

CITY OF YACHATS

ADMINISTRATIVE POLICY NO. 19 RELIEF FOR WATER BILLING FOR NATURAL CAUSE WATER LOSS

OBJECTIVES

To provide an application process for partial credit for water charges resulting from loss as a result of natural causes; define those specific causes; and, establish the procedure by which City Hall Staff will process the applications for credit, based on the criteria to ensure that it is fair and consistent.

CRITERIA AND PROCEDURES

This policy applies only to the uncontrolled loss of municipal treated water at any residence or business as a direct result of natural causes. Relief will be considered for the quantity exceeding the average consumption.

1. The City Recorder will deny relief if it is determined that the property was unoccupied for 5 or more days and the hand valve was not present, not operational, or not used to minimize loss.
2. Any metered water service customer may apply for partial relief of the cost of water lost as a result of the below listed natural causes.
3. The City Recorder will grant relief of fifty percent (50%) of the charges above the applicant's average usage as determined by a review of the previous twelve (12) months' billings.
4. To qualify for such relief the situation shall meet the following criteria:
 - a. The excessive loss of water must not be caused by negligence of any party or individual.
 - b. The excessive cost of water must be greater than the average of the metered usage of the last twelve (12) billings.
 - c. The relief applied for will not exceed two billing cycles.
 - d. Only the owner, customer, or agent of record may apply.
 - e. Relief will not be granted for any loss that occurs more than one time at the same part of the plumbing where relief was previously granted.
 - f. The applicant must provide evidence that the leakage has been satisfactorily remedied and has been inspected by a City employee.

- g. The applicant must apply by filing a request for relief with the City Recorder, or designee.
- 5. For the City of Yachats to provide relief for a loss of water over and above the customers average usage the loss must be caused by one, or more of the following natural events:
 - a. Severe Freezing.
 - b. Earthquake. Any time that such a natural event shall occur in the immediate vicinity of Yachats earthquake damage is an allowable cause.
 - c. Earth slide. Any time an earth slide of size sufficient to cause the breaking or disconnection of plumbing the event is allowable and eligible for relief.
- 6. The City may forgive sewer charges when there has been an emergency loss of water and it is demonstrated that the lost water did not enter the sewer system.
- 7. Any decision or action of the City Recorder made or taken pursuant to this policy may be appealed to the council by filing written notice of appeal with the recorder within thirty (30) days following such decision or action. Such notice of appeal shall set forth in reasonable detail the action or decision appealed from the appellant's grounds for reversal or modification thereof. No later than the next regular council meeting following receipt of such notice, the council shall set a time for hearing upon such appeal. The action of the council upon such appeal shall be final.