

Town of Blowing Rock

Request for Council Action

FROM: Town Manager
SUBJECT: Request for Water/Sewer bill relief – Ms. Nancy Briggs
TO: Town Council
DATE: September 12, 2017
REQUESTED BY: Ms. Nancy Briggs

Public Hearing Yes No Will be required NA
Properly Advertised Yes No Will be required NA

BACKGROUND:

Nancy Briggs Water/Sewer Bill – Request for Relief

Ms. Nancy Briggs is asking for relief on her water/sewer bill. She told me that she contacted her house caretaker in May and asked to have the house de-winterized for her pending return to Blowing Rock. Her caretaker did as she asked and she returned to Blowing Rock approximately two weeks later.

When she received her water/sewer bill in June for May/June, it was very high. She contacted Holly Autry and Holly requested a reread on the meter from Public Works. The meter reading appeared to be correct, and the usage since the high reading was normal. Holly made additional recommendations regarding possible trouble issues such as toilet problems. No problem was found per Ms. Briggs. A work order was generated and the meter was removed from service and tested. I was found to be accurate.

Ms. Briggs is requesting that Council reduce her water/sewer bill for the period to \$100.

STATEMENT OF PLAN CONSISTENCY:

It is the opinion of staff that the proposed request for action IS IS NOT consistent with the Blowing Rock Town Code of Ordinances, Chapter 14, Article II, Section 14 – 15.1.

ATTACHMENTS:

1. Letter from Ms. Nancy Briggs requesting relief
2. Copy of Town Code related to request

STAFF RECOMMENDATIONS:

Town Council make a decision on granting relief per the Town Code.

COUNCIL ACTION:

To Be Determined

Dear Mr Evans

Aug. 21 2017

I have been a summer resident of Blowing Rock for eleven years. at the address of 1542 Green Hill Road. Every year in November I have a caretaker by the name of Tim Beach, drain my pipes put in antifreeze, and shut off my water. He checks my house every week. I totally trust his honesty.

This year he turned my water on around May 15 and I arrived on May 29th. He saw no running water, no standing water and no running toilets and neither did I.

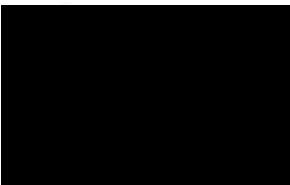
① I received a shocking water bill for the period ending the middle of June for [REDACTED] last year for the same period it was [REDACTED]. My caretaker was [REDACTED] in my yard and in my house three times during the period between May 15-30

I was in my house from May 29 to the present. None of us saw any evidence of a leak or running water


② I called the utility department. The water person said to do a dye test to see if the toilets were leaking. They were not. I had my meter checked and it was not broken

③ Now my water usage is normal

④ I have been a widow since 8/14 and live alone. I have sought the help of Sue Sweeting. She suggested to write a letter to you regarding my problem. The City Council is the only entity that can consider a refund of this erroneous bill.

⑤ I hope that the council can get me a rebate of  bill normal usage

I appreciate your help in this matter

Sincerely,
Maury Briggs


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(B) Bills shall notify customers of the provisions of subsection (A) and shall contain a phone number where a town employee can be contacted concerning questions about the bill.

Section 14-14 Verification of Meter Readings.

(A) If a customer believes his bill to be in error, either as a result of the town's failure to read the meter correctly or a failure of the meter to register accurately the amount of water consumed, such claim must be presented in person or in writing at the town hall. A pending claim shall not prevent a bill from becoming delinquent, with all the consequences provided for herein. However, a bill may be paid under protest, and if the claim is substantiated, the customer shall be entitled to a credit or a refund for any overpayment made.

(B) If a customer believes his meter has not been correctly read, he may request a special meter reading. If such special meter reading discloses that no error was made, the customer shall be charged the special meter reading fee provided for in the schedule referenced in Section 14-9, and such fee shall be added to the customer's next water bill. No fee shall be charged if the initial meter reading was in error.

(C) If a customer believes that a water meter on his premises is not registering water consumption accurately, he may request a test of the meter by the town. If the meter is found to overregister beyond two percent of the correct volume, no charge shall be made for this service. Otherwise, the customer will be charged the meter testing fee provided for in the schedule referenced in Section 14-9, and such fee shall be added to the customer's next water bill.

Section 14-15 Calculation of Bill Where Equipment Fails.

