

AGENDA ITEM SUMMARY

DATE: ²⁰12/18/10 DEPARTMENT: PW - Water DEPT. HEAD SIGNATURE: [Signature]

SUBJECT: Proposed Ordinance to revise Chapter 13.04 of the municipal code to address measures to resolve meter reading disputes. 2nd + 3rd Reading

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

On October 18, 2010 the city council made comment on a proposed Meter Reading Dispute Policy and requested an ordinance revision be brought back to the council for approval. The accompanying ordinance addresses the council's comments.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle # _____
Budget Line Item # _____ YTD Line Item Balance \$ _____
Estimated Hours Spent to Date: _____ Estimated Completion Date: _____
Staff Contact: Tom Hellen Phone # 788-9830 Ext 14
Comments:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

<input type="checkbox"/> City Attorney	<input type="checkbox"/> Clerk / Finance Director	<input type="checkbox"/> Engineer	<input type="checkbox"/> Building
<input type="checkbox"/> Library	<input type="checkbox"/> Planning	<input type="checkbox"/> Fire Dept.	_____
<input type="checkbox"/> Safety Committee	<input type="checkbox"/> P & Z Commission	<input type="checkbox"/> Police	_____
<input type="checkbox"/> Streets	<input type="checkbox"/> Public Works, Parks	<input type="checkbox"/> Mayor	_____

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

ADMINISTRATIVE COMMENTS/APPROVAL:

City Administrator _____ Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Date _____
amended Section 4.6-I to add language allowing "refund or credit based on customer's request" 1st Reading Pass
City Clerk: by title only. 2nd Reading with repealed ordinance.

FOLLOW-UP:

*Ord./Res./Agmt./Order Originals: Record
Copies (all info.): _____

*Additional/Exceptional Originals to: _____
Copies (AIS only)

HAILEY ORDINANCE NO. 1078

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 13 OF THE HAILEY MUNICIPAL CODE BY AMENDING SECTION 13.04.130(B)(2) OF THE HAILEY MUNICIPAL CODE TO PROVIDE THAT ANY ADJUSTMENT OF WASTEWATER METERED CHARGES IS BASED ON USE DURING NOVEMBER THROUGH MARCH; BY AMENDING SECTION 13.04.130(D) OF THE HAILEY MUNICIPAL CODE TO ADD A NEW SECTION 13.04.130(D)(4) PROVIDING FOR A REDUCTION IN METERED WATER AND WASTEWATER FEES WHEN WATER USAGE EXCEEDS A CERTAIN RANGE; BY PROVIDING FOR A REPEALER CLAUSE; BY PROVIDING FOR A SEVERABILITY CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and the City Council of the City of Hailey wish to amend the Hailey Municipal Code to establish procedures for adjusting water fees;

WHEREAS, the procedures imposed by this ordinance have been studied and recommended by the City Engineer and are intended to be reasonably related to the benefit conveyed to the residents of the City of Hailey; and

WHEREAS, the Mayor and City Council find that the amendments to the Chapter will further the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 13.04.130(B)(2) of the Hailey Municipal Code is hereby amended by the addition of the underlined language and by the deletion of the stricken language, as follows:

B. Wastewater User Fees.

2. Metered Wastewater Fee. The monthly metered fee is intended to cover the variable costs of the Municipal Wastewater System, including the operation and maintenance costs which consist at least of, but not limited to, 50% of the labor, benefits and administrative costs, and 100% of parts, fuel, utilities, vehicle maintenance, lab tests and chemicals. The monthly metered wastewater charge shall be assessed to each separate Property based upon the average amount of water used by that Property during the months of November through April. During the month of May the monthly wastewater metered charge shall be adjusted based upon the average use of water during the months of November through ~~April~~ March used by each Property except as provided under Sections 13.04.130(D)(3) and (4).

Section 2. Section 13.04.130(D) of the Hailey Municipal Code is hereby amended by the addition of a new Section 13.04.130(D)(4), as follows:

D. Reduction in Metered Water and Wastewater Fees.

4. Meter Reading Dispute. Subject to the requirements set forth herein, in the event a Water User disputes a meter reading, a Water User shall, in the Water User's discretion, be reimbursed and/or given credit for excessive charges accumulated due to an incorrect meter reading according to the following:

- a. The Water Department will perform a leak check prior to the Public Works Department reviewing the past history of water use for the month(s) in question to determine if the disputed water use is within a 50% range of the same month(s) in the previous year. If the water usage is within this range, reimbursement or a credit will not be issued. Should a leak be discovered, the procedures in Section 13.04.130(D)(1) will be followed.
- b. Water Users who request reimbursement and/or a credit to their account due to excessive charges due to an incorrect meter reading will be reimbursed or given a credit based upon the water usage in the same month(s) in the previous year.
- c. If the property has no history of water usage during the applicable month(s), the average water useage for all known months of water useage will be used.
- d. Disputes between October 1 and April 30 will not be considered without detailed documentation.

Section 3. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 4. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 5. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this ____ day of December, 2010.

Richard L. Davis, Mayor
City of Hailey

ATTEST:

Mary Cone, City Clerk

Publish Summary: Idaho Mountain Express December, 2010

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to ensure the validity of the findings.

3. The third part of the document describes the results of the data analysis and the key findings. It notes that the data indicates a significant trend in the market, which has implications for the organization's strategic planning and decision-making.

4. The fourth part of the document provides a detailed analysis of the data, including a breakdown of the different categories and sub-categories. This analysis helps to identify patterns and trends that may not be immediately apparent from the raw data.

5. The fifth part of the document discusses the implications of the findings and the potential actions that can be taken based on the results. It suggests that the organization should consider implementing certain changes to improve its performance and competitiveness in the market.

6. The sixth part of the document provides a summary of the key findings and conclusions. It reiterates the importance of the data and the need for continued monitoring and analysis to stay informed of market developments.

7. The seventh part of the document includes a list of references and sources used in the analysis. This provides a clear and concise way to cite the information used in the document.

8. The eighth part of the document provides a list of appendices and additional information. This includes detailed data tables, charts, and other supporting materials that are not included in the main body of the document.

9. The ninth part of the document includes a list of footnotes and additional notes. This provides a way to address any questions or concerns that may arise regarding the data or the analysis.

10. The tenth part of the document provides a list of contact information and a way to reach the author or the organization. This is useful for anyone who may have further questions or need more information.

11. The eleventh part of the document includes a list of acknowledgments and a way to thank the individuals and organizations that have supported the work. This is a common and important part of many documents.

12. The twelfth part of the document provides a list of additional resources and information. This includes links to websites, books, and other materials that may be helpful to the reader.