

## **Town of Bowling Green, Virginia**

### **Ordinance to Provide Customer Credits for Certain Costs Related to Leaks in Waterline on Customer's Property and to Remove Public Water Service Rates from the Codified Town Code of Ordinances**

Whereas, Town Council in its authority to set rates and fees related to public water services, desires to provide credits to water customers to offset increased water charges when through not fault of their own, there is a leak on the customer's property; and

Whereas, since Council may update water service rates from time to time by ordinance, which is a public process, it is unnecessary and burdensome for them to be also set forth and continually updated in the Codified Town Code, therefore, Council desires to remove such rates from the Codified Town Code of Ordinances.

**Now Therefore, BE IT ORDAINED BY THE BOWLING GREEN TOWN COUNCIL** that Chapter 5 Public Utilities, Article 1 Public Utilities, Division 2 Water Regulations, of the Town Code be amended by amending and reenacting Section 5-164 therein as follows:

#### **Section 5-164. Leaks in waterline on customer's property.**

- (a) When it is ascertained that there is a leak in a waterline on the property of a customer of water, it shall be the responsibility of the owner or occupant of such property to locate and repair such leak immediately. ~~During the time such leak existed, the amount of water wasted shall be paid by the owner or occupant.~~

(b) **Adjustment of bill in case of leaks.**

When a water leak develops either in a customer's underground service line or within the structure of the water customer and the property owner or tenant could not have, by the use of ordinary diligence, discovered such leak, the Finance Director/Town Treasurer and/or Town Manager, may adjust the bill by giving credit for the amount above the historic usage, to be determined by averaging the four (4) previous utility bills. The Town shall issue such credit once the leak has been repaired and if the water consumption exceeds 100 percent (100%) of the customer's average water bill. The customer shall present confirmation to the Finance Director/Town Treasurer and/or Town Manager prior to the due date of said bill that the leak has been repaired. The average water usage shall be based upon the average of the four (4) previous billing periods. Only one leak adjustment to the water bill shall be made per property within a one-year period.

(c) **Adjustment of bill in case of toilet or fixture leaks.**

No credit on the sewer portion of the bill shall be given for faulty toilets, leaking faucets or other interior fixtures; any other leak that results in discharge into the sanitary sewer system.

**BE IT FURTHER ORDAINED BY THE BOWLING GREEN TOWN COUNCIL** that

**Section 5-177. Rates for service within Town and Section 5-178 Rates for service outside Town Limits.** are both hereby repealed in their entirety and replaced by Section 5-177.1 which is hereby adopted as follows:

**Section 5-177.1. Water rates.** Water service rates shall be set annually by the Town Council during the budget adoption process and shall be established in accordance with state law.

This Ordinance was approved this \_\_\_\_ day of \_\_\_\_\_, 2024, by the Town Council of the Town of Bowling Green, Virginia.

By: \_\_\_\_\_  
Hon. Mark Gaines, Mayor

Attest:

\_\_\_\_\_  
Clerk to the Council