

Klickitat County Port District No. 1
RESOLUTION NO. 3-2016

A Resolution of the Port of Klickitat Commission
Establishing a Water Loss Credit Policy

WHEREAS, it is the responsibility of a property owner or water system customer (hereinafter “Customer”) to maintain and repair all water pipes, valves, equipment, and related facilities, including irrigation and fire sprinkler systems, installed downstream of the water meter(s) serving the property; and

WHEREAS, it is the responsibility of a property owner or Customer to promptly report any suspected leak to the water system owner or operator (hereinafter “Operator”); and

WHEREAS, the Port Commission acknowledges that water leaks may occur in locations or under circumstances that, providing no visual or auditory indication of water loss, may be reasonably unknown by the property owner or Customer; and

WHEREAS, such leaks may occur through no fault of the property owner or Customer or their personnel, contractors, and agents; and

WHEREAS, the procurement, preparation, and delivery of potable water results in certain variable costs to the Operator including utilities (e.g. electric power for pump operations), supplies (e.g. chlorine), depreciation (e.g. impeller wear), and other ancillary charges regardless of use or loss; and

WHEREAS, on average, the variable costs described above are estimated to represent twenty-five percent (25%) of the total water usage charge; and

WHEREAS, the Port Commission recognizes that placing the full cost of a leak on the Customer may represent a significant financial burden; and

WHEREAS, the Operator may have cause to perform repairs, testing, or other work on the water system resulting in water loss recorded by the water meter(s) serving a property; and

WHEREAS, the Port Commission recognizes that the cost of a metered water loss caused by repairs, testing, or other work on the water system by the Operator should not be the responsibility of the Customer;

NOW, THEREFORE, BE IT RESOLVED that the Port Commission does hereby rescind Resolution 3-2014 and authorize the Executive Director to issue a credit, or instruct any operator of a Port-owned water system to issue same, to any customer of a Port-owned water system for any metered water loss as defined in, and in accordance with, the following provisions:

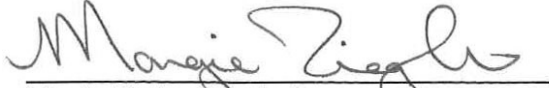
1. Eligible water losses for which a Customer may receive a credit shall be limited to:
 - a. A water leak of a type or in a location such that the property owner or Customer had no reasonable visual (excluding examination of the meter itself) or auditory indication that a leak existed or that a water loss was occurring (an “Accidental Customer Loss”); or
 - b. A water loss resulting from the unknown failure of any water system facility owned or maintained by the Operator or the negligence of its personnel, contractors, and agents (an “Accidental Operator Loss”); or
 - c. A water loss resulting from the known failure of any water system facility owned or maintained by the Operator or the deliberate work of its personnel, contractors, and agents (a “Known Operator Loss”).

2. A credit may be issued only when all of the following conditions apply:
 - a. The leak was not the result of the property owner or Customer or their personnel, contractors, tenants, or invitees having failed to shut off or repair any faucet, hose bib, toilet, valve, or other faulty plumbing or equipment on the property; and
 - b. The leak was not the result, in whole or in part, of any act or negligence by the property owner or Customer or their personnel, contractors, tenants, or invitees; and
 - c. For an Accidental Customer Loss, water from the leak was not used, in whole or in part, for any beneficial purpose; and
 - d. For an Accidental Customer Loss, the customer's water use during the billing period for which the credit is requested is one hundred fifty percent (150%) or more of the use during the same billing period in the previous year; and
 - e. Except for a Known Operator Loss, the property owner or Customer notified the Operator within two (2) business days of having discovered the leak or any indication of water loss (including a substantial increase in usage as indicated on any water bill or statement) or of having had a reasonable opportunity to discover the leak; and
 - f. The property owner or Customer allowed a representative of the Operator to confirm the existence and source of the water loss; and
 - g. The water loss was recorded by the Customer's water meter.
3. A credit may be issued equal to seventy-five percent (75%) of the Credit Amount for an Accidental Customer Loss or one hundred percent (100%) of the Credit Amount for an Accidental Operator Loss. The Credit Amount shall be calculated as follows:
 - a. The water use during the billing period in which the leak is discovered by the water system operator/owner or reported to same by the property owner or Customer (the "Discovery Period") and either the billing period prior to the Discovery Period if the leak is otherwise undetectable except for the excessive use shown on the water bill or the billing period subsequent to the Discovery Period if the leak cannot reasonably be repaired within the Discovery Period;
 - b. Less the average water use for the Customer during the same billing period(s) in the two (2) prior years, except that if the account is less than two years old, the average water use shall be deemed equal to the use during the billing period immediately prior to that in which the leak is determined to have started;
 - c. Multiplied by the water rate applied to the Accidental Customer Loss or Accidental Operator Loss and shown on the water bill(s) for the billing period(s) in which the loss occurred.
4. A credit issued for a Known Operator Loss shall be equal to one hundred percent (100%) of the use recorded by the Operator or, in the event the use could not be recorded, a reasonable estimate of the amount of water used, multiplied by the water rate applied to the Known Operator Loss and shown on the water bill on which the loss appears.
5. No credit for a Customer Loss shall be issued until the property owner or Customer provides the Operator with reasonable evidence the leak has been located and repaired. Reasonable evidence shall include bills or invoices from a plumbing contractor describing the leak and the repair performed, inspection of the repair by a representative of the Operator, before and after photographs of the repaired leak with sufficient detail and background context to establish the efficacy and location of the repair.
6. The Executive Director may grant an exception to this policy where there exists extraordinary or unusual circumstances, provided said exception is consistent with the intent of this policy.

7. A Customer may appeal the decision of the Executive Director to the Port Commission by submitting to the Port, within twenty (20) calendar days of receiving notice of said decision, a written statement describing, in detail, any portion of the decision the Customer believes to be in error or in violation of the provisions of this policy or the extraordinary or unusual circumstances in existence that warrant an exception to this policy.

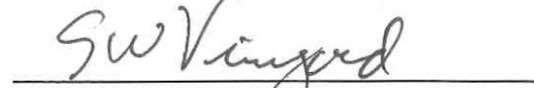
ADOPTED IN OPEN SESSION this 14th day of June, 2016.

ATTEST:

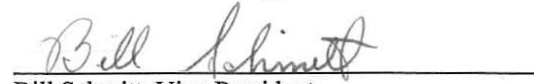


Margie Ziegler, Port Auditor


PORT OF KLICKITAT COMMISSION



Wayne Vinyard, President



Bill Schmitt, Vice-President



Jim Herman, Secretary