

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 2019-088

BEING a by-law to adopt a High Water Leak Adjustment Program.

WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS the *Municipal Act, 2001*, c. 25 s. 11 provides for a municipality to pass by-laws respecting matters within the sphere of jurisdiction of Public Utilities, which includes a system that is used to provide water services for the public;

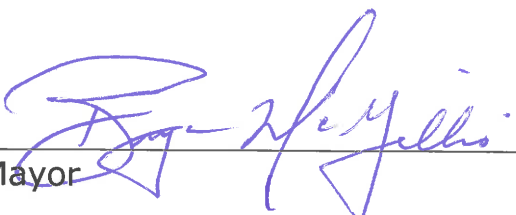
AND WHEREAS the *Municipal Act, 2001*, c. 25 s. 9 (1) provides that section 11 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS Council deems it advisable to adopt a High Water Leak Adjustment Program for the Township of South Stormont.


NOW THEREFORE Council of the Township of South Stormont enacts as follows:

1. That the High Water Leak Adjustment Program attached hereto as Schedule "A" and forming part of this by-law be adopted effective January, 1, 2019.
2. That any other by-law inconsistent with this by-law is hereby repealed.


READ AND PASSED in open Council signed and sealed this 9th day of October, 2019.



Mayor



Clerk

	TOWNSHIP OF SOUTH STORMONT	
	Section: All Departments	
	Effective Date: January 1, 2019	
	Subject: High Water Leak Adjustment Program Schedule "A" to By-law No. 2019-088	Date of Origin: October 9, 2019

Policy:

It is the policy of the Township of South Stormont to assist eligible residential property owners experiencing difficulties with payment of high water and/or wastewater bill(s) due to water leaks inside their homes, in an open, fair and accountable process.

Purpose:

The intention of this program is to assist residential property owners who experience difficulties with payment of their high water and/or wastewater bill due to water leaks inside their homes. This program may provide **one-time assistance** for water bill payment. Any future charges shall be paid for in full by the property owner.

Background:

Property owners are responsible for the service and fittings to the Water Utility System beginning at the coupling on the property owner's side of the meter. Any leaks in the line that are the responsibility of the property owner must be repaired by the property owner, solely at their expense. No adjustment or credit will be applied to the water bill for the property owner or property side leaks, damage or deterioration, or other factors except as defined within this program.

The property owner is responsible for monitoring higher than expected usage. Property owners must investigate higher than expected usage to determine if the usage was caused by a property side leak. Property owners should promptly repair leaks.

Definitions:

Water Leak: The accidental loss of liquid caused by malfunctioning pipes within the resident's home that results in an abnormally high water and/or wastewater bill.

Single-Unit Residential Properties: a structure used as a single dwelling unit. Regardless of whether the dwelling unit shares one or more walls with another dwelling, it is recognized as a single residence if it does not share a **water meter**,

heating facilities, nor any other essential facilities with any other dwelling. (This includes semi-detached units and townhouses)

Multi-Unit Residential Properties: housing where multiple separate residential housing units are contained within one building or one complex includes several dwellings.

Vacant: A property having no fixtures, furniture, or inhabitants. The property is not occupied by a possessor. A building that has been recently constructed is considered vacant before it is occupied by any inhabitants. If previous inhabitants are moved out and new inhabitants have not yet moved in, the building is also recognized as vacant.

What Qualifies?

This program is aimed at offering assistance to those property owners who meet the following criteria:

- Single-Unit Residential Properties.
- Consumption must exceed 5 times (500%) the property owner's average consumption.
- Payment in the amount of the last regular billing cycle must be made by the due date.
- The property owner's account must be in good standing at the time of submission.
- Request must be made in writing by the homeowner to the Finance Department no later than 60 days following the issuance of the high water and/or wastewater bill in question.
- Reasonable efforts (including hiring a plumber) to locate the leak and initiate repairs must be taken by or on behalf of the property owner within 14 calendar days after the initial notification of increased water usage was provided to the property owner. Notifications can include high water billing, a written notice, or a courtesy phone call.
- Plumbing must be in compliance with government regulation.

What Does Not Qualify?

- Multi-Unit Residential Properties.
- Homes that are vacant or premises that are unattended when the failure occurred.
- Industrial, commercial and institutional properties.
- Outdoor water usage such as, but not limited to, pools, hot tubs, hoses, irrigation systems or neglect of private property.
- Water loss due to theft, vandalism, or construction damage is not eligible for an adjustment.

