



ORDINANCE NUMBER 664

AN ORDINANCE OF THE CITY OF NORRIS, TENNESSEE, TO AMEND TITLE 18, WATER AND SEWER, BY CREATING SECTION 18-125, TEST FIRE HYDRANTS, AND SECTION 18-126, LEAK ADJUSTMENT POLICY

WHEREAS, Title 18 of the City of Norris Tennessee Municipal Code establishes rules and policies within the water and sanitary sewer utilities; and

WHEREAS, The City Council of the City of Norris wishes to clarify the city's position related to certain actions and request made before the utility;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORRIS AS FOLLOWS:**

**SECTION 1:** Ordinance 18-125, Test Fire Hydrants is hereby approved and established as follows:

18-125. Test Fire Hydrants.

While the city will take responsible precautions, the city reserves the right to use or test fire hydrants without liability for any damage claims resulting from water discoloration, erosion, or chemical or other change that might be caused by such practice.

**SECTION 2:** Ordinance 18-126, Leak Adjustment Policy is hereby approved and established as follows:

18-126. Leak Adjustment Policy.

Whenever the Norris Water Department detects a meter that has an unusually high reading the department will conduct an investigation within five (5) working days to determine if the meter was misread. The Norris Water Department will then notify the customer either in person or currently provided forms of communication informing them of a possible leak.

(1) When the Norris Water Department receives a complaint of excessive billing, the department will first determine if the meter was misread.

(2) If the meter was misread, the City Manager or Waterworks Superintendent may adjust the customer's bill based on an average water and sanitary sewer bill of the last six months in which no leak was recorded.

(3) If the City Manager or Waterworks Superintendent finds no grounds for a misread adjustment, an adjustment may be made under the following conditions:

A. Adjustments:

1. The customer completes an application for adjustment.
2. An excessive bill must be at least twice the last six months' average.
3. An excessive bill may be adjusted only twice in any twelve-month period. Each adjustment must be for a unique and independent leak event.
4. Customer provides proof that the leak has been permanently repaired, and submits a written statement describing the repair.
5. When approved, the water portion of the bill will be adjusted to indicate bulk rate usage for any usage beyond the average of the last six months or minimum bill usage, whichever is greater. Bulk rate is determined by the Norris City Council as part of the Water Rate Ordinance.
6. The customer will not pay a late charge if the adjustment procedure delays payment past the penalty date.
7. A customer may apply for additional adjustment for sanitary sewer only if:
  - i. All the requirements of Section A, 1-6 are satisfied and the City Manager or Waterworks Superintendent was able to reasonably determine the excessive water did not discharge into the sanitary sewer system. For the purposes of this determination, it is the burden of the customer to provide sufficient evidence.

The sanitary sewer bill will be adjusted to reflect an amount consistent with the average of the last six months in which no leak was recorded or a minimum bill, whichever is greater.

8. For purposes of complying with section A, a leak is defined as unanticipated water usage due to failure of the lateral service line beyond the water meter or the customer's plumbing extensions under or into the structures beyond the main lateral service line. No bulk rate adjustment will be made for non-leak activities. Examples of non-leak activities include, but are not limited to: busted water hoses; pressure washing; car washing; malfunctioning or leaking faucets; malfunctioning equipment or appliances; water for lawns, gardens, pools, and hot tubs; etc.

**SECTION 3:** Severability. Each section, paragraph, sentence, and clause of this ordinance is declared to be separate and severable. The invalidity of any section, subsection, paragraph, sentence, or clause shall not affect the validity of any other provision of the ordinance.

**SECTION 3:** Repealer. All ordinances and parts of ordinances which are inconsistent with any provision of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4:** Effective. This ordinance shall take effect and be in force from and after its approval as required by law.

Adopted First Reading: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Adopted Second Reading: \_\_\_\_\_

\_\_\_\_\_  
Signed, Mayor

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Attest, City Manager