



City of Tukwila

Washington

Ordinance No. 2252

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, ESTABLISHING NEW REGULATIONS REGARDING WATER AND SEWER BILL LEAK ADJUSTMENTS TO BE CODIFIED AT TUKWILA MUNICIPAL CODE SECTIONS 14.04.245, "WATER BILL LEAK ADJUSTMENTS," AND 14.16.055, "SEWER BILL LEAK ADJUSTMENTS"; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council recognizes that Tukwila citizens and businesses occasionally incur excessive water and sewer charges related to water leaks; and

WHEREAS, such excessive charges arise at the same time that significant expenses are incurred in the repair of such leaks; and

WHEREAS, the City Council has determined that it is in the best interest of Tukwila citizens and businesses to provide relief for excessive water and sewer charges related to water leaks;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Regulations Established. Tukwila Municipal Code Section 14.04.245, "Water Bill Leak Adjustments," is hereby established to read as follows:

14.04.245 Water Bill Leak Adjustments

City Administrative Policy No. 300-14, "Utility Leak Adjustment Policy," is hereby adopted and incorporated into this chapter by reference as if fully set forth herein and is attached as Exhibit A. The Finance Director is required to maintain the administrative leak adjustment policy. Changes to the policy require approval of the City Council Finance and Safety Committee.

Section 2. Regulations Established. Tukwila Municipal Code Section 14.16.055, "Sewer Bill Leak Adjustments," is hereby established to read as follows:

14.16.055 Sewer Bill Leak Adjustments

City Administrative Policy No. 300-14, "Utility Leak Adjustment Policy," is hereby adopted and incorporated into this chapter by reference as if fully set forth herein and is attached as Exhibit A. The Finance Director is required to maintain the administrative leak adjustment policy. Changes to the policy require approval of the City Council Finance and Safety Committee.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 4. Effective Date. This ordinance or a summary thereof shall be published in the official newspaper of the City, and shall take effect and be in full force and effect five days after passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON,
at a Regular Meeting thereof this 5TH day of OCTOBER, 2009.

ATTEST/AUTHENTICATED:

Christy O'Flaherty
Christy O'Flaherty, CMC

Jim Haggerton
Jim Haggerton, Mayor

APPROVED AS TO FORM BY:

[Signature]
Office of the City Attorney

Filed with the City Clerk: 9-30-09
Passed by the City Council: 10-5-09
Published: 10-8-09
Effective Date: 10-13-09
Ordinance Number: 2252

Attachment: Exhibit A - Administrative Policy 300-14



CITY OF TUKWILA ADMINISTRATIVE MANUAL

Index: 300-14

Page 1 of 3

TITLE: UTILITY LEAK ADJUSTMENT POLICY

1.0 PURPOSE:

To provide a procedure for approval, calculation and adjustment of water and sewer charges (Single family & Non-single family account classifications) where excessive water consumption can be attributed to a water leak.

2.0 ORGANIZATION AFFECTED:

3.0 REFERENCES:

4.0 POLICY:

- 4.1 The property owner, or their agent, must request the adjustment in writing by completing a request form located at the Finance Department in City Hall or on the City's website. Required information shall include:
 - a. Name, service address where leak occurred and account number
 - b. Description of leak and date repaired
 - c. Copy of repair bill or materials receipts
 - d. Signature of customer

- 4.2 Upon receipt of the completed request form, a representative of the City Public Works department will confirm, through visual inspection, that the leak has been repaired.

- 4.3 Following confirmation of repair, Finance personnel will adjust no more than two billing cycles (2 months). Single-family account types will have water only adjusted. Non-single family account types, where the customer's sewer bill may be based on the water consumption, will be allowed an adjustment to the water, City sewer and Metro sewer charge, provided it can be confirmed to the satisfaction of the Finance Utilities Supervisor that the additional water volume was due to the leak and did not enter the sanitary sewer system.

- 4.4 The consumption used to determine the leak adjustment amount will be the actual consumption from the same bill cycle of the previous year if the current resident/tenant also occupied the space during the same period in the prior year.

- 4.5 For property owners who have been owners for less than one year, or in situations where the current tenant did not occupy the same space in the previous year, the consumption used to determine the leak adjustment amount will be one of the following:

TITLE: UTILITY LEAK ADJUSTMENT
POLICY

Index: 300-14

Page 2 of 3

- i. An average of the water consumption in the three-complete billing cycles immediately preceding the bill cycle in which the leak began.
 - ii. In the absence of three complete prior billing cycles, water consumption after the leak repair is complete can be used to estimate consumption during the leak period.
- 4.6 One leak adjustment per 12-month period per account will be authorized. If an additional adjustment request is submitted for an account in the next or following year(s), the Finance Utilities Supervisor will consult with the Water Utility Engineer to determine if the City will require the customer to complete extensive repairs to the service line and/or fixtures.
- 4.7 Property owners will be eligible for a leak adjustment if the total dollar amount of the adjustment for both water and sewer is greater than \$50.00 (or \$25.00 for a water only account), not to exceed a credit of \$500.00 for water only adjustments. Adjustments are limited to no more than \$5,000.00 for any combination of water and/or sewer charges, regardless of the type of customer.
- 4.8 Leak adjustments shall have the following required approvals:
 - a) \$500.00 or less – Finance Utilities Supervisor
 - b) Greater than \$500.00 and up to \$5,000.00 – Finance Director
- 4.9 If the property owner disputes the decision made by the City in which the disputed amount exceeds \$500.00, he or she may submit a written request to the City of Tukwila Finance Director for an administrative review of the adjustment by the City Council Utilities Committee. Recommendations for leak adjustments made by Utilities Committee will be submitted to the full City Council for final consideration and approval. Such request should identify the property, describe the leak and repair, and state the basis for the request for an administrative review. The Finance Director must receive the written request for administrative review within 15 days from the date the City posted the adjustment to the account. Pending the decision on this review, the customer who requests such review must continue to pay the disputed charge as billed until the written decision of the Finance Director is provided. A decision of such an administrative review will be provided within 30 days of receipt of the written request for administrative review. Upon the written decision of the Finance Director, if an account has been incorrectly charged, the account will be adjusted accordingly to cover all billings occurring during the administrative review and all billings that preceded the date of receipt of the written request for review, in accordance with City policy.

TITLE: UTILITY LEAK ADJUSTMENT
POLICY

Index: 300-14

Page 3 of 3

Title:
UTILITY LEAK ADJUSTMENT POLICY

Initiating Department:
Finance Department

Effective Date:
10/1/09

Supercedes:
N/A

Mayor's Office Approval Signature: