

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

MAY 08 2012 LF/cms

PLANNING AND DEVELOPMENT

of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding

BILLING ADJUSTMENTS FOR EXCESSIVE WATER CONSUMPTION

Resolution No. 2012-M-11

WHEREAS, the Board of County Commissioners of Orange County (Board) establishes and collects rates, fees, and charges for its water and wastewater system pursuant to its home rule powers granted to the County by the Florida Constitution, the Orange County Charter, Chapter 125 of Florida Statutes and any other applicable statutory authority; and

WHEREAS, the Board recognizes that there are instances where customers have been charged for water and wastewater usage that may be considered beyond their control and where the amount charged could be considered excessively punitive; and

WHEREAS, the Board has identified excessive water use beyond the control of the customer to be categorized as being related to a pool fill, a water leak, a fast reading water meter; a residential lawn replacement, or for some unexplained reason; and

WHEREAS, as a result, the Board now declares the need to adopt specific criteria to allow billing adjustments for each of these categories of circumstance;

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS
OF ORANGE COUNTY:

Section 1. Utilities Billing Adjustment Schedule. The Board hereby adopts the Utilities Billing Adjustment Schedule attached hereto and incorporated herein by reference as Exhibit "A". Resolution No. 91-SW-09 adopted by the Board on October 15, 1991, is hereby repealed and superseded in its entirety.

Section 2. Severability of Provision. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the valid

provision or application and to this end the provisions of this Resolution are declared severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

ADOPTED THIS _____ DAY OF MAY 08 2012, 2012.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

BY: *Teresa Jacobs*
Teresa Jacobs, Mayor
TJ

ATTEST: Martha O. Haynie, County Comptroller
As Clerk to the Board of County Commissioners

BY: *Martha O. Haynie*
Deputy Clerk
PUTL-C-01



EXHIBIT "A"

ORANGE COUNTY Utilities Billing Adjustment Schedule

All customers with 5/8 x 3/4 inch meters and all residential customers regardless of meter size who experience unusually high water usage with a corresponding spike in their monthly water bill may contact the Utilities Department within 60-days of the date of the unusually high water bill to complete a Billing Adjustment Request form. After customer completion of a Billing Adjustment Request form, submittal of the requested documentation described below and investigation and verification by Utilities, adjustments to water and wastewater portions of customer bills, as appropriate under the circumstances, may be made under the following four (4) high water use categories:

I. POOL FILL

- Adjustment is available no more than once annually
- Adjustment is available only for wastewater portion of the bill
- The customer's prior 12-month average usage will be used to calculate the wastewater charges for the high water bill month in question
- No adjustment is available for water charges and applicable tiered rate structure shall apply
- Customer must submit a copy of the repair invoice/payment receipt from company performing pool repair work that requires pool fill. The repair invoice/receipt should include the address of the pool location, the date of pool repair, the pool dimensions and the date and amount of water used to fill the pool

II. LEAKS and RESIDENTIAL LAWN REPLACEMENT

- Adjustment is available no more than once annually
- Adjustment is available for the water portion of the bill and may be available for the wastewater portion of the bill if applicable
- The customer's prior 12-month average usage will be used to calculate the water and wastewater charges for the high water bill month in question
- The customer's prior 12-month average usage will be compared to the customer's usage during the leak or lawn replacement period to determine excessive water usage to be adjusted
- The customer's water usage in excess of their prior 12-month average will be billed at the rate in the highest tier reached by the customer's prior 12-month average usage
- Customer must submit a copy of the repair invoice/receipt, a copy of the lawn replacement invoice/receipt from company performing the work or the invoice/receipt for sod. The repair or lawn replacement invoice/receipt should include the address, date and nature of the work. If self-repaired, the customer must provide a brief written explanation of the repairs performed and provide copies of invoice/receipt for new sod and repair parts

III. FAST FLOWING WATER METERS

- All customers are eligible for this adjustment
- Adjustment is only available after Utilities staff has conducted all appropriate testing and verified water meter above threshold deviations from American Water Works Association (AWWA) industry-accepted standard for accuracy of 101.5%
- Utilities staff will upon request conduct appropriate field testing for meter accuracy
- If field testing reveals meter registering within AWWA accuracy standards, further testing is not conducted

except after customer request. If bench testing confirms field test's accuracy readings, customer is responsible for cost of bench testing

- If field testing indicates fast flow, bench testing will be conducted at no cost to customer
- Bench test results will be compared to AWWA standards ($\pm 1.5\%$)
- Only accounts with meters registering above the 101.5% AWWA standard will be adjusted
- For accounts with meters registering above the AWWA standard, a weighted average flow will be calculated based upon the deviation from such AWWA standard
- The consumption for the period in question (up to twelve months preceding the receipt of the customer's Billing Adjustment Request) will be adjusted by a percentage equal to the difference between the weighted average flow and the AWWA standard

IV. UNEXPLAINED EXCESSIVE WATER USAGE

- Adjustment is available on a one-time only basis per account
- Adjustment is available for the water portion of the bill and may be available for the wastewater portion of the bill if applicable
- Adjustment will only be considered when no reasonable explanation can be found for the increased consumption and only after a thorough investigation is conducted with the full cooperation of the affected customer including:
 - Confirmation of the original meter reading
 - Completion of a water audit
 - Completion of a field flow test of the meter
 - Completion of a bench test if necessary
- To qualify for this adjustment, the contested consumption must be:
 - At least 4 times the prior 12 month average consumption for the customer account, and
 - More than twice the previous highest consumption, and
 - Must be at least 20,000 gallons
- The customer's prior 12-month average usage will be compared to customer's usage during the unexplained water usage period to determine excessive water usage to be adjusted
- The customer's water usage in excess of their prior 12-month average will be billed at the rate in the highest tier reached by the customer's prior 12-month average usage

Notes:

- 1) All customers requesting a billing adjustment in accordance with this schedule are required to pay their bill in full or make payment arrangements while the Billing Adjustment Request is being processed
- 2) For customers with less than 12 months water usage, Utilities staff will extrapolate 12 months of usage