

RESOLUTION NO. 2023-02

A RESOLUTION TO IMPLEMENT A LEAK PROTECTION PROGRAM FOR WATER CUSTOMERS OF THE CITY OF GRANTVILLE; TO REPEAL INCONSISTENT RESOLUTIONS; AND FOR OTHER PURPOSES

WHEREAS, the City of Grantville is a municipal corporation duly organized and existing under the laws of the state of Georgia; and

WHEREAS, pursuant to Sections 1.04 (f) & (g) of the Charter of the City of Grantville the City is authorized to operate public utilities, including water, and to fix the rates for same; and

WHEREAS, the City Council finds that some water customers experience leaks resulting in abnormally high water charges; and

WHEREAS, these high charges place a financial burden on the customer and an administration and enforcement burden on the city; and

WHEREAS, the City believes the implementation of an optional leak protection plan whereby customers could, for a fee, be protected from a loss in the event of a water leak would be in the City's best interest; and

WHEREAS, the City desires to adopt a leak protection program for its water customers.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Grantville, Georgia, and it is hereby resolved as follows:

1. Water Leak Protection Program

(a) Water-Leak Protection Program ("Program") shall mean a program by which eligible customers may purchase, in addition to the normal rates of charge implemented by the Utilities Department of the City of Grantville, Georgia ("the Department"), protection against excessive leaks caused by any and all types of defects that might exist as a result of an inordinate, unusual, or non-customary amount of water being used by a customer.

(b) The charge for the Water-Leak Protection Program shall be \$2.00 per month for coverage limited to one thousand dollars (\$1,000.00) per calendar year, per meter and per customer; \$4.00 per month for coverage limited to three thousand dollars (\$3,000.00) per calendar year, per meter and per customer; and \$10.00 per month for coverage limited to seven thousand five hundred dollars (\$7,500.00) per calendar year, per meter and per customer. Failure to pay this charge, subject to any and all grace periods and/or exigent circumstances, will result in termination of the Water-Leak Protection Program.

(c) To enroll in the Program the customer must complete the application at the City Clerk's office, and pay the monthly charge for a twenty-four (24) month period. Once a customer is enrolled in the Program he/she cannot cancel the Program, unless the customer's water service for the meter registered for the Program is discontinued by the customer. Once a customer has enrolled in the Program he/she may upgrade his/her Program to a higher protection level, or downgrade to a lower protection level, at any time during the twenty four (24) month program period. Once the customer has cancelled the Program, the customer will not be entitled to the coverage under the Water-Leak Protection Program and no adjustments will be made for any leaks that may occur. Customers may reenroll at any time, but to be eligible for adjustments, the customer must be enrolled for at least ninety (90) days.

(d) The method of calculating a leak adjustment shall be an average of six-month water usage for the period not involved in the leak, which normally will be the six-month period prior to discovery of the leak. In the event the customer has had water service for less than six months, the average monthly usage before the leak and after the leak shall be calculated so as to either meet the six-month requirement, or as nearly as practicable to determine the appropriate average six-month usage.

(e) To obtain a leak adjustment, within 30 days of identifying a leak, the customer must notify the Department when the leak is identified and repaired and must submit proof that the leak has been repaired.

(f) If the Department determines, in its sole discretion, that a leak qualifies for adjustment under this resolution, the customer will receive an adjustment after a reading of the meters.

(g) Whether as a result of excessive claims under the policy, alterations or damage to Department equipment due to customer negligence and/or tampering, modifications in the Water-Leak Protection Program, or for any other reason, within the sole discretion of the Department, the Department reserves the right to terminate coverage under the Water-Leak Protection Program for any customer at any time, provided that the Department gives the customer ten days' written notice of such termination.

(h) No customer shall be entitled to coverage under the Water-Leak Protection Program unless the customer has purchased the Water-Leak Protection Program as described in this resolution.

For purposes of interpretation of this resolution, "exigent circumstances" means any circumstances beyond the control and reasonable foreseeability of a customer.

II. Repealer

All resolutions or parts of resolutions in conflict are hereby repealed.

IT IS SO RESOLVED this _____ day of February, 2023.

Mayor

Attest: _____
Clerk