

RESOLUTION NO. 18-06

RESOLUTION ADOPTING LEAK REFUND POLICY
CITY OF POST FALLS

WHEREAS, From time to time a water utility customer discovers a water leak that leads to increased water service charges; and

WHEREAS, The City finds it advisable to adopt a policy to govern how and under what circumstances the City will refund excess charges incurred by the water utility customer in the event of a leak.

NOW, THEREFOR, BE IT RESOLVED by the Mayor and City Council that the City of Post Falls that all prior leak refund policies are hereby repealed.

BE IT FURTHER RESOLVED that the Mayor and City Council hereby adopts the following leak policy.

Upon application by a Utility customer, the Public Services Director, or his/her designee, shall have the discretion to make reasonable and equitable reduction in utility accounts, on a case-by-case basis, in the following circumstances.

If a private water line, valve, fixture, or other appurtenance is verified to be leaking as a result of accidental damage or natural deterioration, and not as a result of abuse or willful neglect, the water bill for the subject property during the period of the leak may be reasonable and equitably reduced. In this case, a customer shall be required to pay for the normal use plus at least fifty (50) percent of the applicable charge for all water which was lost by reason of the leak. The normal use rate will be calculated as the use during the same time period of the previous year, when such data exists. The sewer bill for the subject property during the same period may also be reasonably and equitably reduced to an amount not less than the usage charged for during the corresponding period of the previous year. The customer will bear the burden of demonstrating the cause of damage and location of the leaked water to Utilities staff.

No reduction requests will be processed until the leak has been repaired.

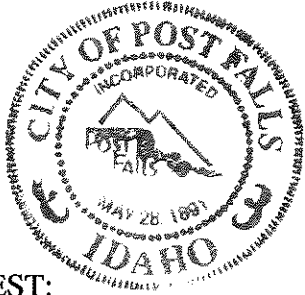
Unless an extension has been approved in advance, in writing, by the Public Services Director or his/her designee, no reduction shall be given if the time from discovery to completed repair is greater than five (5) months.

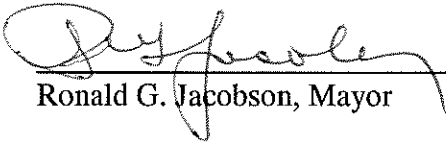
No reduction shall be awarded unless the customer submits a claim for the water usage to their home-owners insurance company and that claim is denied. Time spent documenting the claim procedure will not count toward the time limit for making repairs, discussed above.

In the event of a rejected application, the customer may make a written appeal to the City Administrator. The City Administrator's decision on the matter will be final.

This resolution shall be in full force from the date of its adoption until superseded by a resolution addressing the same subject matter.

Adopted this 9 day of May, 2018





Ronald G. Jacobson, Mayor

ATTEST:



Shannon Howard, City Clerk