Standard Operating Procedure:

1. Applicants wishing to apply for a high water leak adjustment are asked to complete the appropriate application. The application includes basic information regarding the applicant as well as details concerning the repair.
2. All applications must be sent to the Township of South Stormont within 60 days of detecting the issue and completion of repair. Any incomplete applications will not be considered for the program.
3. The Director of Finance shall review each High Water Leak Adjustment Application to ensure all of the necessary information is provided.
4. The Director of Finance along with appropriate department directors will verify whether the leak was repaired properly and if the applicant is eligible for the program. Public works may be required to visit the property to ensure that the leak has been repaired properly and must be granted access to the property for purposes of this program. In order to ensure consumption has returned to normal levels, an actual water meter reading may also be required.
5. If the applicant is eligible for the program, the Director of Finance may approve the application and notify the applicant of the amount to be credited to the homeowner's water and/or wastewater account. No refunds will be provided.
6. Homeowners are only eligible for one (1) leak adjustment under this program. Leak adjustments shall:
 - a. be credited to the homeowner's water and/or wastewater account and will only apply to the volumetric charges; no refunds will be provided;
 - b. be limited to adjust for the homeowner's average water consumption;
 - c. be limited to 50% of the difference between the homeowner's average water consumption and the high-water consumption plus any applicable wastewater charges incurred on the credited component of the water consumption;
 - d. be limited to two (2) billing periods;
 - e. be capped at a maximum of \$1,000 per claim; and
 - f. not include the repair, replacement or any other associated costs due to the failure.
7. Funding availability under this program is restricted to annual budget allocations.

8. Applicants will receive a response within 15 business days after the application submission. The applicant will also be notified whether an inspection or actual meter reading is necessary to ensure that the leak has been repaired properly and consumption returned to normal levels.
9. The Director of Finance along with appropriate department directors shall review all completed High Water Leak Adjustment applications. When an application is approved, the applicant will be notified and informed of the amount to be adjusted.

General Provisions:

1. The High Water Leak Adjustment Program Application form will be posted on the Township of South Stormont's website and will be available at the Township office.
2. All application forms must be received within 60 days after detection of the leak to qualify for this program. Applications should be submitted with any proof that the leak was repaired properly; this can include invoices, receipts, and photos.
3. Council will be notified of the number of applications, the number of approved applicants and the financial impact in the Monthly Activity Summary from Finance.

High Water Leak Adjustment Application

INSTRUCTIONS:

Mail, email or deliver the completed application to:

P.O. Box 84, 2 Mille Roches Road
Long Sault, ON K0C 1P0
Tel: (613) 534-8889 Fax: (613) 534-2280
Email: info@southstormont.ca
ATTENTION: Finance Department

INFORMATION:

Refer to the *High Water Leak Adjustment* for more detailed information on eligibility and criteria.

If you require assistance completing this form, or have inquiries, contact:
Director of Finance, 613-534-8889 ext. 220 or info@southstormont.ca

How to Apply:

Please fill out the application and submit all required documentation within 60 days of detecting the issue and completion of repair. Township staff will respond to your request within 15 business days of your submission. Public works may be required to visit the property to ensure that the leak has been repaired properly and must be granted access to the property for purposes of this program. In order to ensure consumption has returned to normal levels, an actual water meter reading may be required.

Completed application forms **must** include the following information:

- Copies of receipts for supplies bought to correct the issue
- If a licensed plumber was used, a copy of the licensed plumber's invoice
- Photos before and after the repair, clearly showing the issue was repaired

What to expect if your application is approved:

- The adjustment will be credited to the Water and/or Wastewater account and will only apply to the volumetric charges; no refunds will be provided.
- Homeowners are only eligible for one (1) leak adjustment.
- Adjustments are limited based on the homeowner’s average water consumption.
- The billing adjustment shall be limited to 50% of the difference between the homeowner’s average water consumption and the high water consumption plus any applicable waste water charges incurred on the credited component of the water consumption
- The billing adjustment shall be limited to two billing periods. A billing period for municipal property owners is 3 months.
- Adjustments will be capped at a maximum of \$1,000 per claim
- The repair, replacement or any other associated costs due to the failure will not be credited.

It is expected that property owners who have left their homes for extended periods will take precautionary measures to prevent unnecessary water use. Closing the service valve at the meter is one way to prevent these issues, but the property owner should take care to ensure the pipes in the home do not freeze and any appliances or fixtures that require water will not be affected. Leaks incurred due to these factors do not qualify for a high water leak adjustment.

APPLICANT INFORMATION

Account number:	
Account holder name:	
Property address:	
City:	
Postal code:	
Daytime contact number:	
Contact email address:	

Please provide a brief description of the issue that required the repair and how it occurred:

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Date of repair:	
Meter number:	
Meter reading at time of repair:	

Location of leak (select all that apply):	
<input type="checkbox"/>	Pipe
<input type="checkbox"/>	Valve
<input type="checkbox"/>	Fitting
<input type="checkbox"/>	Toilet
<input type="checkbox"/>	Other – explain:

Describe what repairs were made:

Attachments:	
<input type="checkbox"/>	Plumber's invoice(s)
<input type="checkbox"/>	Hardware receipt(s)
<input type="checkbox"/>	Photographs of leak area
<input type="checkbox"/>	Other – explain:

NOTE: Please scan and attach invoices, receipts and photos of the repairs to email or mailed paper copy.