(A) If the seal of the meter is broken by other than the town's representatives or in the event that the meter fails to register the use of water, the customer shall be charged the amount computed using the appropriate following formula for the period in which the meter failed to register:

(1) If the customer has been an occupant at the same location for three (3) years or more he shall be charged the current rate based upon the average consumption for the same month during the previous years of occupancy.

(2) If the customer has been an occupant at the same location for less than three (3) years he shall be charged the current rate based upon the average amount of water consumed monthly.
[Amended March 12, 1996]

Section 14-15.1 Customer Service Line Leaks or Breaks (Adjustments)

(A) Where a customer receives a water bill that reflects extraordinary charges for a billing period, and where the customer demonstrates to the reasonable satisfaction of the town that a break or leak on the customer's side of the meter was the cause of the extraordinary charges, an adjustment may be made to the customer's water bill in accordance with the provisions of this section.

(B) An adjustment may be made to the water bill under the following conditions:

(1) On a concealed leak in the customer's piping, an adjustment may be made upon receipt of a statement from a licensed plumber, or upon receipt for a signed statement from the

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property owner or his/her legal representative, that the leak has been repaired and that the repair meets or exceeds the plumbing codes of the town.

(2) Under other circumstances, such as the theft of services by someone other than the property owner, where the evidence indicates to the Public Works Director that an adjustment is the appropriate answer to the situation.

(C) The Public Works Director shall have the authority to grant an adjustment equal to the following:

(1) On the water portion of the utility bill, the customer shall be required to pay the established minimum water charge. The Public Works Director may grant an adjustment of one-half (50%) of the remaining portion of that bill.

(2) On the sewer portion of the utility bill, where the excess water from the break or leak did not enter the sanitary sewer system, the customer shall be required to pay an amount equal to the customer's average bi-monthly sewer bill. The Public Works Director may grant an adjustment of all other sewer charges.

(3) On the sewer portion of the utility bill, where the excess water from the break entered the sanitary sewer system, the customer shall be required to pay the established minimum sewer charge. The Public Works Director may grant an adjustment of one-half (50%) of the remaining portion of that bill.

(4) If the break occurred during a period which overlapped two consecutive billing periods, both bills may be adjusted accordingly. In no case shall the adjusted bill be lower than the average bill for the premises based on the seasonal consumption.

(5) No adjustment shall be made unless the gallons billed are at least 10,000 gallons more than the average bi-monthly billing.

(6) If unsatisfied with the decision of the Public Works Director, the customer may appeal that decision to the Town Manager.

(D) To be eligible for an adjustment under this policy, the leak must be a *concealed* leak. Leaking or running commodes; treatment systems; faucets, whether inside or outside; exposed piping; indoor or outdoor showers; hose bibs; water fountains; dishwashers; etc; *shall not* be considered concealed leaks.

(E) Provided, however, that no adjustment will be allowed where the break or leak occurred during a period when the premises was left vacant or unattended by the customer for a period in excess of two weeks and where the customer failed to turn the water off at the meter. This provision shall not apply, though, to the sewer portion of the utility bill where the excess water did not enter the sanitary sewer system.

(F) When the Water Department personnel discover that a leak exists, and the owner is notified of the same, the owner shall take immediate steps within seven (7) calendar days to correct the situation. Undue delay by the owner shall cause forfeiture of any benefits from this adjustment policy.

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(G) The record owner of property to which service is supplied shall be responsible for the repair, maintenance, or replacement of any leaks occurring in the owner's system without regard to whether the property is occupied by the owner, a tenant, or is unoccupied. Each owner shall be responsible for the tenant's use of plumbing fixtures, pipes, and other water-using equipment located on the owner's property.

(H) The Town Manager is hereby authorized to enter into extended payment arrangements with a customer who has experienced extraordinary utility charges.

[Amended March 12, 1996]

Section 14-16 Prohibited Activities.

(A) No unauthorized person may:

- (1) Supply or sell water from the town system to other persons or carry away water from any hydrant, public water fountain, or other such public outlet without specific authorization from the town;
- (2) Manipulate, tamper with, or harm in any manner whatsoever any waterline, sewer line, main, or appurtenance or any other part of the water or sewer system, including, but not limited to, any testing or inspection device used to measure the character or concentration of wastes discharged into the sanitary sewer system;
- (3) Tamper with the water meter so as to alter the true reading for the amount of water consumed;
- (4) Attach or cause to be attached any connection to the waterline before the water meter.

Section 14-17 Town Property and Maintenance Thereof.

All meters and cut-off boxes located before the meters shall remain the property of the town and shall be kept in good repair and working order by the town.

Sections 14-18 through 14-20 Reserved.