

# Amador County Wine Heritage District

## Member Policies: Delinquency & Reinstatement

### 1. Membership Standing & Delinquency

- Members who fail to report and remit their required assessment within 30 days of the due date will no longer be considered in good standing with the Amador County Wine Heritage District (WHD).
- A member not in good standing will be subject to the following consequences until reinstatement:

### 2. Removal from WHD Benefits

- Website & Social Media: Member listings, promotions, and any associated content will be immediately removed from the WHD website and social media platforms. (Website & Social Media Policy)
- Printed Materials: To be included in printed materials (e.g., maps, brochures), a member must be in good standing at the time of office approval for print. Any delinquent members will be removed on the day of printing.
- Event Participation: Members must be in good standing at the time of the event sign-up and at the time of the event to participate in WHD-sponsored events.
- Signage: Member signage will be immediately removed from WHD wayfaring locations. (Signage Policy)

### 3. Reinstatement Process & Fees

- Website Reinstatement: A \$100 reinstatement fee is required to be placed back on the WHD website member listing, promotions, and any associated content.
- Printed Materials Reinstatement: A \$200 reinstatement fee is required to be placed back on the WHD map due to design and processing costs.
- Sign Reinstatement: A \$250 reinstatement fee is required for the reinstallation of any WHD signage.

### 4. Payment & Reporting

- Reinstatement payments must be processed through a third-party entity designated by WHD.
- If a member no longer holds a 02 Winegrowers ABC License, they must provide written notice within 30 days of termination to the WHD.

### 5. Legal Intervention for Long-Term Delinquency

- If a member remains delinquent and fails to report for three consecutive quarters, WHD may recommend legal intervention to recover unpaid assessments.

# Amador County Wine Heritage District Policy

## Office Policy: Delinquency & Collection Procedures

### 1. Notification of Delinquency

- Members who fail to report and remit their required assessment within 30 days of the due date will be classified as not in good standing with WHD.
- On the next business day following the grace period, the WHD office will send an official Notice of Delinquency to the member. (Table #1)
- It is the intention to send notification by any of the following means, electronically, by registered mail, and or via telephone call:
  - Inform the member of their delinquent status.
  - Reference the Member Policy and Late Payment Policy sections that apply.
  - Outline the consequences of continued non-payment, including removal from WHD benefits and potential legal action.

### 2. Collection Process & Follow-Up

- WHD will instruct a designated collection agency to issue a formal notice to the delinquent member.
- The collection agency will proceed with standard collection practices as outlined in WHD's agreement with the agency.

### 3. Member Benefit Removal Timeline

- Website & Social Media: Listings and promotions will be removed immediately upon delinquency.
- Printed Materials: The member will be removed from any upcoming print materials unless reinstated before the printer approval deadline.
- Event Participation: The member will be ineligible for event sign-ups unless reinstated to good standing status prior to registration.
- Signage Policy: Signage will be removed immediately upon delinquency.

### 4. Legal Escalation for Long-Term Delinquency

- If a member remains delinquent for three consecutive quarters, WHD may recommend legal intervention to recover outstanding assessments.

# Amador County Wine Heritage District Policy

## Late Fee Policy for Non-Reporting Members

If a member fails to report their required assessment, the following process will be applied to determine and enforce late fees:

### 1. Estimated Assessment for Late Fee Calculation

- If a member fails to report the assessment remittance by the due date of the most recent quarter, WHD will apply a late fee based on an estimated assessment amount using:
  - The previous year’s reported assessment, or
  - An industry-based estimate for similarly sized businesses within WHD.
- This estimated amount will be used until actual figures are reported. Any overpaid or underpaid amounts will be adjusted upon reporting.

### 2. Quarterly Reporting Deadlines, Overdue Charges, Fraudulent Determinations, and Monthly Interest Accumulations Application

If a member does not submit their assessment report and remittance by the conclusion of the grace period for the most recently concluded quarter as outlined in Table #1 below, WHD will apply a late fee based on an estimated assessment amount determined by using:

Table #1

Quarter	Remittance Due Date	Grace Period <i>No Late Fee</i>	1st Overdue Charge (10%)	2nd Overdue Charge (20%)	Fraudulent Determination (25%) <i>Potential Legal Action</i>	Monthly Interest Accumulation (0.25% until paid)
Q1 (Jan - Mar)	April 30th	April 1 <sup>st</sup> - April 30th	May 1st	June 1st	July 1st	Aug. 1st
Q2 (Apr - Jun)	July 31st	July 1 <sup>st</sup> - July 31 <sup>st</sup>	August 1 <sup>st</sup>	Sep. 1 <sup>st</sup>	Oct. 1st	Nov. 1st
Q3 (Jul - Sep)	Oct.31th	Oct. 1 <sup>st</sup> - Oct.31 <sup>st</sup>	Nov. 1 <sup>st</sup>	Dec. 1 <sup>st</sup>	Jan. 1st	Feb. 1 <sup>st</sup>
Q4 (Oct - Dec)	Jan. 31 <sup>th</sup>	Jan. 1 <sup>st</sup> - Jan. 31 <sup>st</sup>	Feb.1 <sup>st</sup>	March 1 <sup>st</sup>	April 1st	May 1 <sup>st</sup>

### **3. MDP – ACWHD: IV Assessment Budget and Services – E. Interest and Overdue Charges**

The ACWHD shall reimburse the County of Amador or the third-party collection agency for any costs associated with collecting unpaid assessments. If sums in excess of the delinquent ACWHD assessment are sought to be recovered in the same collection action by the County, the ACWHD shall bear its pro rata share of such collection costs. Assessed businesses which are delinquent in paying the assessment shall be responsible for paying:

#### **Original Delinquency**

Any winery that fails to remit any assessment imposed by this section within the time required shall pay an overdue charge of ten percent (10%) of the amount of the assessment in addition to the assessment.

#### **Continued Delinquency**

Any winery that fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency overdue charge of ten percent (10%) of the assessment in addition to the assessment and the ten percent (10%) overdue charge first imposed.

#### **Fraud**

If the County or third-party collection agency determines that the nonpayment of any remittance due under this article is due to fraud, an overdue charge of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the overdue charges stated in paragraph one (1) and two (2) above of this section.

#### **Interest**

In addition to the overdue charges imposed, any winery who fails to remit any assessment imposed by this section shall pay interest at the rate of one-quarter of one percent (0.25%) per month or fraction thereof on the amount of the assessment, exclusive of overdue charges, from the date on which the remittance first became delinquent until paid.

### **4. Consequences of Continued Non-Reporting**

- If a member has not reported by 30 days past due, they may no longer be considered in good standing and will be removed from WHD benefits.
- If non-reporting and non-payment persist for one year, WHD may recommend legal intervention to recover unpaid assessments and fees.

### **5. Reinstatement Process**

- Members must report their actual assessment, pay any outstanding balances, and cover all applicable late fees before reinstatement.
- A \$200 map reinstatement fee and a \$250 sign reinstatement fee will apply if the member was removed from WHD benefits.