

POLICY TITLE: Private Water Service Line Leak Wastewater Bill Adjustment Policy

POLICY NO: PP-015

LAST REVISION DATE: N/A

EFFECTIVE DATE: May 1, 2023

MANAGER REVIEWED: Kirk Weaver

TO BE REVIEWED: May 2028

MAINTENANCE RESPONSIBILITY: Financial Planning, Administration and Policy Division

I GENERAL

The City of Hamilton's Private Water Service Line Leak Wastewater Bill Adjustment Policy (Policy) provides customers who utilize City water services the opportunity to request adjustments of wastewater bills and associated fees, penalties and interest accrued, when wastewater / storm billings increase significantly, as a result of private watermain / service line leak(s), where the leak(s) are downstream of the property's water meter. An adjustment would only occur where Hamilton Water determines that the leaking water from the private watermain / service line leak(s) likely did not enter the City's sanitary sewer, storm sewer or combined sewer system.

II BACKGROUND

As outlined by the City's Waterworks By-law, the City's ownership and maintenance obligations for the water distribution system includes the public watermains and the portion of the water service line up to and including the water curb stop located at the property line. The water meter is owned and maintained by the City.

The property owner is responsible for the private watermain / service line from the water curb stop to the structure, as well as, the premise plumbing and fixtures. It is the customer's responsibility to keep their water lines and plumbing system in good working order. However, the City recognizes that water leaks do occur from time to time. Water leaks that occur downstream of a property's water meter will affect the property's water bills. Water meters may be located at the property line typically in underground chambers for some multi-residential and industrial, commercial and institutional (ICI) properties.

The Policy sets out specific eligibility criteria that a customer must meet in order to qualify for a billing adjustment due to increased wastewater / storm billings related to downstream private watermain / service line leaks. As wastewater / storm billings are based on potable water usage, the Policy aims to ensure that fundamental user fee principles related to Water/Wastewater services are maintained.

III POLICY

PURPOSE

To provide staff with the delegated authority to make decisions on bill adjustments related to private watermain / service line leaks supporting the principle of a user-pay water and wastewater / storm system. A user fee is a charge imposed by the City for the primary purpose of covering the cost of providing a service, directly raising funds from those who benefit from the public good or service being provided. The Policy recognizes that water from private watermain / service line breaks may not enter into the City's sanitary sewer, storm sewer or combined sewer system and therefore, should not be subject to wastewater treatment charges.

DEFINITIONS

For the purposes of this Policy, the following definitions apply:

abnormally high water usage: Water and wastewater / storm billing for a City of Hamilton customer where the recorded metered water consumption for the customer is two (2) or more times greater than the historical daily average consumption of that customer for the same property and for a similar time period from the previous year.

leak: An unintentional water loss caused by broken and / or malfunctioning plumbing fixtures and / or pipes within a residence or building. A leak occurs when there is a failure of the plumbing system to do what it was designed to do.

vacant: Regardless of the presence of furnishings, a vacant dwelling and / or building means the occupants have moved out with no intent to return. A newly constructed dwelling and / or building is also considered to be vacant after it is completed and before the occupants move in. A dwelling and / or building is also vacant when the occupants move out and before any new occupant moves in.

REQUIREMENTS FOR WASTEWATER / STORM BILLING ADJUSTMENTS

Under this Policy, a credit adjustment may be available up to a maximum of twelve (12) months and \$100 K to qualifying City wastewater / storm customers who experience a private watermain / service line leak when determined by the City that the water did not enter the City's sanitary sewer, storm sewer or combined sewer system. Adjustments for amounts exceeding \$100 K are to be brought forward for the consideration of the Audit, Finance and Administration (AFA) Committee.

Adjustment Amount (Credit) – The customer's wastewater / storm billings may be adjusted based on the amount of water associated with the private watermain / service line leak(s) costed at the applicable year's wastewater rates.

To qualify for such determination:

- It is the property owner's responsibility to keep the private watermain / service line and their plumbing system in good working order.

- To qualify for a service line leak adjustment, the eligible watermain / service line leak(s) must generate a minimum additional charge of at least two (2) times the average of the past twelve (12) months' bills.
- An adjustment would only occur where Hamilton Water determines that the leaking water from private watermain / service line leak(s) likely did not enter the City's sanitary sewer, storm sewer or combined sewer system.
- The customer agrees to permit City personnel to access the customer's property to conduct inspections and determine that the leakage did not enter the City's sanitary sewer, storm sewer or combined sewer system.
- Upon receipt of an abnormally high water bill, the customer has actively attempted to address the leakage in a reasonable timeframe. The claim must be accompanied by proof that the leak(s) has been repaired before an adjustment will be made (i.e. copy of invoice for materials, contractor invoice).

OTHER CONDITIONS / EXCLUSIONS

- Water loss due to theft, vandalism or construction damage is not eligible for relief under this Policy. Resolving these issues is the responsibility of the customer.
- Leaks associated with structures that have been left or abandoned. In accordance with the Waterworks By-law, for all long-term vacant properties, the water service should be shut off at the property line.
- Leaks on irrigation systems or irrigation lines.
- Filling of water features, fountains or fish ponds, or leaks associated with water features.
- Filling of or leaks associated with and / or general water usage associated with outdoor recreational activities such as, but not limited to, hot tubs, pools, slip-n-slides and sprinklers.
- Watering of lawns or gardens and washing or pressure-washing driveways, cars, windows or siding of any structure.
- Water loss due to theft, vandalism or construction damage.

The Customer is required to keep their water and wastewater / storm account current with payment in full or establish a payment arrangement pending consideration in order to be eligible for billing adjustments under this Policy. Any unpaid amounts under appeal will be treated in the same manner as all other unpaid accounts so that collection activity continues as per the City's Water and Wastewater / Storm Arrears Policy.