

CITY OF MOSCOW
WATER LEAK BILLING ADJUSTMENT POLICY
Effective October 19, 2022

The City of Moscow prioritizes, supports and regulates the responsible use of water within Moscow City Limits and those benefiting from the water services provided by the City. Moscow City Code Title 5, Chapter 4, Section 4-8. A. makes it unlawful for “any person to waste water or allow it to be wasted by imperfect or leaking stops, valves, pipes, closets, faucets or other fixtures, or to use water closets without self-closing valves, or to use water in violation of the Chapter regulating said use of water.” The property owner is responsible for all piping and fixtures located on the property owner’s side of the water meter.

The purpose of the City of Moscow’s Leak Adjustment Policy is to establish a clear and consistent policy to make determinations on utility bill adjustment requests from property owners regarding unusually high utility bills resulting from water leaks that occur due to causes beyond the reasonable control of the property owner. Such leaks may include the rupture of the underground domestic service lines, spontaneous failure of plumbing fixtures or appliances, and similar unforeseeable events. Adjustments shall not be made for faucet leaks, toilet leaks, water hose leaks, outdoor irrigation system leaks, or any leaks that are readily discoverable or which resulted from negligence or neglect of the property owner.

To be eligible for any billing adjustment, leaks must be repaired by the property owner in a timely manner following detection to prevent discontinuation of service and waste of water. If a billing adjustment is granted pursuant to this policy, the City will adjust no more than the two (2) highest bills during the period the leak occurred. A determination of whether an adjustment is granted shall be made at the sole discretion of the Finance Director, or their designee, and shall be final. The property owner has no right to an adjustment. Understanding the unique nature of some unanticipated and unforeseen water leaks, the City is providing an opportunity for the property owner to request relief from those accrued water charges based on the eligibility criteria contained herein.

Eligible Criteria for Leak Adjustment

- A. Requestor must be the property owner as evidenced by the utility billing application on file with the City of Moscow Finance Department. It is the property owner’s burden to provide the requisite proof to meet the criteria of a qualified leak under this policy.
- B. Qualifying Leak
 1. The water bill increase was due to a water leak caused by circumstances beyond the reasonable control of the property owner such as the rupture of the underground domestic service lines, spontaneous failure of plumbing fixtures or appliances, and similar unforeseeable events;
 2. The water leak was not caused by faucet or toilet leaks or outdoor irrigation systems;
 3. There is no evidence that the excessive water use was due to the intentional or negligent act of the property owner or property owner’s tenant;
 4. Property owner took corrective action regarding the water leak within twenty-four (24) hours after discovering the leak, or being notified of a possible leak, which includes but is not limited to notification to the property owner by the City via billing, letter, door hanger, phone call, email or by any other communicative means.
 5. The property owner provides the City with proof that the leak has been repaired within thirty (30) days from the billing date for the period in which the water loss occurred. The proof shall include a receipt of invoice from a licensed plumber/contractor’s or repair parts receipts

where the owner performs the repairs. Photo documentation of the repair is recommended but not required. In some cases, a site visit by the City may be required.

- C. The determination of whether the proof provided by the Property Owner is sufficient is left to the discretion of the Finance Director or their designee.

Leak Adjustment Calculation

The Leak Adjustment shall be calculated as follows:

- A. The maximum billing adjustment shall be no more than one-half of the calculated water loss resulting from the eligible water loss event.
- B. Utility bill adjustments will be limited to no more than one (1) adjustment covering up to two (2) billing periods for the qualifying leak event.
- C. The City will utilize the highest water usage during the same billing periods during which the qualifying leak occurred from the preceding two years to determine the property owner's normal use.
- D. The property owner shall be responsible for payment of the remainder of the calculated water use after the billing adjustment above the normal use at the appropriate rate, as determined by the Finance Director or designee.
- E. No adjustment shall be made for a charge or a surcharge that is not based on the quantity of water delivered.
- F. The City will not provide any additional future billing adjustments for a qualifying leak that previously resulted in a prior billing adjustment.

Payment Arrangements

If the property owner is unable to pay the remaining balance of the calculated water use after the billing adjustment, the City may allow the property owner to establish a payment plan to enable the owner to meet their financial obligation under the following conditions:

- A. Payment arrangements can only be requested prior to suspension of services due to non-payment and will only be offered to property owners, or with tenants of property owners who state in the Utility Billing Directive for Use of City Services that their tenant is permitted to enter into payment agreements with the City.
- B. Once utility service has been suspended, all current and delinquent amounts must be paid in full before utility service to the property will be restored.
- C. Where payment plans are approved, the past due balance will be divided evenly over three (3) consecutive billing cycles and will be due, along with the current months billing amount, by the 20th of every month.
- D. Failure to make the required payments by the 20th of each month will result in the termination of the payment plan and immediate suspension of utility services. Utility services will only be restored when the past due balance is paid in full and any other fee associated with the suspension of utility services is paid prior to service being reinstated.

- E. Once a property owner has failed to fulfill the obligations of a payment plan, the City will not allow the property owner to enter into a payment plan for twelve (12) months following the date of the default.
- F. There is no penalty to the property owner for paying the balance owed in full prior to the end of the payment plan period.