

City of Old Town Sewer User Abatement Policies

Abatements of sewer use charges may be granted provided the water loss does not flow into the City's Sanitary Sewer System. The four categories listed below allow a user to request abatements.

1. Unanticipated water loss
2. Outside water usage
3. Manufactured product use
4. Billing error

1. Unanticipated Water Loss

Abatements of sewer use charges may be granted by the Superintendent of the Wastewater Treatment Plant upon application of a ratepayer where the ratepayer can demonstrate that a loss of water occurred due to no fault of the ratepayer, his or her agents or employees. Ratepayers are responsible for exercising due care in the maintenance of their water and sewer systems to prevent water losses. For purposes of abatement, "due care" shall be defined as the normal and reasonable steps which would be taken by a prudent individual in operating and maintaining his or her water and sewer systems. To be considered, a request for abatement must be made within 90 days of the billing date of the bill in question.

Valid reasons for an abatement include, but are not necessarily limited to, unanticipated water pipe breakage, plumbing fixture malfunction, heating system malfunction and vandalism. Upon notice or knowledge of such circumstances, the ratepayer is responsible for taking appropriate and timely action to remedy the problem.

Unanticipated water loss that enters the City's sewer collection system does not qualify for an abatement. Such examples are but not limited to leaking toilets or damaged water pipes that results in the water draining into a floor drain or sump pump that are connected to the City's sewer collection system.

The Superintendent shall be responsible for researching the basis for the requested abatement. He or she shall make a record of the results of the investigation, which shall include an estimate of the amount of water lost. The estimate of water lost shall be based on a minimum of the previous four quarters of water consumption, if available, and consideration of seasonal water use patterns. This estimate of water loss shall be used to calculate the amount of the abatement should one be granted.

When an abatement is granted, the amount of the abatement shall be calculated based on the total sewer use charge for the estimated amount of water lost at the rate of Operating and Maintenance charges in effect at the time of the loss.

2. Outside Water Usage

The homeowner is required to have a separate outside water meter for any outside water usage to be considered for an abatement. Abatements shall not be granted for water used for watering lawns or gardens, or other outside water uses without a separate outside meter to meter the water that does not enter the City's sanitary sewer system. It will be the ratepayer's responsibility, at their own cost, to install a secondary water meter that will measure only water used for outside usage.

Before the ratepayer begins their summer watering they will need to contact the Sewer Department and a representative from that department will come and read the meter to establish a beginning reading. When the homeowner is done for the season and is ready to disconnect the outside meter they will need to call the Sewer Department and have someone from that department come and take a final reading. These readings will then be calculated by formula to see if the minimum requirement was met for an abatement. Homeowners are limited to one outside water usage abatement per year.

To receive an abatement a fifteen dollar(\$15) or 200 cubic feet minimum must be met

If the homeowner has a swimming pool there will be one pool volume abatement each year if requested. This method will be used if there is no outside meter used.

To avoid finance charges the ratepayer should always stay current on their sewer bill and if there is an abatement granted the amount will be deducted from the next quarterly sewer bill. In any event the ratepayer will receive notice on the status of an abatement and the amount if one is to be granted.

Unanticipated water usage is covered in item (1) One: Unanticipated Water Loss

3. Manufactured Product Use

Any ratepayer which uses water in its end manufactured product which is shipped from the ratepayer's facility or in the process of manufacturing a product or providing a service and where such water does not enter into the sewer system, either in whole or in any part, may apply for an abatement of the sewer user fee equal to that portion of the water which does not reach the City's sewer system.

The applicant shall bear the burden of providing the necessary proof and documentation as to the amount of water used which does not enter into the sewer system. Adequate documentation must accompany the request for abatement and must clearly demonstrate the quantity of water used, which does not enter into the sewer system. All such requests for abatement shall be made to the Superintendent, who shall be responsible for researching the basis for the abatement as well as the adequacy of the information provided.

All such abatements shall be limited to a period of no more than three years. At the end of this period, the ratepayer may apply for a new abatement. The City reserves the right to periodically inspect the ratepayer's premises and records to ensure that the ratepayer is in compliance with the abatement. Should it be determined that the information provided by the ratepayer is invalid, that changes have occurred in the ratepayer's processes which have the effect of increasing the amount of water reaching the City's sewer collection system than reported by the ratepayer, the Superintendent may revoke the abatement, and the ratepayer shall be subject to a revised user charge equal to the full value of the abatement for the prior year(s).

4. Billing Error

Ratepayers who believe an error was made in billing should contact the Finance Department at City Hall. The Finance Director will be responsible for researching the request and abating or correcting any billing found to be in error.

General Information

When an abatement is granted, the Superintendent shall be responsible for taking the necessary steps to correct the appropriated billing records to reflect the abatement or to process a credit when the sewer use charge in question has been paid.

Any abatement exceeding \$500 must be reported to and confirmed by the Citizen's Sewer Advisory Board or the City of Old Town's Finance Director prior to final approval and the processing of a correction or credit.

Any ratepayer who disagrees with the decision of the Superintendent to deny an abatement or with the amount of an abatement calculated by the Superintendent may, within 30 days of being notified appeal the decision to the Citizen's Sewer Advisory Board. Appropriate city staff shall notify the ratepayer of the date, time and location of the meeting at which the appeal will be considered. In order for the appeal to be considered, the ratepayer and/or his or her representative must be present at the meeting. At the request of the ratepayer, consideration of the appeal may be postponed to a future meeting to be held within 60 days of the original meeting. Failure of the ratepayer to appear before the committee at the originally scheduled meeting or at a subsequent meeting called at the ratepayer's request shall result in the denial of the appeal. The decision of the Citizen's Sewer Advisory Board shall be final.

Revised August 21, 2020

~~Adopted April~~

~~1, 2001~~

