

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING NIPOMO COMMUNITY SERVICES DISTRICT
CODE SECTION 2.08.120 RELATING TO LEAK ADJUSTMENTS**

2.08.120 Leak adjustments.

- A. A water service customer who received a high bill for water service due to a leak may make a written request for leak adjustment relief pursuant to this section. The written request must be received by the district no later than 4:30 p.m. on the due date of the bill in question. The general manager or their designee shall investigate such complaint in the following manner:
 - 1. The general manager or their designee shall first determine whether the increase in water consumption is related to a leak occurring on the customer's side of the water service connection and, if so, that the leak has been remedied.
 - 2. The general manager or their designee shall review the customer's water bills for the same time period in the previous two years to determine whether or not there is a significant differential in terms of water use that was evidenced by a leak. Where there is a significant difference as determined by the general manager or their designee, water usage for the billing period shall be billed as follows:
 - a. The five-year average normal usage will be billed at the rates in place at the time of the high bill.
 - b. All excess usage (over and above the average normal usage) will be billed at a rate equivalent to the otherwise applicable water rates minus the portion of the rate associated with supplemental water, as established by resolution.
- B. For water service customers who have not established a five-year history of water usage, the general manager or their designee shall determine equivalent water services using similar billings with a five-year history to make the appropriate findings as set forth in subsections A.2.a. and b. above. The customer shall then be charged according to subsections A.2.a. and b. above.
- C. The relief provided by this section is available, upon written request, for a district water service customer once during a three-year period. A water service customer may not apply for relief under this ordinance if relief had been sought and granted any time during the previous three years.
- D. If a leak adjustment is approved, the customer must sign an acknowledgement of the leak adjustment prior to the adjustment being made to the customer's account. Within fifteen days of the original due date of the water bill, the customer is responsible for completing the leak adjustment process and paying the adjusted bill. If the customer fails to execute the leak adjustment acknowledgement and pay the adjusted bill prior to the above-referenced due date, no leak adjustment will be granted and the customer will be responsible for the paying the full, original water bill plus all additional fees and charges assessed through the date of payment.
- E. Leak adjustments will not be considered for previous billing cycles and adjustments will not be made retroactively.
- F. Leak adjustments are for a specific billing cycle and cannot be spread over two billing cycles.
- G. The general manager or their designee may consider whether the customer shall be permitted to amortize the amount equal to the excess usage over a reasonable period of time, not to exceed twelve months.