



WESTMINSTER DEPARTMENT OF PUBLIC WORKS
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Commissioners
Lorraine J. Emerson, Chairman
Vance A. Butterfield
Ross W. Barber

Joshua W. Hall, P.E.
Director of Public Works

WATER / SEWER ABATEMENT POLICY

General

There is a cost to the Town for all water and sewer passing through the Town's systems. The cost associated with the operation of the Town's water and sewer services are paid for by user charges pursuant to an enterprise accounting system. These charges, for the most part, are determined by the amount of the service consumed, i.e., the number of gallons used. For billing purposes, the town assumes that sewer use equals water use unless a Deduct Meter has been installed and approved.

Policy

A user assumes responsibility for the water they consume when connecting to the Town's system. The Town recognizes that a high bill resulting from an accidental, unpreventable water release, or other unforeseen circumstances, can present financial hardship to a customer. While most water releases are preventable, there are certain circumstances when an accidental water release cannot be reasonably prevented. The intent of this policy is to establish a procedure to cover these circumstances.

Customers requesting an adjustment of charges must file a written request signed by the property owner and submit it to the Department of Public Works. Supporting documents including proof of repairs should be included with this request.

The Westminister Public Works Commission reserves the right to modify or eliminate this policy as provided by law.

Abatement Consideration – Water

To qualify for abatement, a customer's water consumption must exceed two (2) times their average consumption for the same billing period for the prior three years. When previous consumption history is unavailable, an average of a comparable residential user will be used. For all other users, the Department will use an average derived from similar users in its Service Area (ex: restaurant, laundry, other commercial users). Maximum adjustment not to exceed 50% of excess usage.

Abatement Consideration – Sewer

- Where it can be demonstrated that the elevated water usage during a particular billing period did not result in the water entering the sewer system; i.e. an outside leaky faucet, a burst heating pipe.

- Abatement for outdoor uses will only be considered if it has been demonstrated to the Director of Public Works or their designee that a Deduct Meter has been installed for future use.
- Consideration will be on a case by case basis. Maximum adjustment not to exceed 45% of excess usage.

Limitations

- Abatement requests apply to usage occurring in the most recent quarterly billing period and must be filed by the due date of the bill. Requests are limited to once during any three-year period per account.
- No request for abatement or adjustment will be accepted on any account unless all amounts due on that account, including interest and penalties, for all billing periods prior to the contested period covered by the abatement or adjustment application have been paid in full.
- The excess usage must not have been caused by the actions or inaction of the Customer and/or their agent.

Adjustment Determination Conditions and Procedure

1. All customer requests to abate any portion of a metered water bill that is unusually high due to unpreventable or undetected leakage shall be reviewed by the Director of Public Works or their designee on a case-by-case basis and approved by the Public Works Commission. The customer must prove that the deficiency responsible for leakage has been repaired or corrected.
2. In the event that a customer cannot determine the source or cause of the abnormally high consumption, the customer is required to hire a private licensed plumber to assist the customer in trying to determine said source or cause. If the plumber is unable to determine the source or cause of the abnormally high consumption, the Town can only speculate that the customer has located and repaired or corrected said source. If the customer claims that said source never existed, the Town shall test the meter and make an adjustment to the bill if the meter is found to be over-recording. If the meter test reveals an accurate or under-recording meter, the customer shall be held responsible for the entire bill including the cost for testing the meter.
3. In the event the source or cause of the abnormally high consumption is related to a leak due to customer negligence such as the failure to maintain internal (private) plumbing fixtures in good repair and/or protect plumbing from freezing, the customer may be held responsible for the entire bill.


4. The abatement calculation may consider compensation from any other sources, including insurance claims, etc. The customer may be required to submit written statements from these sources regarding what portion, if any, will be compensated.

The Town shall continue water service (for abnormally high consumption) provided the customer pays the entire amount due within the normal payment period or enters into payment arrangements for the excessive amount and is in good standing on all current billings.

Approved by: TOWN OF WESTMINSTER
PUBLIC WORKS COMMISSION



Lorraine J. Emerson, Chairman



Vance A. Butterfield, Commissioner



Ross W. Barber, Commissioner

Dated: August 30, 2021