

**AN ORDINANCE AMENDING THE LEON VALLEY CODE OF ORDINANCES CHAPTER 14 UTILITIES, ARTICLE 14.04 WATER SERVICE, SECTION 14.04.013 RATES EQUAL AND UNIFORM AND APPENDIX A FEE SCHEDULE, ARTICLE A11.000 WATER AND SEWER FEES, SECTION A11.001 GENERALLY, (A) MONTHLY WATER RATES AND CHARGES, ALL CUSTOMERS RESIDENTIAL OR NONRESIDENTIAL, (2) MONTHLY VOLUMETRIC RATE (PER THOUSAND GALLONS) TO PROVIDE RELIEF FOR WATER CUSTOMERS WHO EXPERIENCE A HIGH WATER CHARGE DUE TO A WATER LEAK; PROVIDING FOR REPEALER, SEVERABILITY, AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Leon Valley owns and operates a water utility and water customers pay water rates that support the maintenance and operations of the water utility; and

**WHEREAS**, plumbing leaks on private properties increase the amount of water traversing through the customer's water meter, with the water not being productively used, consequently increasing the fees for water service; and

**WHEREAS**, the City recognizes that unplanned plumbing repairs negatively affect a person's ability to pay a high-water bill; and

**WHEREAS**, the City seeks to assist its water customers by reducing excessive water bills caused by unplanned water leaks on private property; and

**WHEREAS**, providing incentives to repair water leaks expeditiously reduces overall water loss, which greatly assists in the City's goal of water conservation and drought management;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS:**

**SECTION 1.** That Article 14.04 Water Service, Section 14.04.013 Rates Equal and Uniform, is hereby amended as follows:

**Sec. 14.04.013 Rates equal and uniform**

No free or reduced rate service shall be allowed, and all water service connections shall be charged at rates as adopted by the city, except as authorized by the City Manager or his designee for unplanned water leaks, as stated in Article A11.000 Water and Sewer Fees, and in the Water Consumption Adjustment Procedures, which may be updated from time to time.

**SECTION 2.** That Article A11.000 Water and Sewer Fees, Section A11.001 Generally, (2) Monthly volumetric rate (per thousand gallons), is hereby amended to add:

(D) Methods for adjusting for commercial and residential water leaks.

1. Customers who have experienced a water leak may apply for a one-time per calendar year adjustment to their water bill. A second water bill adjustment may be requested during the same calendar year, but only under extraordinary circumstances as approved by the City Manager.
2. Expenses to repair the following types of leaks may be eligible for reimbursement:

**Residential**

<b>% Allowed</b>	<b>Max. \$ Amt Allowed</b>	<b>Type of Leak</b>
25	\$300	Irrigation System
25	\$300	Flex Supply Line (sink, ice maker, dishwasher, etc.)
25	\$300	Commode (supply line or tank)
25	\$300	Swimming pool (supply line, faulty refill mechanism)
25	\$300	Water Heater (supply line, faulty fill mechanism)
25	\$300	Water softener (supply line, faulty fill mechanism)
50	\$1,000	Broken pipe (wall, foundation, yard, etc.) Pressure Reducing Valve (PRV)
100		Meter outlet washer, insulating coupling, meter connection, blown gasket, LV damage to customer pipe

**Commercial**

<b>% Allowed</b>	<b>Max. \$ Amt Allowed</b>	<b>Type of Leak</b>
25	\$500	Irrigation System
25	\$500	Flex Supply Line (sink, ice maker, dishwasher, etc.)
25	\$500	Commode (supply line or tank)
25	\$500	Swimming pool (supply line, faulty refill mechanism)
25	\$500	Water Heater (supply line, faulty fill mechanism)
25	\$500	Water softener (supply line, faulty fill mechanism)
50	\$1,000	Broken pipe (wall, foundation, yard, etc.) Pressure Reducing Valve (PRV)
100		Meter outlet washer, insulating coupling, meter connection, blown gasket, LV damage to customer pipe

Reimbursements are based on the type of leak. All receipts for repairs or for plumbing repair services must be submitted within 60 days after repairs have been completed. Water bill adjustments are processed once consumption returns to normal. As a result, it may take up to two billing cycles to receive an adjustment. Customers are only eligible for one adjustment in a 12-month period. The customer must show that the leak was repaired within one month of detection.

