

# Town of Greater Napanee

## Accidental Water Leak Adjustment Policy



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Approval Date:	April 30, 2024	Resolution #	159/24
Revised Date:		Resolution #	
Review Scheduled:			
Department:	Finance, Utilities	Contact:	Treasurer
Approval Authority:	Council	Policy No:	FN-2024-01

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### 1. Introduction

The Town of Greater Napanee recognizes that accidental water leaks can cause financial hardship to customers. This policy provides eligible residential and not-for-profit customers who use Town water services with limited financial assistance in these instances.

### 2. Purpose

The purpose of this policy is to provide an opportunity for customers to request an adjustment to water and sewer consumption charges where an accidental leak has been discovered and repaired in the plumbing system on the customer's side of the water meter in a reasonable timeframe.

### 3. Scope

This policy applies to eligible customers who have experienced an abnormally high utility bill associated with accidental plumbing failures and have repaired the cause of the leak. This policy allows municipal staff to address these instances and provide account adjustments up to a maximum threshold of \$5,000.

Commercial, industrial, and institutional property owners are not eligible under this policy.

### 4. Definitions

**Account** means the unique account that stores the current and historical water and wastewater billing and contact information for each building or dwelling connected to water and wastewater services within the municipality.

**Leak** means an accidental water loss caused by broken and/or malfunctioning plumbing fixtures within a residence or building.

**Not-for-Profit** means an organization registered in Ontario as a non-profit or

not-for-profit organization that carries on activities without the purpose of gain for its members or the corporation.

**Town** means the Corporation of the Town of Greater Napanee.

**Vacant** means a building or dwelling where the occupants have moved out with no intent to return. A dwelling or building is also considered to be vacant when it is newly constructed and occupancy has not begun, and during the period between when one occupant moves out and the next occupant moves in.

## **5. Responsibilities**

### **5.1. Council of the Corporation of the Town of Greater Napanee**

Council is responsible for:

- a) Approval of this policy and any amendments thereto;
- b) Hearing appeals, as outlined in Section 6.4 of this policy; and
- c) Hearing any applications for relief that fall outside the scope of this policy and determining the amount of relief, if any, that will be granted in those circumstances.

### **5.2. Treasurer**

Responsibility is delegated to the Treasurer, or designate, to:

- a) Approve the credit adjustments to utility accounts under this policy, up to a maximum of \$5,000; and
- b) Provide an accounting to Council of all adjustments authorized under this policy.

### **5.3. Director of Environmental Services**

Responsibility is delegated to the Director of Environmental Services, or designate, to:

- a) Review requests for adjustments under this policy and provide recommendations to the Treasurer;
- b) Ensure department staff are aware of and trained on this policy; and
- c) Ensuring department staff maintain a log of all previously issued adjustments, as repeated adjustments to the same property are not permitted.

### **5.4. Utilities Clerks**

Utilities Clerks are responsible for:

- a) Communicating the details of this policy to utility customers;
- b) Providing consumption and meter reading information to the Treasurer in support of any adjustment requests;
- c) Communicating the decision to approve or deny the adjustment request to the applicant within 30 days of receiving a completed application; and
- d) Maintaining the practice of providing courtesy calls to customers, on a

best effort basis, where an unusually high meter reading is flagged during the billing process.

## **6. Policy**

### **6.1. General Policy**

- a) An adjustment may occur only after all leaks have been repaired and Town staff have verified through readings that water use has returned to a normal range.
- b) Reasonable efforts (including hiring a plumber) to locate the leak and initiate repairs must be taken by or on behalf of the customer within 30 calendar days of receiving the water bill indicating the leak or through initial notification of high water usage provided to the customer by Utilities staff.
- c) The customer must complete the Accidental Water Leak Adjustment Request Form and provide documentation of repairs made prior to being approved for an adjustment. The form must be submitted within 30 calendar days after the date of final repairs.
- d) There is no extension of the due date or time for paying utility bills because of a pending adjustment request. Customers are advised to pay the entire amount due by the normal due date or to enter into a payment agreement with the Town for the excess amount to remain in good standing and avoid penalties on the account.
- e) When an adjustment is granted, it will be issued as a credit on the customer account and not as a refund payment.

