

**CITY COUNCIL AGENDA ITEM COVER MEMO**

**FOR AGENDA OF COUNCIL MEETING/WORK SESSION - DATE :** April 11, 2013

**ACTION REQUESTED BY:** Huntsville Utilities

**COUNCILMEMBER: DISTRICT:**

**SUBJECT MATTER :** Amendment to Ordinance 95-305 Sec. 26-632

**EXACT WORDING FOR AGENDA:** Introduction of an ordinance revising Ordinance No. 95-305 Sec. 26-632 to allow water billing adjustments for undetected leaks to be based upon the customer's average monthly usage, with usage above the monthly average being billed at the lowest residential water rate. (Utilities: Water)

**ORDINANCE: X RESOLUTION: MOTION:**

**(IF AMENDMENT, STATE TITLE AND NUMBER OF ORIGINAL):** N/A

**ITEM IS TO BE CONSIDERED FOR:**

**INTRODUCTION: X ACTION: DISCUSSION:**

**UNANIMOUS CONSENT REQUIRED?** No

**BRIEFLY STATE WHY THE ACTION IS REQUESTED; WHY IT IS RECOMMENDED OR NOT RECOMMENDED; WHAT COUNCIL ACTION WILL PROVIDE, ALLOW, OR ACCOMPLISH; ANY ASSOCIATED COST; BUDGETED (?); AND ANY OTHER INFORMATION THAT YOU THINK MIGHT BE HELPFUL.** This ordinance allows water adjustments be made based on the lowest residential rate for water loss above the monthly average for customers that have had undetected leaks.

**MAYOR RECOMMENDS OR CONCURS?** YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

**SIGNATURE:** William C. Pippin, President & CEO

**DATE:** March 26, 2013

ORDINANCE NO. 13-\_\_\_\_\_

**BE IT ORDAINED**, by the City Council of the City of Huntsville, Alabama, that Ordinance No. 95-305 adopted on May 11, 1995, and last amended by Code of Ordinances of the City of Huntsville adopted November 20, 2007, by Ordinance 078-1125 and being entitled "Sec. 26-632. Leaks, waste", is hereby amended as follows:

Sec. 26-632. Leaks, waste is hereby deleted and in place thereof, the following is by way of amendment added:

Sec. 26-632. Leaks, waste. If any leak or waste is found to have occurred at any water meter box, due to defective plumbing by the city, a water bill or charge for the current month shall be rendered to the consumer equal to the average bill or charge for the past three (3) preceding months. If any leak or waste is found on private property underground where such leak or waste is not plainly visible, a bill or charge for the then current month shall be rendered to the customer at such place or the owner of the property, equal to the average bill for the past three (3) preceding months, and there shall be added to the average bill, based on the past three (3) preceding months' consumption, a charge at the then current residential-inside city limits-first 3,000 gallons rate schedule as set forth in Ordinance No. 12-1019 adopted on December 20, 2012 used over and above the averaged amount for the past three (3) preceding months; provided, further however, that if such leak or waste shall occur in any water fixture or if it shall be otherwise visible or audible or known to the consumer, a bill or charge for the full amount of water used as shown by the meter reading shall be rendered against such customer and no allowance or credit thereon shall be made. The rates and charges as set forth in this amendment shall become effective on date of adoption of this ordinance.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
President of the City Council of  
the City of Huntsville, Alabama

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama