

# Village of Johnson Creek

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Crossroads with a Future

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## **LEAK ADJUSTMENT POLICY**

### **Policy**

The Village of Johnson Creek Utilities Department is responsible for maintenance and operation of water and wastewater treatment and distribution systems. Each property owner is responsible for installation, maintenance and repair of water piping from the curb stop to the main building and wastewater piping from the connection to the service lateral to the main building and all plumbing inside the building.

This policy is intended to address high sewer usage charges caused by water pipe breaks (leaks) or appliance failures that develop inside a building. As further defined hereafter, this policy addresses only those leaks that are catastrophic in nature and beyond the control of the customer.

When such a leak occurs, adjustment of sewer charges may be considered if usage during the leak is at least 150% above the customer's average usage determined by the previous twelve billing cycles. Where a customer has not occupied or owned the property for at least twelve billing cycles, an average of any billing cycles available will be used.

### **Applicability**

A sewer charge adjustment will be considered if the high usage is a result of:

- A cracked or broken water pipe inside of a building. Such a leak would typically result from a frozen pipe during the winter, a deteriorated pipe or pipe fitting.
- A defect or malfunction in appliances or plumbing fixtures such as toilets, faucets, water softeners, water heaters, boilers or furnace humidifiers located in a vacant building or an area where the leak or failure may go unnoticed until a high bill occurs.

A sewer charge adjustment **will not** be considered in the following cases:

- Customer failed to make repairs to a pipe, appliance or fixture known to have defects or be in need of repair.
- High usage occurred more than 30 days after customer received a high bill or high usage notice from the Johnson Creek Utilities Department.
- Customer is unwilling to allow Utility staff access or entry to inspect the reported leak and/or repairs made.
- High usage is due to watering of lawns, trees or gardens.
- High usage is due to failure to turn off hoses, sprinklers or sprinkler systems.
- High usage is due to negligent water use or other incident within the customer's control.
- The customer has an outstanding delinquent balance. (Submit payment for delinquent balance or sign a deferred payment agreement prior to requesting adjustment).

### **Application Process**

A customer may apply for a billing adjustment by completing an Application for Leak Adjustment. Customers are encouraged to submit applications to Village Hall within 45 days of the billing date where the excessive use was included. It is strongly suggested that the customer pay at least the amount of an "average" bill and continue to pay subsequent bills during the time the application is under review.

## **Application Review Process and Appeals**

A committee consisting of the Village Administrator, Utility Superintendent and Utility Clerk shall review Leak Adjustment Applications on a monthly basis. As part of the review process, the committee may request an inspection by Utility staff of the property where the leak occurred.

The committee will notify the applicant of its determination whether the case is eligible for an adjustment within 30 days of receiving the application. If the case is determined to be eligible for a leak adjustment, the committee will authorize the adjustment to be applied to the next billing cycle.

Applicants may appeal a committee decision to the Village Board. If the customer appeals to the Village Board, the Board shall consider the application within 30 days of the date of appeal and issue a decision within 60 days of the date of appeal.

## **Adjustment Terms**

### **Water Usage Charges**

State of Wisconsin Public Service Commission regulations require customers to pay at least the cost of the Utility providing the water lost due to a leak. Water charges will not be reduced in the event of a leak.

### **Sewer Usage Charges**

In cases where a customer shows sufficient evidence to the committee that water usage during a leak was not discharged to the sanitary sewer system, full credit of sewer usage charges above the customer's average usage will be considered.

In cases where water usage during a leak was discharged to the sanitary sewer system, an adjustment of sewer usage charges above the customer's average usage will be considered with limitation to the number of adjustments allowed during the customer's tenancy and/or ownership of the property during a 10-year period as follows:

- First occurrence is eligible for adjustment of 100% of sewer usage.
- Second occurrence is eligible for adjustment of 75% of sewer usage.
- Third occurrence is eligible for adjustment of 50% of sewer usage.
- Fourth and subsequent occurrences are not eligible for an adjustment.

Please note that leak adjustment applications are subject to the Applicability section above and a recurring plumbing or appliance leak is not eligible for multiple leak adjustments where the customer has failed to make necessary repairs to prevent the leak from recurring.

## **Contact Information**

Questions regarding this policy should be directed to:

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