

RESOLUTION 2011-20

**A RESOLUTION OF THE MOUNTAIN GATE COMMUNITY SERVICES DISTRICT
RESCINDING RESOLUTION 2006-08 AND ADOPTING A WATER LEAK
ADJUSTMENT POLICY**

BE IT RESOLVED by the Board of Directors of the Mountain Gate Community Services District that they do hereby adopt a Water Leak Adjustment Policy.

It is accepted water utility practice, and the policy of this district, that the customer is responsible for the proper provision, monitoring, operation, maintenance, repair and replacement of all water utility service lines and components of the customers water system on the customer's side of the water meter. This includes leakage. A customer who has a leak on the customer's side of the water meter or who is seeking a leak adjustment should realize that a water leak allowing drinking water to escape is a waste of valuable resources.

BE IT THEREFORE RESOLVED THAT the Board of Directors of the Mountain Gate Community Service District establishes the following policies and procedures for the Water Leak Adjustment Policy as attached in Exhibit "A"

PASSED AND ADOPTED this 8th day of November, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dave Selby – Chairperson

ATTEST:

Janice Heck - Secretary

S E A L

EXHIBIT "A"

MOUNTAIN GATE COMMUNITY SERVICES DISTRICT WATER LEAK ADJUSTMENT POLICY

PURPOSE:

It is accepted water utility practice, and the policy of the district, that the customer is responsible for the proper provision, monitoring, operation, maintenance, repair and replacement of all water utility services lines and components of the customers water system on the customer's side of the water meter. This includes leakage. A customer who has a leak on the customer's side of the water meter or who is seeking a leak adjustment should realize that a water leak allowing drinking water to escape is a waste of valuable resources.

POLICY:

Any customer who has a leak on the customer's side of the water meter or who is seeking an adjustment of water usage charges for leaks shall be treated in accordance with this policy.

1. Customer's Responsibility to Monitor, Investigate and Repair Leaks.

The customer is responsible for monitoring higher than expected usage as reflected on the customer's bill. Higher than expected usage must be investigated by the customer and any leaks promptly repaired by the customer. A customer who has observed or has actual knowledge of a leak on the customer's side of the water meter is required to promptly repair the leak(s) as a pre-condition to the District consideration of a request for a leak adjustment and to avoid termination of water service.

2. Request for an Approval of Adjustment.

Customers may make application for water bill leak adjustment by fully completing a claim form and filing the form for review to the District within ninety (90) days of the date of the bill requested to be adjusted before any adjustment may be considered or approved. The district shall not extend the date of a water bill as a result of the customer submitting a request for an adjustment of a bill for a leak.

3. Leaks Qualifying for Adjustment.

A request for adjustment of a water bill for a leak must meet all other requirements of this policy. If all other requirements of this policy are met, the following leaks may qualify for adjustment: (1) a leak within an underground water service line between the meter and exterior of a building; (2) a leak within or under a building if the leak was due to a ruptured water service line or similar sudden release of water from a water service line. The district does not adjust any water bills as a result of faucets or hoses left running, watering the lawn, sprinkler systems, fixtures where leakage is visible or malfunctions in equipment directly connected to water system.

Only one (1) bill will be adjusted in any consecutive twelve (12) month period.

POLICY:

4. **Requirement of Actual Leak** The District shall not consider or approve any adjustment to a water bill unless an actual physical leak caused the extraordinary usage for which an adjustment in the bill is requested, and the leak is located, documented and repaired.
5. **Calculation of Billing Adjustment**
Any water bill involving a leak, if approved for adjustment, the customer will pay an adjusted bill. The adjusted bill will be figured by the difference in the amount of water actually metered on the bill, and the average metered during the previous (3) years during the same period as the adjusted bill. In addition, the customer shall pay the excess of the actual metered water, calculated at the current lowest tier rate charged by the district. If the customer has not received three (3) years of previous bills, the customer shall pay the average of the (3) previous months plus the excess of the actual metered water calculated at the current lowest tier rate charged by the district.
6. **Approval of District Manager** All requests for adjustments shall be approved by the District's Manager before an adjustment is given. When the General Manager reasonably determines that the customer requesting an adjustment of a water bill for a leak had actual knowledge of a leak, or with due diligence would have suspected or know of a leak, and did not take reasonable and timely steps to investigate, locate and repair the leak, the General Manager, shall not approve the request for an adjustment.

