

AN ORDINANCE OF THE CITY OF HOUSTON, MISSOURI, ESTABLISHING A LEAK ADJUSTMENT POLICY FOR THE CITY OF HOUSTON

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF HOUSTON, MISSOURI, AS FOLLOWS:

SECTION 1. It is the intention of the Board of Alderman and it is hereby ordained that the provisions of this ordinance of the City of Houston, Missouri, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION II. There shall be a new section 22-135: **LEAK ADJUSTMENT AND METER POLICY** which shall read as follows

- I. The purpose of this policy is to provide a basis for the City of Houston to adjust high bills caused by leaks in water lines or equipment on users' property that the user could not have known about with normal diligence. The reason for providing a policy for reducing these bills is to relieve possible financial hardship on residents and businesses caused by no fault of their own.
  - A. Leak Threshold Considerations. Leak adjustments to water and sewer bills will be considered when all of the following threshold conditions have been met:
    1. The leak adjustment threshold is one hundred fifty percent (150%) above Account Holder average water usage. The average usage is based on the previous twelve (12) months usage history or by available data if this history is not available.
    2. The Account Holder must complete, in writing, the City's "Leak Adjustment Request Form" and attach a written report or detailed statement from a licensed plumber that:
      - a. Describes presence, size and location of leak.
      - b. Provides documentation that the leak was repaired within fifteen (15) days of leak discovery (by City or account holder) or receipt of bill.
      - c. If homeowner repairs leak, City must verify that leak is no longer indicated through five-day report of water use.
    3. The City will not consider lack of proper maintenance or negligence by account holder (or third party such as renter, contractor, etc.) which culminates in a water loss as being appropriate for approving an adjustment in the bill.
    4. Account Holder must request the leak adjustment before the Due Date of the bill.
    5. Account must be up to date. Account Holder shall pay a minimum of the average bill based on usage history by Due Date for the period for which the adjustment is requested.
  - B. Additional Considerations.

1. Account Holder has not received an adjustment within the last three (3) years.
2. Adjustment requests will not be granted for changes in water usage patterns such as watering of garden or lawn, swimming pool, hot tub, guests or enhanced maintenance of house and premises.
3. Adjustment requests for leaking fixtures and malfunctioning appliances may be considered. Adjustments that are approved will be made based on customer's average highest rate tier. The Account Holder will still be responsible for all water and sewer usages.
4. Adjustment requests will be allowed for only one (1) billing cycle. A special exception may be considered if leak occurs over two (2) consecutive billing cycles as long as the leak did not cover the full cycle of either bill.

C. Potential Adjustment Opportunities. The City of Houston assumes no responsibility for damage, repairs or inspections necessitated by leaks. If the above Leak Threshold Considerations have all met, the leak adjustment will be issued in the following manner:

D. Sewer Charges Adjustment Policy.

1. If leak is shown on plumber's report not to have entered the sewer system, sewer charge will be waived for portion above normal use based on previous twelve (12) months usage history or best available data if this history data is not available. The threshold consideration does not have to be met in this case to be eligible.
2. If leak is shown to have entered the sewer system, the sewer charge will be adjusted by applying a credit of fifty percent (50%) of the excess sewer charge above the one hundred fifty percent (150%) of the average twelve (12) months usage history or best available data if this history data is not available.
3. The Account Holder is responsible for all sewer charges associated with leaking fixtures and malfunctioning appliances. If it is shown by the plumber's report not to have entered the sewer system, sewer charge will be waived for portion above normal usage based on previous twelve (12) month usage history.

E. Water Charges Adjustment Policy.

1. Water charge will be adjusted by applying a credit of fifty percent (50%) of the excess water usage charge above one hundred fifty percent (150%) of average usage history based on the previous twelve (12) months usage history or best available data if this history data is not available.
2. The Account Holder is responsible for all water charges associated with leaking fixtures and malfunctioning appliances. A water rate reduction may be applicable if the leak was not caused by lack of maintenance or due diligence on the part of the Account Holder. The water rate reduction will be charged at their highest normal rate tier for all usage above their historic usage.

## II. Accuracy of Meter Considerations

- A. The City of Houston's policy assumes that the meters are operating properly and accurately.
- B. Testing Of Meters. The City will provide testing of water meters upon Account Holder's request. A deposit must be made by the Account Holder, prior to testing, to cover the cost of testing. The amount of deposit shall be determined based on cost estimates of meter testing obtained from supplier of meters, and may vary, based on meter size
- C. and shipping costs.
  - 1.If the meter is found to be reading ninety-five percent (95%) of correct value or less, the deposit will be retained to cover the cost of testing the meter, but the Account Holder will not be charged for the indicated under reading of the meter.
  - 2.If the meter is found to be reading one hundred five percent (105%) of correct value or above, the City will pay for the cost to test the meter and will adjust the disputed bill by the percent inaccuracy. The deposit will be returned to the account holder.
  - 3.If the meter is found to be reading between ninety-five percent (95%) and one hundred five percent (105%) of correct value, the meter is considered to be correct within allowable limits and the deposit will be retained to cover the cost of testing the meter. No adjustment will be made to the bill.

### III. Re-Reads

- A. Water meters are the property of the City of Houston and at all times subject to its control and inspections, therefore, homeowners are not permitted to tamper, open or read their own meters.
- B. Requests for re-reads should be directed to City Hall and the following conditions will apply:
  - 1.If water use is above fifty percent (50%) of previous history for same period, if available, the City will re-read the meter and check for an indication of a leak.
  - 2.If a leak was indicated, one (1) follow- up re-read will be provided to verify that the leak has been eliminated.
  - 3.If a reading or billing error is indicated, the bill will be adjusted based on rereading the meter and re-calculation of the water and sewer charges. Customer pays adjusted amount on original due date.
  - 4.Any further requests for re-reads during the same billing period may be charged at ten dollars (\$10.00) per re-read.
  - 5.In accordance with Water/Sewer Billing Policy, special meter readings will not subsequently be done when bills are estimated because of inclement weather.

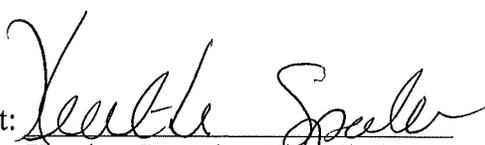
### IV. Meter Change Outs

The City considers all meters to be operating in a proper and accurate manner until proven otherwise, and reserves the right to change meters at any time and for any reason.

### V. Policy Amendment

Each new account holder shall be provided a current copy of the Leak Adjustment and Meter Policy. This policy is subject to change and the City of Houston can provide an updated policy at the account holder's request.

PASSED AND APPROVED THIS 1 DAY OF June, 2020.

Attest:   
Heather Sponsler, City Clerk

  
Willy Walker – Mayor