**SECTION 3.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any

phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

**SECTION 4.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

**SECTION 5.** This Ordinance shall become effective immediately upon its passage and publication as required by law.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Leon Valley this the 2nd day of November 2021.

**APPROVED**


  
**CHRIS RILEY**  
MAYOR

Attest :

  
**SAUNDRA PASSAILAIGUE, TRMC**  
City Secretary



Approved as to Form: City Attorney

  
**ROXANA PEREZ STEVENS**  
City Attorney

# **CITY OF LEON VALLEY**

## **WATER CONSUMPTION ADJUSTMENT PROCEDURES**

### **1.0 PURPOSE**

To describe guidelines regarding consumption adjustments and related financial changes made to customer accounts, including authorization levels and approval processes.

### **2.0 SCOPE**

This procedure applies to all areas of Utility Billing who process changes to consumption due to leaks, meter reading corrections, or other causes.

### **3.0 DEFINITIONS**

Adjustment – Financial change based on change to consumption

Base Usage – The amount used in the leak calculation as the normal usage

Billing Cycle – The period of time for which a customer is billed

Commercial account – A non-residential account, including General, Apartment and Industrial designations

Excess Usage – The amount of water assumed lost to a leak, calculated as usage above normal

Repair – To restore water or sewer infrastructure or fixtures to proper working order after damage or failure; all repairs must be accomplished in a way that ensures the prevention of future water loss

Residential account – A single or multi-family dwelling unit containing two or less family units

### **4.0 RESPONSIBILITIES**

#### **4.1. Customer Responsibilities**

4.1.1. Customers are responsible for the use of water passing through the meter assigned to the account, assuming the meter and other CITY-owned infrastructure is operating correctly. It is the customer's responsibility to check for water leaks on the property and for repairing those leaks promptly so as to minimize water loss. All repairs must be accomplished in a way that ensures the prevention of future water loss.

4.1.2. Customers may submit a request for a leak within 60 days of repairs. Requests received after 60 days may be considered on a case-by-case basis. The request should include:

- A description of what was leaking or cause of excess use,
- When it was repaired or actions taken,
- Repair or parts receipts, if available, as verification of repairs.

4.1.3. Customers are responsible for paying the usual and customary billing amount by the due date or the account may be subject to disconnection while the account is under review. If the balance due will not be paid by the due date, it's the customer's responsibility to request an extension or make payment arrangements. Once the review is complete, the customer retains responsibility for the balance due following the investigation.

4.1.4. Should customers disagree with any adjustments provided, they may request further review by submitting a dispute letter.

## 4.2. City of Leon Valley (CITY)

4.2.1. CITY is responsible for maintaining water delivery infrastructure up to and including the water meter connecting to the customer's plumbing.

4.2.2. To the extent possible, CITY will read the water meter at least once each month. Consumption by the customer will be calculated on the basis of meter readings. Should the meter be damaged, removed, or for any reason not able to be read, CITY will estimate consumption from previous use by that customer, by average use of like customers, or by other fair and equitable methods.

4.2.3. Any adjustment made to a customer account must be performed following procedures outlined in this document or as required by management. Any unauthorized or fraudulent adjustment will be grounds for employee reprimand, up to and including termination of employment.

4.2.4. CITY retains the right to verify plumbing repairs prior to issuance of a leak adjustment.

## 5.0 PROCEDURE

### 5.1. Adjustment for leaks

Conservation of water is important to CITY. For many customers, the primary source of information about the amount of water they use is the monthly bill they receive from CITY. It is possible for a customer to have a water leak in their system and be unaware of excess

usage until they receive the bill. In recognition of the delay in usage information, CITY may provide an adjustment to the customer's account following a leak.

