

THE CORPORATION OF THE TOWNSHIP OF MADAWASKA VALLEY

BY-LAW NUMBER 2021-19

Being a By-Law to establish a Water and Wastewater Leak Adjustment Policy with respect to the Standard Operating Procedures of the Water and Wastewater Systems for The Corporation of The Township of Madawaska Valley.


WHEREAS the Council of the Corporation of the Township of Madawaska deem it advisable to establish a Water and Wastewater Leak Adjustment Policy with respect to Water and Wastewater Standard Operating Procedures of the Water and Wastewater Systems for The Corporation of the Township of Madawaska Valley subject to the provisions of a By-Law.

NOW THEREFORE the Municipal Council of the Corporation of The Township of Madawaska Valley enacts as follows:

1. **THAT** the Policy as outlined in **Schedule "A"** attached hereto, as amended, shall constitute the **Waste and Wastewater Leak Adjustment Policy – SOP#: WW-01**, which forms part of the Standard Operating Procedures of the Water and Wastewater Systems for The Corporation of the Township of Madawaska Valley.
2. **THAT** the Council and Chief Administrative Officer/Clerk shall be responsible for the administration of this by-law and will be accountable for its enforcement.
3. **THAT** this by-law hereby replaces and rescinds By-Law Number 2016-02.
4. **THAT** this by-law will be deemed to have come into force and effect as of June 9, 2020.

READ A FIRST AND SECOND TIME THIS 2nd DAY OF March, 2021.




MAYOR – Kim Love


CAO/CLERK – Suzanne Diane Klatt

READ A THIRD TIME AND FINALLY PASSED THIS 16th DAY OF March, 2021.




MAYOR – Kim Love


CAO/CLERK – Suzanne Diane Klatt

Township of Madawaska Valley – Standard Operating Procedures			
DEPARTMENT: Water & Wastewater			SOP #: WW-01
POLICY: Waste and Wastewater Leak Adjustment Policy			BY-LAW #: 2021-19
APPROVED:	REV. DATE:	COVERAGE: Finance	PAGE #: 1 of 6

PURPOSE

To provide an opportunity for customers who utilize the Municipal water services to request adjustments to water and wastewater use charges when they experience an abnormally high water and wastewater bill due to a plumbing leak.

2.0 DEFINITIONS

- (a) **Leak:** An unintentional water loss caused by broken and/or malfunctioning plumbing fixtures and/or pipes with a residence or building. A leak occurs when there is a failure to the plumbing system to do what it was designed to do.
- (b) **Unoccupied:** An unoccupied dwelling and/or building is a dwelling and/or building in which occupants are absent from the property for a time period of seventy-two (72) hours or more, due to such matters as vacation or prolonged illness, but where the occupants have not moved out.
- (c) **Vacant:** Regardless of the presence of furnishings, a vacant dwelling and/or building means the occupants have moved out with no intent to return. A newly constructed dwelling and/or building is also considered to be vacant after it is completed and before the occupants move in. A dwelling and/or building is also vacant when the occupants move out and before any new occupant moves in.

3.0 REQUIREMENTS

- 3.1 To qualify for a water leak adjustment, the water usage must be at least 100 percent (100%) above the quarterly usage for the same billing period from the previous year.
- 3.2 A written application for a water leak adjustment must be received by the Township within 90 days following the due date for the billing for which the adjustment is being sought. (Schedule “A”)
- 3.3 Adjustments may occur only after all leaks have been repaired and verified by Township staff or their agent.
- 3.4 There is no extension of the due date or the time for paying water/wastewater bills because of a pending adjustment request. Customers are advised to pay the entire

Township of Madawaska Valley – Standard Operating Procedures			
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POLICY: Waste and Wastewater Leak Adjustment Policy			BY-LAW #: 2021-19
APPROVED:	REV. DATE:	COVERAGE: Finance	PAGE #: 2 of 6

amount due with the normal payment period or enter into payment arrangements for the excessive amount in order to remain in good standing on all current billings. Reimbursements will only occur when an adjustment request is granted. Failure to make payment by the due date will result in applicable late payment charges as per the Water and Wastewater System Rating by-laws.

- 3.5 Owners/Tenants must provide copies of receipts for supplies or services which prove that the cause of the leak has been repaired.

