

Establishment of City of Browns Valley Ordinance Section 54.06

AN ORDINANCE REGARDING ADJUSTMENTS TO UTILITY BILLS

1. **Policy and Purpose.** It is the policy of the City of Brown Valley to make adjustments to customer utility bills where said adjustment is necessary to correct billing errors, to correct errors due to equipment failure, or to fairly apply the rates and rules of the utility. The purpose of this Ordinance is to improve customer service by enabling staff to quickly and accurately respond to customer requests for adjustments to utility bills rather than waiting for the matter to come before the City Council and also setting forth the situations where adjustments will and will not be considered.

2. **Responsibility.** The City Administrator shall determine whether an adjustment is to be made and, if so, in what amount. The customer shall be notified of the City Administrator's determination, in writing, within seven days of making of the request for an adjustment.

3. **Adjustments Allowed.** Staff is authorized to make adjustments to utility bills, without City Council action, in the following cases: **Billing Errors:** Where an error has occurred that results in an inaccurate utility bill being sent to a customer, staff shall correct the error as soon as discovered, whether by the customer or by staff. These adjustments include data recording and entry errors as well as meter failures if tested and found to be inaccurate. **Late Fees:** Where a customer incurs late fees and requests an adjustment, staff may reduce or remove the late fee based on the customer's circumstances and payment history. **Sanitary Sewer:** Where a customer experiences extraordinary water consumption during a billing period due to break in customer owned plumbing, equipment malfunction, etc. and said water did not enter the sanitary sewer system, staff may adjust the sanitary sewer charge to an amount that is more typical of that customer's normal usage. When an adjustment is made, a credit for the amount of the adjustment, including any sales tax shall be made to the customer's account. When a customer makes a written request for an adjustment, the amount under consideration for adjustment shall not be payable until a determination on the adjustment is made. All other amounts not in dispute shall be due according to utility rules. When a customer pays an amount that is later adjusted, the credit shall remain on the account. No cash refunds shall be made for adjustments unless the account has been or is subsequently closed and a credit balance remains.

4. **Adjustments Not Allowed.** The City will not consider adjustments for the following situations:

Water. Adjustments to water charges where customer experiences extraordinary water consumption during a billing period due to a break in customer owned plumbing, equipment malfunction, etc. **Sanitary Sewer.** Adjustments to sanitary sewer charges for customers who claim normal outdoor water usage (i.e. lawn or garden sprinkling, car washing, filling swimming pools, etc.) where the water used did not enter the sanitary sewer system.

5. **Requests for Adjustments.** The requests for adjustment shall be made in writing and delivered to the City Administrator. The request shall state the name of the account holder, service address, contact information, and the reason for the requested adjustment. The customer shall provide all information requested by the City and deemed necessary to make a determination on the request.

6. **Response.** The utility shall respond to the written request for adjustment within ten (10) business days after receiving from the customer all the information necessary to make a determination on the request.

7. **Reporting.** The City Administrator shall provide a quarterly report to the City Council on adjustments made under this Ordinance exceeding One Hundred Dollars (\$100).

8. **Appeals.** Customers who disagree with the determination of staff regarding their requested adjustments may appeal to the City Council. Said appeal must be in writing and shall be scheduled to be heard at the meeting immediately after receipt of the written appeal.

9. **Effective Date.** This Ordinance shall become effective immediately upon approval of the City Council.

This Ordinance was adopted by the Browns Valley City Council this 27th day of April, 2020.

Mike Heck, Mayor

Jodi Hook, City Administrator