

ORDINANCE NO. ____

A ORDINANCE OF THE CITY OF MADISONVILLE, TENNESSEE AMENDING TITLE 18, WATER AND SEWER OF THE CODE OF ORDINANCES BY ESTABLISHING STANDARDS AND LIMITS REGARDING THE ADJUSTMENT OF UTILITY BILLS DUE TO LEAKS AND FILLING POOLS

Now there be it ordained by the Council of the City of Madisonville, Tennessee that the City of Madisonville will allow up to 2 billing adjustments per calendar year relating to leaks and pools.

The following regulations shall apply to customers seeking adjustments for water and wastewater charges billed:

Section 1

1. Water bill adjustments for broken water lines and leaks.

a. In cases where it is clear and evident that water usage as reflected by a monthly meter reading is not indicative of water used due to an unusual circumstance, an authorized representative may authorize an adjustment of one-half the usage in excess of the average bill over the previous 12 month period

b. Leak adjustments will only be given for broken water lines and meter leaks on the customer's side of the meter.

c. Receipts, invoices or statements that support service needed to repair the leak in question shall be presented to Customer Service to be considered for an adjustment for said repairs.

2. Wastewater adjustments for filling of swimming pools.

a. The authorized representative may authorize a wastewater usage credit for the filling of a swimming pool.

b. Customer must make contact *before* the filling of the swimming pool to establish a date for filling the swimming pool.

c. There shall be a difference of a minimum of 4,000 gallons from the billing for the month the swimming pool is filled and the average billing for the past twelve months.

d. All wastewater usage will be billed that is related to water consumption.

e. An adjustment for wastewater billed will be applied to the account for that water volume used to fill the swimming pool.

f. The adjustment is credited to the customer's account and will not be considered a refund.

g. Billing for the water and wastewater utilized for filling of a swimming pool will occur on the following billing cycle.

h. The adjustment for wastewater will be applied to the account on the proceeding billing cycle.

Section 3: Severability: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance.

Section 4: Conflicts with other ordinances and regulations: All other ordinances and regulations and parts of other ordinances and regulations inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflicts. This Ordinance shall not affect any litigation or other proceedings pending at the time of adoption.

Section 5: Conflicts with Federal, State, or Local Law: Nothing in this Ordinance is intended to affect any requirements, including standards or prohibitions established by Federal, State, or Local law, so long as Federal, State, or Local requirements are not less stringent than the requirements set forth in this Ordinance.

Section 6: Adoption and Effective Date: This ordinance shall become effective from and after its passage, the public welfare requiring it.

Passed 1st reading this day__ of _____, 2011

Public hearing held:_____

Passed 2nd reading this day__ of _____, 2011

Mayor

City Recorder