

TOWN OF HERNDON, VIRGINIA

ORDINANCE

MAY 26, 2015

Ordinance- To amend, clarify, and expand the water leak credit policy to include leaks or high bills of unknown origin.

BE IT ORDAINED by the Town Council for the Town of Herndon that:

1. Section 74-424, **Credit for water leaks**, Herndon Town Code (2000), as amended is amended and re-ordained as follows:

Sec. 74-424. Credit for water leaks or high bills of unknown origin.

(a) When a water service leak develops either in the underground service line located between the water meter and the structure where the water is used or within the structure itself and the water customer did not by the use of ordinary diligence promptly discover the leak, the town may credit the utility bill of the water customer. The town may issue the credit when the water customer upon discovery promptly and properly repairs the leak, and has not received such a credit during the five years preceding the date of discovery of the water leak. No credit shall be allowed for the period beginning ten days after the date the water customer discovered such leak. The water customer must certify in writing to the town the existence of the water service leak and the date of discovery; and must provide to the town the repair receipt.

(b) The town also may issue the credit when the town has a reasonable belief based on documented facts that a leak of unknown origin occurred or is occurring; or when high water and sewer bills of unknown origin occurred or is occurring. The town may only offer the credit described in the last sentence in a case that the same water customer has not received a credit described in this subsection during the five years preceding the date of discovery of the water leak or high water and sewer bills.

(c) An adjustment meeting the above standards will be calculated as follows:

- (1) In the case of an underground leak in the water customer's service line, a credit will be granted equal to 100% of the charges for all excess water and sewer usage in the current billing period (or, as applicable, the first or second most recent billing periods, or any or all of these periods as determined relevant by the director of finance) in which period the water service leak was discovered and certified to the town to have occurred.

- (2) In the case of a water service leak inside the water customer's structure, a credit will be granted equal to two-thirds of the charges for all excess water and sewer usage in the current billing period (or, as applicable, the first or second most recent billing periods, or any or all of these periods as determined relevant by the director of finance) in which billing period the water service leak was discovered and certified to the town to have occurred.
 - (3) In the case of a water leak of unknown origin or high water and sewer bills of unknown origin that results in charges exceeding five hundred percent above normal water usage, the director of finance may grant a credit computed as follows. This credit shall equal two-thirds of the excessive charges above charges for normal water usage for the impacted water customer. The normal water usage comparison and the resulting credit shall pertain to the current billing period (or, as applicable, the first or second most recent billing period, or any or all of these periods as determined relevant by the director of finance.)
 - (4) The director of finance shall determine excess water and sewer usage or normal water and sewer usage using historical data or other recognized standards.
2. This ordinance shall be effective on and after the date of its adoption and shall apply retroactively beginning July 1, 2014.

This is certified to be a true and accurate copy of Ordinance 15-O-16 adopted at a legally convened meeting of the Town Council of the Town of Herndon on May 26, 2015.

Margie Tacci
Margie C. Tacci, Deputy Town Clerk