SPECIAL METER READINGS:

1. **METER READING ERROR**
If an investigation of a meter and meter records establishes that a meter was misread, then the bill will be revised based on the corrected reading proportioned to the number of days between the reading. If there was a failure of the meter or the meter reading device, a new bill will be issued using an estimated reading based on an average of the past three (3) years billings prior to the period covered by the bill in question.
2. **PROPER METER READING** If an investigation of a meter and meter record establishes that a meter was properly read and that there was no failure of meter reading device, the bill will remain valid and payable.
3. **TESTING OF THE CUSTOMER METER** If the customer questions the accuracy of the meter, the customer may pay the bill in question and request his/her meter be tested. If the meter proves to have an accuracy within guidelines established for used meter by the American Water Works Association (AWWA), it is deemed to be accurate. If the meter does not meet AWWA accuracy standards, the district shall repair or replace the meter, and make an adjustment to the charges in accordance with the test results, if feasible, or, if not feasible, based upon an average of the three (3) year billings prior to the period covered by the bill in question.

PAYMENT ARRANGEMENTS FOR OVERAGE DUE FOR LEAKS:

In accordance with the District Payment Arrangement Policy, a customer may pay the balance due after any approved adjustment due to a leak up to 12 monthly installments, or as approved by the District Manager. The customer must pay the customers monthly bill in addition to the leak adjustment installment by the due date shown on the bill. Failure to do so will result in disconnection and disqualification of the payment arrangement.

PUBLIC NOTICE:

A copy of this policy shall be available at the business office of the District for customer inspection during regular business hours.

RECORD KEEPING REQUIREMENTS:

The Office Manager shall keep a written record of the customer billing adjustment request and the action taken by the District. All records of billing adjustments shall be kept for a minimum of five (5) years.

REVIEW BY DISTRICT MANAGER AND STAFF:

The Board of Directors hereby authorizes the General Manager to approve or disapprove billing adjustment requests in accordance with the provisions of this policy. If the action taken is unacceptable to the customer, the customer shall be advised of the customer's right, upon the customer's request, to have the billing adjustment request presented and/or acted upon by the Board of Directors. If so requested by the customer, the customers request for a billing adjustment shall be scheduled for consideration at the Board of Directors next regularly scheduled meeting and the customer shall be informed of the time and place of the meeting.

REVIEW BY THE BOARD OF DIRCTORS:

When a customer appears at a Board of Directors meeting regarding a billing adjustment request without previously submitting the facts regarding the request to the General Manager or office staff, the Board of Directors may delay hearing or ruling on the request until the next regular meeting of the Board of Directors to allow the General Manager, office staff, attorney or others to locate and prepare materials concerning the request for adjustment.

**MOUNTAIN GATE COMMUNITY SERVICES DISTRICT
CUSTOMER WATER LEAK ADJUSTMENT
REQUEST FORM**

In order to process your water leak adjustment request in a timely manner, we have provided a request for you. *(If not completed in full, your request will be returned to you).*

Return completed form with any supporting documentation to:

Mountain Gate Community Services District
14508 Wonderland Blvd.
Redding, CA 96003

For questions call (530) 275-3002 (Office Hours 8:00 am to 4:30 pm)

Request Date: _____ Account Number: _____

Customer's Name: _____

Mailing Address: _____

Service Address:(If different from above):

Date(s) of High Bill(s): _____ Repair Date _____

Describe what was done to fix or correct the water leak problem(s):

Has a water leak adjustment been made for this service address on any previous occasion?
yes when? _____ No

Please Note: Completion of this form does not guarantee an adjustment will be made to your bill. As your account must remain current and to avoid additional service charges, customers are advised to pay the water amounts due while your adjustment is pending. Payment arrangements may be scheduled by contacting the business office. Reimbursement will only occur once a water leak adjustment request is granted.

Requests for leak adjustments must be submitted within 90 days of the bill requested to be adjusted.

Only one (1) bill will be adjusted in any consecutive twelve (12) month period.

Customer's Signature: _____