

RESOLUTION NO. 3030

A RESOLUTION OF THE CITY OF SALISBURY REPEALING RESOLUTION NO 2741 AND TO APPROVE AN UPDATED CITY POLICY TO GRANT A PARTIAL CREDIT TO WATER ACCOUNT HOLDERS WHEN THEY HAVE EXPERIENCED AN UNUSALLY HIGH WATER BILL DUE TO A LEAK OR OTHER NON-BENEFICIAL USE OF WATER

WHEREAS, the City of Salisbury maintains a water and sewer utility in the greater Salisbury area; and

WHEREAS, the City only reads water meters on a quarterly basis; and

WHEREAS, from time to time between readings, homeowners and businesses, experience abnormal usage of water due to leaks, burst pipes, plumbing malfunctions or other non-beneficial use of water, and will most likely not be aware of unusual consumption until the next meter reading cycle; and

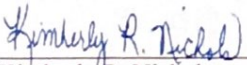
WHEREAS, these circumstances frequently result in inconsistent water utility bills; and

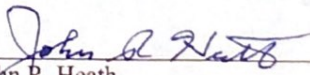
WHEREAS, the City of Salisbury used enterprise funds to prepare the water for consumption, however, the City of Salisbury wishes to be reasonable in its governance.

NOW, THEREFORE BE IT RESOLVED that the City of Salisbury approves the attached revised policy regulating the extension of a partial credit to mitigate the extreme hardship caused families and businesses by offsetting the full cost of the water consumed from which they did not receive any benefit.

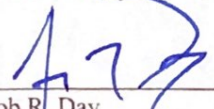
THIS RESOLUTION was introduced and duly passed at a meeting of the Council of the City of Salisbury, Maryland held on this 27<sup>th</sup> day of April, 2020 and is to become effective immediately upon adoption.

ATTEST:

  
\_\_\_\_\_  
Kimberly R. Nichols  
CITY CLERK

  
\_\_\_\_\_  
John R. Heath  
PRESIDENT, City Council

APPROVED by me this 12<sup>th</sup> day of MAY, 2020

  
\_\_\_\_\_  
Jacob R. Day  
MAYOR, City of Salisbury

1 Water and Sewer Utility Directive

2  
3 **Policy on Non-Beneficial Use of Water – Revised ~~September 1, 2016~~ April 27, 2020**

4  
5 Per Resolution No. ~~1205~~ 2741, it is the policy of the City of Salisbury to grant a credit to account holders who  
6 have experienced a major usage of water due to a leak, broken pipes, plumbing malfunction or other non-  
7 beneficial use of water.

8  
9 The credit will amount to ~~60%~~ either 60% or 90% of the increased consumption over the average  
10 consumption, or the consumption for the same period for the prior year, whichever is greater based on the  
11 defined Consumption Threshold. The average may be determined differently if there is insufficient history or  
12 estimated readings. The credit will be applied to both the water and sewer portions of the bill.

13  
14 **Consumption Threshold**

- 15 • 60% CREDIT - The amount of the increased consumption is at least three (3) times the average  
16 consumption, for accounts with an average of 500 thousand gallons or less per quarter, or two (2)  
17 times the average consumption for accounts with an average consumption of greater than 500  
18 thousand gallons.
- 19 • 90% CREDIT - The amount of the increased consumption is at least twenty (20) times the average  
20 consumption, for accounts with an average of 500 thousand gallons or less per quarter, or ten (10)  
21 times the average consumption for accounts with an average consumption of greater than 500  
22 thousand gallons.

23  
24 All of the ~~The~~ following conditions must apply before the credit may be permitted ~~granted~~:

- 25  
26 • The leak was such that it would not normally be detected by the account holder; for example,  
27 continuously running toilets, leaking faucets or other fixtures, lateral line leaks, and/or non-typical  
28 applications of delivery.
- 29 • A City employee has confirmed that the high bill was due to a non-beneficial use of water. Beneficial  
30 use of water includes, but is not limited to, using water for lawn irrigation, landscaping irrigation,  
31 washing vehicles, filling pools or in fountains. (Per City Code 13.08.060, outside underground  
32 irrigation systems shall not be connected to the City’s water supply system, unless there is a variance.  
33 Beneficial use of water is not eligible for a credit under this policy.)
- 34  
35 • The account holder has promptly determined the reason for the problem or has hired a licensed  
36 plumber to ascertain the reason for the high consumption of water and has promptly resolved the  
37 problem. The account holder submits evidence that the problem is fixed by submitting a paid receipt  
38 for repair and/or fixtures. The Department of ~~Public Works~~ Field Operations and/or the City’s  
39 Plumbing Inspector confirms that the leak has been sufficiently repaired to prevent subsequent  
40 concerns.
- 41  
42 • This credit may apply to no more than two quarterly bills if all of the requirements are met during that  
43 period of time.

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- Account holders will be eligible for this credit for only one occurrence within a three (3) year period. This will reset with a change in property ownership but not with a change in tenant.
  - A credit/refund towards the account will only be considered for the past two billing cycles (including current bill) with proper repair verification. In other words, leaks over six (6) months old will not be considered for refunds/credits.
  - Any adjustment made other than to the current bill will be left on the account as a credit toward the next bill. Refunds will be issued to whomever paid the invoice. If a refund would be issued within two (2) weeks of a new invoice, then it will be handled as a credit on the account.
  - Late fees will not be adjusted for non-payment.

15 This ~~policy~~ directive allows flexibility for the Director of Field Operations Finance to resolve disputes when it  
16 is believed to be in the best interest of the City. While there is no provision for hardship within this directive,  
17 appreciation of such circumstances may be considered. All credits to be granted under this policy must be  
18 recommended by the ~~Public Works Department~~ Department of Field Operations and approved by the Director  
19 of Field Operations Finance.

20 The Director of the Department of Finance or their designee may negotiate payment agreements with the  
21 property owner.

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## MEMORANDUM

**To:** Julia Glanz  
**From:** Tom Stevenson  
**Subject:** Proposed Modifications to Existing Water Billing Adjustment Directive  
**Date:** March 25, 2020

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From time to time, it is necessary to review and amend legislative and technical mandates. The Department of Field Operations frequently receives requests from water and sewer customers to adjustment both their water and sewer fees that are associated with non-beneficial use of water. The current directive allows a 60% reduction of associated fees. While that may seem like a generous compromise, it may, and has in some cases leave consumers with a bill of several hundred or even thousands of dollars. I agree that there is an associated cost to collect, treat and convey potable water. However, in some situations customers may fall victim to situations that result in substantial water usage with no knowledge of the unintentional consumption. Cost aside, the important metric is to account for water loss, which we do.

Attached is the revised Water and Sewer Utility Directive along with the Resolution for consideration for modifications to the current Directive.

Unless you or the Mayor have further questions, please forward a copy of the Memo with the Water and Sewer Utility Directive and Resolution to the City Council.