

RESOLUTION NO. 1409

A RESOLUTION ADOPTING LEAK ADJUSTMENT POLICY FOR WATER AND WASTEWATER UTILITY ACCOUNTS

WHEREAS, Toledo Municipal Code (TMC) 13.12.460 D – Adjustments on Account of Underground Leaks states that “*Where a leak exists underground between the meter and the building and the leak is repaired within ten (10) days after the owner, agent or occupant of the premises has been notified of the leakage, the utility may allow an adjustment of fifty (50) percent of the estimated excess consumption.*”; and

WHEREAS, the City of Toledo in December 2017 adopted a Water Management and Conservation Plan (WMCP) that identifies a need for a formal “Leak Adjustment Policy” for the adjustment of a customer’s water bill when the customer promptly repairs a discovered leak; and

WHEREAS, the City desires to identify and establish a formal policy for staff to follow to make adjustment(s) of a customer’s water bill when the customer promptly repairs a discovered leak.

NOW, THEREFORE, THE CITY OF TOLEDO RESOLVES:

The following policy is in regards to adjusting utility accounts when account holder experiences an “excess in water usage” due to water supply break, failure, and/or other leak beyond their reasonable control that occurs on the customer (private service lateral) side of the water meter.

- A utility bill MAY be adjusted AFTER proof (i.e. plumber’s invoice, parts receipts, plumbing permit, etc.) has been provided to the City that the leak has been repaired or corrected according to the following:
 - The leak was repaired within ten (10) days of the customer becoming aware of the leak’s existence.
 - The adjusted charge for water billing due to the leak will be based upon the average consumption for the billing periods of the previous twelve (12) months, beginning with the month just prior to when the problem occurred, PLUS ½ of the water consumption measured in excess of the above referenced average for the billing period the problem occurred.
 - If the leak occurred in the months of January – April, the adjusted and excess consumption as identified above will be included in the annual “Winter Average” calculation.
 - Customer must request a leak adjustment within six (6) months of the occurrence. Requests for adjustments beyond six (6) months will not be considered.
 - If approved, the adjustment to the bill will be for no more than the last two (2) billing periods.
 - No leak adjustment is allowed for leaking toilet(s) or for negligent failure to repair a leak.

- One adjustment per utility account will be allowed per calendar year (rolling twelve (12) month year from the last occurrence.
- Any/all requests for leak adjustment(s) must be made by completing an approved "Leak Adjustment Reimbursement Request Form". Approval/denial of a leak adjustment request shall be made by the Finance Director, or designee.
- Persons wishing to appeal any final decision regarding a leak adjustment approval/denial may appeal in writing to the City Manager. The City Manager or designee will then hear the appeal within one week of receipt of the written appeal.
- If no resolution is forthcoming from the City Manager, applicant may request appeal to the City Council. The City Manager will refer the exclusion to the City Council at a regularly scheduled meeting. The Toledo City Council's direction on the issue shall be final.

Adoption of this Resolution shall supersede and replace any/all resolutions adopting a leak adjustment policy for water and/or wastewater utility accounts in their entirety.

PASSED by the City Council on this
15th day of August, 2018.

APPROVED by the Mayor on this
15th day of August, 2018.

ATTEST:

APPROVED:



City Recorder



Mayor