

**CITY OF WHITE SALMON
ORDINANCE NO. 2017-06-1011**

**AN ORDINANCE OF THE CITY OF WHITE SALMON, WA, AMENDING
CHAPTER 13.16 OF THE WHITE SALMON MUNICIPAL CODE, ALLOWING
ADJUSTMENTS DUE TO LEAKS AND PROVIDING FOR SEVERABILITY
AND AN EFFECTIVE DATE.**

WHEREAS, in 2015 the council passed ordinance 2015-03-963 repealing WSMC 13.16.048 regarding water leaks; and

WHEREAS, since the passage of this ordinance, the city has changed its practice to reading water meters on a bi-monthly basis; and

WHEREAS, the Council understands that residents have the obligation to maintain the plumbing on their property so that leaks do not occur, and if leaks do occur, the water consumed is typically the responsibility of the property owner;

WHEREAS, the Council is further aware that when water leaks occur they rarely lead to great economic hardship on the property owner, and

NOW THEREFORE, the City Council of the City of White Salmon deems it to be in the best interest of the City to adopt an adjustment policy that allows a one-time reduction of the water charge where certain conditions have been met.

THE CITY COUNCIL OF THE CITY OF WHITE SALMON DO ORDAIN AS FOLLOWS: by the City Council of the City of White Salmon that the following amendments be made to White Salmon Municipal Code Chapter 13.16:

SECTION 1 – AMENDMENT TO WSMC 13.16

Chapter 13.16 is hereby amended to include the following new section:

13.06.048 Leak Adjustments

Installation and maintenance of water service lines from the meter to the building or premises of private property is the responsibility of the private landowner, as well as any water lost due to leaks or breakage.

In the event of a leak or failure in the service pipe, the owner may be entitled to a one-time adjustment on their bill. To be considered eligible for a one-time leak or failure adjustment the following conditions must be met;

1. The landowner must report the leak or failure discovery to the city within seventy two (72) hours; and
2. Provide photos of leak or failure, piping or device being repaired and repair of leak or failure accompanied by receipt for labor and/or repair materials within five (5) days of discovery.
3. Maintainable fixtures such as toilets, sinks, showers, sprinkler systems, above ground plumbing and other similar plumbing as determined by the City are not eligible for the leak forgiveness program.
4. Failure by the owner or their tenant to preform general maintenance and to make reasonable efforts, as determined by the City, to prevent damage from occurring shall result in being ineligible for the leak forgiveness program.
5. Depending on the age, condition or type of plumbing being repaired; the City reserves the right to require the replacement of plumbing to be considered eligible for the leak forgiveness program.
6. Irrigation water meters accounts are not eligible for the leak forgiveness program.

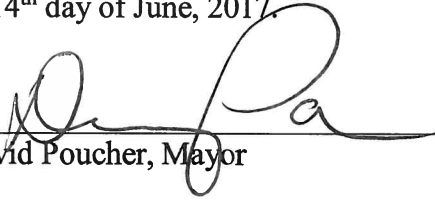
After these conditions have been met the owner may apply to the city for an adjustment of the metered excess charges. All applications for adjustments will be submitted and reviewed by the City Clerk/Treasurer. The adjusted rate for the period in which the leak was detected shall be equal to one-half of the difference between the bill to be adjusted and the metered water charges of the same period from the previous year as the month the leak was detected. This amount must be greater than or equal to \$100 in order to be eligible for the adjustment.

Excess sewer charges due to water line leaks shall be adjusted accordingly. All leak adjustments must be approved by the City Clerk/Treasurer prior to credit on account. Unless otherwise stated in the chapter, each water account shall be entitled to the benefits of this section not more than once per property owner on any meter or subsequent meter for the same location. The maximum amount of the water forgiveness shall not exceed \$500.00 without council approval.


SECTION 2- SEVERABILITY. If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

SECTION 3 - EFFECTIVE DATE. This ordinance shall become effective following passage and publication as provided by law.

PASSED in regular session this 14th day of June, 2017.

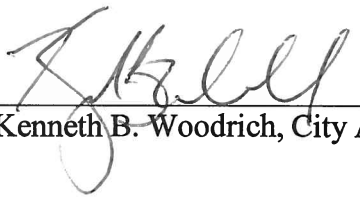


David Poucher, Mayor



Leana Johnson, Clerk/Treasurer

APPROVED AS TO FORM:



Kenneth B. Woodrich, City Attorney