### **6.2. Eligibility Criteria**

Leak adjustments are discretionary and will only be granted as follows:

- a) The applicant must be a residential or not-for-profit customer who is the account holder and responsible for payment of the account.
- b) The applicant's property must be the only property served by the applicable water meter.
- c) The applicant must have a properly functioning and accessible internal shut off valve.
- d) If an adjustment is granted, it is a one-time only adjustment per property for all active accounts.

- e) Adjustments will only cover a maximum period of 90 days, counted as 60 calendar days prior to and 30 days after receiving the water bill indicating increased water usage.
- f) Water consumption for the billing period must exceed two times (200 percent) the customer's average bi-monthly consumption for the previous twelve (12) months. If no history is available, meter readings may be obtained to project normal usage. If projection is not possible, actual consumption of similar customers will be used to determine normal usage for the adjustment calculation.
- g) Adjustments will be calculated based on the percentage of water not returned to the sanitary sewer. This calculation will be based on the consumption amount exceeding the average of the similar period from the previous year. Adjustments will be on the consumption portion of the bill only.
- h) Adjustments will be capped at a maximum of \$5,000.

### **6.3. Exclusions**

No adjustment will be granted if any of the following situations apply:

- a) Usage above the customer's monthly average consumption is due to seasonal consumption including, but not limited to, the watering of lawns, gardening, filling swimming pools or hot tubs, creating outdoor skating rinks, washing vehicles, or other uses where the customer is aware, or ought to be aware, of the increased water consumption.
- b) Water loss is due to theft, vandalism or construction damage, as the responsibility to resolve these issues lies with the customer.
- c) The leak was caused by a third party from whom the customer is able to recover their costs.
- d) The dwelling and/or building was unoccupied or vacant for 72 hours or more. Customers have the responsibility to ensure the dwelling's condition does not contribute to a failure of the plumbing system (for example, ensuring that heating has been maintained). For extended absences, customers should consider shutting off the water supply (except where water is used for heating) and draining all pipes and appliances.
- e) The higher than normal utility bill is a result of 'catch-up' billing for estimated water usage. Customers are advised on their water bill if the billing is based on an estimated read. Customers need to provide timely

response and/or access to the property to allow for maintenance to metering equipment to eliminate estimated reading. The associated delay in obtaining an actual reading occasionally results in unbilled consumption once an actual read is able to be obtained.

An adjustment will also be denied in the following circumstances:

- f) There is evidence of tampering with the water meter or otherwise supplying misleading information to the Town; or
- g) The applicant fails to provide information requested by the Town including but not limited to proof that repairs have been completed by a qualified individual, access to the water meter to verify reading information, or proof that the applicant meets the program eligibility criteria.

#### **6.4. Appeals**

- a) Within 30 days of being given notice of decision on the water leak adjustment, those who are not satisfied with the result may submit a request for appeal to the Town.
- b) Appeals must be submitted in writing and indicate the reason why the appellant believes the policy has been mis-applied, or why an exemption to the policy should be granted. Appeals should be sent to:  
Town of Greater Napanee  
Attn: Clerk  
99-A Advance Ave, Napanee, ON K7R 3Y5  
[jwalters@greaternapanee.com](mailto:jwalters@greaternapanee.com)
- c) Appeals will be heard by Council as a deputation during the next available regular Council meeting. When considering the appeal request, Council shall consider the request in the context of overall fairness to ratepayers, and shall only grant exceptions to this policy where it is deemed to be the most fair response due to extreme or unusual circumstances.
- d) The decision of Council is final and no further appeals shall be considered.

#### **7. Related Documents**

- By-law No. 2011-0007, as amended (a By-law Respecting Water and Sewage Service Charges)
- Customer Payment Plan Policy (*pending*)

## Appendices

- Appendix A – Application Form

### Revision History

Date	Number	Description
August 26, 2004	1910	Policy for wasted water forgiveness adopted by the Greater Napanee Utilities board
March 12, 2013	Resolution #91/13	2004 policy for sewer relief was terminated; policy to allow payment plans was continued