

CITY OF WEST BRANCH ADMINISTRATIVE POLICY REGARDING REQUESTS FOR

ADMINISTRATIVE ADJUSTMENTS TO WATER/SEWER BILLS:

NOTE—Only ONE (1) water and/or sewer bill adjustment per water customer for the life of the water customer. This rule applies to landlords who own multiple properties as well as individual homeowners. Landlords (as well as individual homeowners) are advised to do regular inspections of their property and perform maintenance as needed to avoid unnecessary plumbing leaks, etc. Water customers are also advised to regularly inspect toilets, sinks, etc. for leaks, as proper maintenance of all internal plumbing and fixtures is the responsibility of the property owner NOT the City of West Branch.

- (1) For a request for an administrative adjustment to a water-sewer bill to be considered, the party responsible for the bill MUST fully complete and submit the proper paperwork [“Water/Sewer Bill Administrative Adjustment Request Form” which is available at West Branch City Hall and can be mailed to parties upon request by calling (989) 345-0500].
- (2) If a Water/Sewer Bill Administrative Adjustment Request Form is properly completed and turned in to West Branch City Hall before the due date of the bill in dispute, the bill that is being dispute will be held in abeyance until a decision is made regarding the request for an administrative adjustment (meaning that the amount due is put on hold and penalties and interest will not be assessed during the period in which the request is being reviewed by City Hall Administration). However, once a decision is rendered regarding a request for an administrative adjustment, said decision will be mailed to the party making the request and the amount originally due (or the new adjusted amount, if an adjustment is approved) will be immediately due and owing within seven (7) business days of the date of mailing, and penalties and interest will again begin to be assessed if the full amount is not immediately paid.
- (3) When making a determination as to whether to grant a request for an administrative adjustment to a water/sewer bill, the original assessment will be made by the City of West Branch Deputy Clerk/Treasurer, with oversight of the process provided by the City Clerk/Treasurer—Unless the amount of adjustment recommended is greater than \$700, in which case the determination must also then be approved by the City Council.
- (4) Once a decision regarding a request for an administrative adjustment is mailed, the requesting party has seven (7) days to appeal the decision in writing to the City Manager by fully completing and submitting the proper paperwork [“Appeal of Decision Regarding Request for Administrative Adjustment to Water/Sewer Bill” which is available at West Branch City Hall and can be mailed to parties upon request by calling (989) 345-0500].
- (5) If an Appeal of Decision Regarding Request for Administrative Adjustment to Water/Sewer Bill is properly completed and turned in to West Branch City Hall within seven (7) days of the mailing date of the original decision letter, the bill that is being dispute will be held in abeyance until a decision is made regarding the request for an administrative adjustment (meaning that the amount due is put on hold and penalties and interest will not be assessed during the period in which the request is being reviewed by City Hall Administration). However, once a decision is rendered by the City Manager regarding a request for an administrative adjustment, said decision will be mailed to the party making the request and the amount originally due (or the new adjusted amount, if an adjustment is approved) will be immediately due and owing within three (3) business days of the date of mailing, and penalties and interest will again begin to be assessed if the full amount is not immediately paid.

(6) Appeals of the City Manager's final decision regarding appeals may also be appealed to the City Council by either requesting in writing to appear on the agenda of a Council meeting at least three business days in advance of the Council meeting, or by appearing during the "Public Comments" section of any open meeting of the West Branch City Council. However, amounts due on disputed bills are NOT held in abeyance pending appeals to Council and penalties and interest continue to be assessed during such appeals and will only be removed if such an appeal to Council is successful and the West Branch City Council votes to direct City Hall Administration to remove said fees and interest.

(7) When making a determination as to whether a request for an administrative adjustment to a water/sewer bill should be granted, City Hall Administration should consider the following factors:

- Does there appear to have been a malfunction of City-owned equipment?
- Did the property owner exercise due care regarding their duties to properly maintain their property, including plumbing fixtures?
- Could there have been a leak, such as a leaking toilet, that caused the high water bill (which is the responsibility of the property owner)?
- If the property owner is requesting an adjustment to the sewer portion of their bill and claiming that their bill was especially high due to a leaking pipe and that the water did not go into the sewer (as opposed to a leaking toilet, where the water did go into the sewer), does the property owner have proof to validate this claim, such as a receipt from a licensed plumber evidencing a repair to a leaking water pipe?

(8) The following guidelines should apply to City Hall administration when making determinations:

- If there is evidence that there was a likely malfunction of City-owned equipment, an administrative adjustment should be granted. However, some evidence must be provided, not just claims of a malfunction.
- If the high water/sewer bill is attributable to a failure on the part of the property owner to exercise due care in their duties to properly maintain their property, including plumbing fixtures (such as ensuring against toilet leaks), administrative adjustments should not be granted.
- If the high water/sewer bill is attributable to a failure to utilize a sprinkler meter, or other similar situation, then an administrative adjustment should not be granted.
- If the high water/sewer bill is attributable to a landlord/tenant dispute, or dispute between third parties regarding authorized vs/ unauthorized use of water/sewer, an administrative adjustment should not be granted, as that is a civil matter to be worked out amongst the parties involved.
- If the high water/sewer bill is claimed to be attributable to a leaking water pipe, an administrative adjustment should not be granted UNLESS verifiable proof is presented evidencing that that the excess amount of water used likely did not enter the sewer system (as opposed to the possibility that the high water/sewer bill could have actually been caused by something such as a leaking toilet, in which case the water did in fact enter the sewer system). Examples of verifiable proof that would evidence that the excess amount of water used likely did not enter the sewer system would include a receipt from a licensed plumber, along with a description of the work performed, that describes repairs made during the billing cycle in question to a water pipe that had burst whereby the leaking water did not in fact enter the sewer system.

REMEMBER—Just ONE silently leaking toilet can use as much as 21,000 gallons of water per quarter!!!