

ORDINANCE NO. 1057

AN ORDINANCE OF THE CITY OF NEWPORT, WASHINGTON AMENDING ORDINANCE NO. 1019 SECTION 1 AND AMENDING NEWPORT MUNICIPAL CODE CHAPTER 13.08.170(B), CONCERNING CHARGES IN THE EVENT OF WATER LEAKS.

THE CITY COUNCIL OF THE CITY OF NEWPORT, WASHINGTON DO ORDAIN AS FOLLOWS:

SECTION 1: AMENDMENTS:

- (1) Ordinance No. 1019, Section 1; and Chapter 13.08.170(B) of the Newport Municipal Code are each amended to read as follows:

13.08.170(B) When due to a broken water pipe or plumbing fitting whether above or below ground, any water user has used according to the customer's meter, an amount of water which is substantially greater than the amount of water which has been used during a similar period in prior years, the customer may apply to the finance department for an adjustment under this section.

If evidence is presented to the City documenting the existence of a broken pipe or other plumbing fitting AND if the customer has not received a reduction of their water bill due to a broken pipe or plumbing fitting in the previous 24 months, the finance department shall reduce the bill in question to the average amount billed to such property for similar periods in previous years on the condition that the customer pays 25% of the amount of the water overage.

In the event that the water bill is reduced pursuant to the previous paragraph, the sewer overage bill will be reduced to the average amount billed to such property for similar periods in previous years on the condition that the customer pays 25% of the amount of the sewer overage.

The finance department is not authorized to reduce water billings due to broken pipes or fittings if the customer has received a reduction within the previous 24 months due to a broken pipe or fitting. Further, the finance

department is not authorized to reduce water billings due to leaking toilets, faucets, hose bibs or other fixtures.

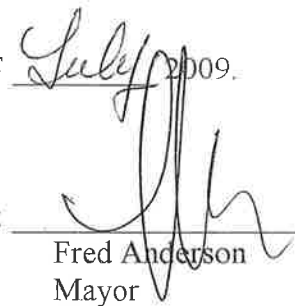
All repairs must occur within 10 days of discovery of the broken pipe or other plumbing fitting. In order to avoid a waste of water, the public works department may discontinue service to any premises if the owner or occupant refuses to make necessary repairs. If the resident is not home and it is observable that water is being lost through leakage, the department at its option may terminate water service and shall leave written notice as to its action and the reason therefore.

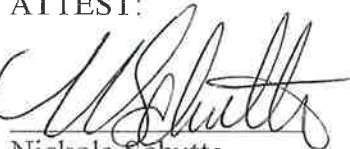
Customers requesting a reduction of their water billing who have received a previous reduction within 24 months and customers requesting relief from water bill liability caused by leaking fixtures such as toilets, faucets, hose bibs etc. may request reduction of their billing from the City Council.

SECTION 2: SEVERABILITY: If any part of this Ordinance is held by a court of competent jurisdiction to be unconstitutional or otherwise unenforceable, such finding shall not invalidate any other part of this Ordinance.

SECTION 3: EFFECTIVE DATE: This Ordinance shall take effect and be in full force five days after its passage and publication.

PASSED AND ADOPTED THIS 6th DAY OF July 2009.

By: 
Fred Anderson
Mayor

ATTEST:

Nickole Schutte
City Clerk/Treasurer

APPROVED AS TO FORM:

Tom Metzger
City Attorney