

**Town of Hamilton**  
**Abatement of High Water Bill Policy**

**Approved by BOS:** September 15, 2008

**Statement of Intent:**

The Town of Hamilton recognizes that a high water bill resulting from an accidental, unpreventable water release can present financial hardship to a customer. While most water releases are preventable, there are certain circumstances when an accidental water release cannot be reasonably prevented. The intent of this policy is to establish a one-time abatement, during any ten-year period, for up to half of the excess water consumption above normal consumption, due to an accidental, unpreventable water release.

**Abatement Determination Procedure:**

1. All customer requests to abate any portion of a metered water bill that is unusually high due to unpreventable leakage shall be reviewed by the Director of Public Works on a case-by-case basis. In order to qualify for abatement, a customer's excess consumption must exceed the greater of 100% or 35,000 gallons above their normal average consumption. The customer must also prove that the deficiency responsible for leakage has been repaired or corrected. This policy only applies to leaks that have occurred within any previous, immediate six (6) month period.
2. The Town shall attempt to notify all customers who, during the course of billing preparation, have been determined to have an unusually high bill resulting from abnormally high consumption.
3. In the event that a customer cannot determine the source or cause of the abnormally high consumption, the customer is required to hire a private licensed plumber to assist the customer in trying to determine said source or cause. If the plumber is unable to determine the source or cause of the abnormally high consumption, the Town can only speculate that the customer has located and repaired or corrected said source. If the customer claims that said source never existed, the Town shall test the meter and make an adjustment to the bill if the meter is found to be over-recording. If the meter test reveals an accurate or under-recording meter, the customer shall be held responsible for the entire bill including the cost for testing the meter.
4. In the event the source or cause of the abnormally high consumption is related to a leak due to customer negligence such as the failure to maintain internal (private) plumbing fixtures in good repair and/or protect plumbing from freezing, the customer shall be held responsible for the entire bill.

5. In the event the abnormally high consumption has occurred due to accidental or unpreventable leakage, as determined by the DPW Director, the Town of Hamilton Board of Selectmen shall consider granting a one-time abatement, per account, during any ten-year period, equal to half of the water consumption above normal consumption. The abatement calculation may consider compensation from any other sources, including insurance policy claims, etc. Normal consumption will be the average of at least the previous three years' consumption history (for similar billing periods) unless deemed otherwise by the DPW Director. In the event the customer is not satisfied with any decision rendered by the DPW Director, the customer may appeal to the Board of Selectmen who shall render the final decision on such a request.
6. The customer may be required to submit a written statement from their homeowner's insurance policy provider stating what portion, if any, of the leak is covered by insurance.
7. The Town shall not disconnect service (for abnormally high consumption) provided the customer pays the entire amount due within the normal payment period or enters into payment arrangements for the excessive amount and is in good standing on all current billings.
8. This Town reserves the right to modify or eliminate this policy as provided by law.