewer Service Charges Pursuant to
California Government Code Section 53082

On May 27, 1994, you requested an opinion from the City Attorney on whether the estate of a qualified payor may be entitled to a refund of sewer service charges pursuant to California Government Code section 53082.

In response to your opinion request, Legal Intern Joan Dawson was asked to research your question. The results of her research are attached. I have read and approve her memorandum.

Additionally, I spoke with Mr. Christopher Westhoff, Deputy City Attorney, of the Los Angeles City Attorney's Office. Mr. Westhoff indicated that the City of Los Angeles has not encountered this issue in making its refunds to sewer ratepayers, but would agree with the opinion contained in Ms. Dawson's memorandum.

I hope this information answers your question. If you need any additional information, however, please do not hesitate to contact me.

JOHN W. WITT, City Attorney

By

Kelly J. Salt

Deputy City Attorney

KJS:jrl:411(x043.2)

Attachment

cc Joan Dawson, Legal Intern

ML-94-52

TOP

TOP