5.1.1. Leak adjustments will be calculated based on a percent of excess usage. The allowable percentage for the adjustment and the maximum adjustment allowed is determined by CITY, by type of leak. The adjustment is calculated by multiplying the relevant percentage by the difference between actual use and base use.

Residential		
% Allowed	Max. \$ Amt Allowed	Type of Leak
25	\$300	Irrigation System
25	\$300	Flex Supply Line (sink, ice maker, dishwasher, etc.)
25	\$300	Commode (supply line or tank)
25	\$300	Swimming pool (supply line, faulty refill mechanism)
25	\$300	Water Heater (supply line, faulty fill mechanism)
25	\$300	Water softener (supply line, faulty fill mechanism)
50	\$1,000	Broken pipe (wall, foundation, yard, etc.) Pressure Reducing Valve (PRV)
100		Meter outlet washer, insulating coupling, meter connection, blown gasket, CITY damage to customer pipe
Commercial		
% Allowed	Max. \$ Amt Allowed	Type of Leak
25	\$500	Irrigation System
25	\$500	Flex Supply Line (sink, ice maker, dishwasher, etc.)
25	\$500	Commode (supply line or tank)
25	\$500	Swimming pool (supply line, faulty refill mechanism)
25	\$500	Water Heater (supply line, faulty fill mechanism)
25	\$500	Water softener (supply line, faulty fill mechanism)
50	\$1,000	Broken pipe (wall, foundation, yard, etc.) Pressure Reducing Valve (PRV)
100		Meter outlet washer, insulating coupling, meter connection, blown gasket, LV damage to customer pipe

5.1.2. Adjustments for leaks will be granted for a maximum of two billing cycles up to the maximum dollar amounts allowed.

5.1.3. A leak adjustment will be granted only one time in any 12-month period to a particular customer account for any occurrences not caused by CITY.

5.1.4. Adjustments for leaks caused by CITY on the customer's side of the meter will be granted at 100% of the excess usage.

5.1.5. In order to validate repairs were made, there must be evidence that consumption has returned to normal before an adjustment will be granted. If consumption has not returned to normal within one complete billing cycle of the repair, a notice will be mailed to the customer informing them an adjustment will not be granted at this time and suggesting that they look for additional leaks. Based on individual circumstances, adjustments may be granted even though consumption has not decreased.

5.1.6. When a request for an adjustment is submitted, the customer will be given information describing the adjustment process.

5.1.7. A request for adjustment will be considered on a case-by-case basis if:

- The type of leak is not listed on the tables (see 5.1.1.)
- The request is not submitted within 60 days of the repair, or
- The adjustment would be less than \$5.00.

5.1.8. If an adjustment is denied, the customer will be notified of the reason.

5.1.9. Once an adjustment has been applied, the customer will be contacted, if appropriate, and/or a duplicate bill will be sent with a cover letter stating an adjustment has been made.

### 5.3. Adjustments for CITY Errors

5.3.1. If a customer is incorrectly billed due to miscalculation of consumption, a mis-read meter, or other problem caused by CITY, the account will be adjusted to reflect 100% reversal of the incorrect billing, including any associated late fees.

### 5.4. Late Fee Adjustments

5.4.1. Late fees may be waived in conjunction with a leak adjustment for the month(s) being adjusted.

5.4.2. Late fees may be waived in conjunction with a correction to a meter reading or other consumption correction caused by a CITY error for the month(s) affected by the correction.

5.4.3. Late fees may be waived when the original assessment of the fees was the result of a CITY error.

#### 5.5. Authorization limits

Based on their title, employees may approve adjustments up to the maximum amounts as described in the following table:

	Residential Maximum	Commercial Maximum
Utility Billing Clerk	\$ 600	\$ 600
Public Works Director	\$ 1,000	\$ 1,000
Assistant City Manager	\$ 2,500	\$ 2,500
City Manager	\$ 6,000	\$ 6,000
City Council	\$10,000	\$10,000