

RESOLUTION 16-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARY ESTHER, FLORIDA PROVIDING FOR DETAILED ADMINISTRATIVE POLICY FOR ADMINISTERING ORDINANCE 2016-12; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is committed to a fair and uniform application of its codes and ordinances;

WHEREAS, City Ordinance 2016-12 revised Sec. 20-96. - Major Water Leaks, and;

WHEREAS, Sec. 20-96(d) states the City will create a major water leak adjustment administrative policy by resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mary Esther, Florida:

**Section 1. Authority.** Authority for enactment of this resolution is Sec. 20-96(d), Mary Esther Code of Ordinances.

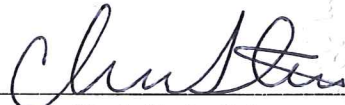
**Section 2. Utility Account Major Water Leak Administrative Policy.** The City of Mary Esther hereby establishes the Utility Account Major Water Leak Administrative Policy set forth in Exhibit A attached hereto for reference and adopted by City Council.

**Section 3. Repealer Clause.** All sections or parts of sections of any City of Mary Esther's Ordinances or parts of Ordinances, and any City of Mary Esther's Resolutions or parts of Resolutions, and any City of Mary Esther's Policies or parts of Policies, which are in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4. Effective Date.** This Resolution shall take effect immediately upon approval by the City Council and signature by the Mayor.

SO DONE this 7<sup>th</sup> day of NOVEMBER 2016.

By:

  
Chris Stein, Mayor

ATTEST:



Dana L.S. Williams, CMC  
City Clerk

## EXHIBIT A

### **Mary Esther, Florida Utility Account Major Water Leak Adjustment Administrative Policy**

#### 1. Purpose:

1.1 For conservancy and to fairly administer the City's ordinances covering utility account water leak adjustments due to leaks of, and subsequent repairs to, customer's plumbing, the City has created this leak adjustment policy.

#### 2. Definitions:

2.1 Water Leak - for the purposes of this leak adjustment policy, a leak is considered a leak only if it occurred on the customer's side of the water meter.

2.2 Average Utility Bill - for calculating the customer's average utility bill, as used in the adjustment calculation, the average utility bill shall be the average of the water, sewer, and water utility tax charges for the six (6) months preceding the month(s) to be adjusted.

2.2(a) If the utility account does not have six (6) months of historical data, the City will use the average utility bill amounts from the customer's available history of at least 3 months to determine the average utility bill amount for use in the water leak adjustment.

2.2(b) If the utility account does not have at least three (3) months of historical data, the City will request the account holder state how many people dwell at the residence and use the amount that would be billed for an account with usage of 1,500 gallons per month, per resident, as the amount of the average utility bill. (For example 4,500 gallons billing for 3 residents.)

2.3 Proof of Repair - for the purpose of this leak adjustment policy, proof of repair shall be one of the following:

2.3(a) A copy or original receipt from a professional plumber or plumbing repair company, identifying the repair work completed within 30 days of the date of the discovery of the leak.

2.3(b) A copy, or the original receipts, from a hardware or home improvement store showing that plumbing parts were purchased, presumably for use in the repair, along with a signed statement by the customer stating the repair has been completed within 30 days of discovery of the leak.

2.3(c) A signed statement by the customer stating the repair has been completed within 30 days of the date it was discovered, no receipt is available, and they understand, no additional leak adjustment will be made for the same leak in the subsequent 6 months' utility billing.

3. Exclusions:

3.1 The City is not responsible for the customer's plumbing system beyond the point of service (the meter).

3.2 The City will not adjust water utility account billing or balances for the customer's water leaks if the leak was not repaired within 30 days of discovery.

3.3 The City will not adjust more than two consecutive months of billing for a leak of the owner's or customer's plumbing

4. Calculating the Leak Adjustment Amount:

4.1 If a customer has excessive water loss on his/her side of the meter that was not processed through Mary Esther's sewer system and repair or correction has been made within 30 days, the City may adjust the Mary Esther water & sewer charges to reflect the average utility billings.

4.2 The customer must submit proof of the repair. See section 2.3 for the definition of this required proof.

4.3 The City will calculate the average utility billing using the prior six (6) months of City of Mary Esther billing history for the customer's utility account, or using one of the alternative methods described in section 2.2 of this policy, .

4.4 The one (1) or two (2) months of utility account billing affected by the leak, will be adjusted downward by the amount of the billing for the difference between the actual usage for the month billed and the average usage.