4.0 WATER/WASTEWATER BILLING ADJUSTMENT

Water Leak adjustments are discretionary and will only be granted as follows:

- i) Each property where there is a metered service account shall be limited to one water leak adjustment during a ten (10) year period.
- ii) Adjustments will only be considered for one billing period. If it can be determined that the leak was detected in one period and repaired in another then an Water Leak adjustment may be considered for both periods but only to a maximum of two consecutive billing periods, coinciding with the application date.
- iii) Adjustments will be calculated in one of the following ways:
 - a) Where there is actual consumption data for the premises, the average water/wastewater charges based upon the previous two (2) years for the same billing periods. Adjustment granted will be limited to 50% of the increased amount, to a maximum of \$1000.00
 - b) Where there is no actual consumption data for the premises, particularly for reasons where there is new ownership/different tenants, the average water/wastewater charges for the period that the present users were occupying the premises. Adjustment granted will be limited to 50% of the increased amount, to a maximum reduction of \$1,000.00
 - c) Where neither of the above is feasible, a recommendation will be made to the Water and Wastewater Committee as to how to best address the situation.
 - d) In unprecedented situations where the resident is facing a large increase due to a leak that may cause financial burden, the Deputy-Treasurer may request that

Township of Madawaska Valley – Standard Operating Procedures			
DEPARTMENT: Water & Wastewater			SOP #: WW-01
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APPROVED:	REV. DATE:	COVERAGE: Finance	PAGE #: 3 of 6

Council approve a payment plan and waive penalty and interest on the impacted bill.

- iv) If it can be proven that water did not go into the municipal sewage system, Council would consider not charging wastewater fees.
- v) The action of the Council shall be final and binding upon any and all persons claiming an adjustment, and the Council shall be the final arbiter in determining the rights, if any, of respective claimants.

5.0 REASONS FOR ADJUSTMENT REFUSAL

Water Leak adjustments will not be granted where:

- i) usage is above the customer’s average monthly consumption due to seasonal usage such as watering of sod, gardening, use of irrigation systems, water siphon operated pump/equipment, filling of swimming pools or hot tubs, washing vehicles, etc. as this describes water services knowingly used by the customer.
- ii) water loss is due to theft, vandalism or construction damages as the responsibility to resolve these issues lies with the customer.
- iii) the leak was caused by a third party from whom the customer is able to recover their costs.
- iv) the customer is able to recover costs through insurance.
- v) the dwelling and/or building has been Unoccupied and/or Vacant for 72 hours or more. Customers have the responsibility to arrange for a competent person to enter their dwellings regularly to monitor the dwelling’s condition, particularly to ensure that heating has been maintained. For extended absences, customers should be considering shutting off their water supply (except where water is used for heating) and draining all the pipes and appliances. Owners should consult the Township for applicable fees associated with water turn-offs.
- vi) high water usage is identified from a “catch-up” billing following a minimum of 2 consecutively estimated billings. Actual meter readings are necessary for bills to reflect actual higher water usage to trigger the associated leak detection and

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DEPARTMENT: Water & Wastewater			SOP #: WW-01
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APPROVED:	REV. DATE:	COVERAGE: Finance	PAGE #: 4 of 6

subsequent any leak repairs. Customers are advised on their water bill if the billing is based on an estimated read. The Township undertakes a number of actions to address the issue of consecutively estimated accounts that ultimately requires the timely response and cooperation of the customer to ensure ongoing actual meter readings may take place. Customers need to provide timely response and/or access to the property to allow for maintenance to metering equipment to eliminate estimated readings. The associated delay in obtaining an actual reading, occasionally results in unbilled consumption once an actual reading is eventually obtained.

- vii) Bills have claimed to be lost or not received.
- viii) Dwelling is under construction/major renovation.
- ix) Customer did not take immediate steps, after detection of the water leak, to prevent further loss of water.
- x) The water meter and any appendages have been tampered with in any way.

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APPROVED:	REV. DATE:	COVERAGE: Finance	PAGE #: 5 of 6

SCHEDULE ‘A’

Complete Property Address		
Unit No.	Street No.	Street Name
Account Holder Name		
Daytime Contact Number		Contact e-mail address
Provide a brief description of the issue that caused the high water usage, how it occurred and the required the repair undertaken		
Date of Repair		
Location of Leak		
Describe the Repairs/Action undertaken		
Attach repair invoices, photographs of leak area, Hardware receipts or anything that will assist in the determination if a Water Leak Adjustment should be considered.		

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APPROVED:	REV. DATE:	COVERAGE: Finance	PAGE #: 6 of 6

I, _____ hereby make application for a Water Leak Adjustment and declare the information set out above is true and accurate.

_____	_____
Date	Customer (or their designated Agent)
	Signature

Submit completed form, and associated documentation to:
Township of Madawaska Valley
85 Bay Street, PO Box 1000
Barry’s Bay, Ontario K0J 1B0

Important: Please be aware that a large water leak may result in a water bill that could total SEVERAL THOUSANDS of DOLLARS. Small water leaks are typically less, but many small water leaks are often a sign of a problem water line and indicate that larger and more expensive water leaks are likely to happen in the future. Since the Water Leak Adjustment are only considered once in a ten-year period, if you request and receive an adjustment for a water leak, large or small, you will NOT be eligible for another water leak if you have a second or larger water leak occurs within this time period.

Notice of Collection of Personal Information
The personal information collected on this form is for the purpose of administering the Township of Madawaska Valley - Water Leak Adjustment Policy. Questions about the collection of this data should be addressed to the Clerk/CAO, 85 Bay Street, PO Box 1000, Barry’s Bay, Ontario, K0J 1B0
Telephone: 613-756-2747 Extension 210.