

**CITY OF DuPONT  
WASHINGTON**

ORDINANCE NO. 06-817

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**AN ORDINANCE OF THE CITY OF DuPONT, PIERCE COUNTY, WASHINGTON; PROVIDING FOR WATER LEAK ADJUSTMENTS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the City is authorized by law to establish and operate a water, sewer, and storm water system and to fix rates and charges for the payment of the cost and expense of operating said utility; and

WHEREAS, water leaks can occur due to a break in the water line; and

WHEREAS, such water leaks can result in an unnecessary loss of water and very costly utility bills; and

WHEREAS, to encourage water users to repair water leaks; and

WHEREAS, the City does not currently have a section in the Municipal Code to allow for water leak adjustments;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DuPONT, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. DMC Chapter 21.05.060 "Water Leak Rate Adjustment," Adopted. DuPont Municipal Code Chapter 21.05.060, entitled "Water Leak Rate Adjustment," is adopted to read as follows:

1. A City water utility customer may apply in writing to the City for a water leak rate adjustment. Making such a request does not extend the period for payment of the water bill. Requests for adjustments on delinquent accounts will not be acted upon until paid in full.

2. A water leak rate adjustment is permitted once in a two-year period and can only be applied to one (1) billing period. To be eligible for this rate adjustment the following must apply:

a. The affected water line must be owned by or be subject to the exclusive control of the customer; and

b. The increase of water usage for which an adjustment is sought must be due to a verifiable water leak in the water line between the customer's side of the water meter and the customer's residence or structure; and

c. The water usage sought for adjustment must exceed two (2) times the customer's highest usage in any single billing period during the twelve (12) months prior to the billing period sought for adjustment; and

d. The customer must apply for a water leak rate adjustment within thirty (30) days of the City's issuance of the water bill sought for adjustment; and

e. The customer must provide proof that the affected water line has been repaired, such as photos of repair or a receipt from a licensed plumber.

3. Following a request for a water leak rate adjustment, the City Administrator, or his/her designee, shall review the request and determine whether or not to approve a water leak rate adjustment. In order to make a proper determination, City staff shall be entitled to access, inspect, and approve the customer's water line repair prior to granting a water leak rate adjustment.

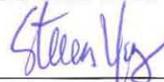
4. If approved, the City shall make a water leak rate adjustment by issuing a credit to the customer's account. The adjustment shall not exceed the total water usage for the billing period sought for adjustment minus the customer's average water usage. For purposes of this subsection, the "average water usage" shall be computed by determining the total volume of water consumed, under normal use conditions, during the preceding twelve (12) months and dividing that total volume by the number of times the City would typically read the customer's water meter in a twelve 12 month period. For customers who have been receiving service for less than twelve (12) months, the average water usage shall be based on average usage during the months of service. In no instance shall the water leak adjustment exceed twelve hundred dollars (\$1,200).

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 12<sup>th</sup> DAY OF September, 2006.**

CITY OF DuPONT

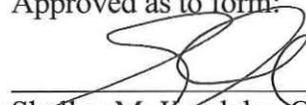


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Steve Young, Mayor

ATTEST/AUTHENTICATED:

  
Erin Larsen, City Clerk

Approved as to form:

  
Shelley M. Kerslake, City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Date of Publication:  
Effective Date: