

Town of Hamilton
Abatement of High Water Bill Policy

Approved by Select Board: September 15, 2008 (3-0), REVISED August 1, 2022 (5-0)

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, as defined below, due to an accidental, unpreventable water release.

Abatement Determination Procedure and Conditions:

1. All customer requests to abate any portion of a metered water bill that is unusually high due to unpreventable leakage must be received within thirty (30) days following the due date of the bill in question. The request will be reviewed by the Director of Public Works on a case-by-case basis.
2. In order to qualify for abatement, all of the following conditions must be met:
 - a. The Customer account must be in good standing and not include a negative balance due to non-payment on past water bills.
 - b. A customer's excess consumption must be greater than 100% above their normal average consumption. 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.
 - c. The customer must also prove that the deficiency responsible for leakage has been repaired or corrected by submitting a Water Abatement Plumbers Verification form signed by a licensed plumber, which includes the cause of the leak and a copy of the repair bill and requesting a meter reading by the Hamilton Water Department to verify usage has returned to normal consumption based on account history as determined by the Director of Public Works and Hamilton Water staff
3. The Town shall make reasonable efforts to notify all customers who, during the course of the billing preparation, have been determined to have an unusually high bill resulting from abnormally high consumption.

4. If the customer questions the high initial actual meter reading, the Town, at the Owners request, 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.
5. 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.
6. Abatements will only be considered due to accidental, unpreventable water release to household plumbing up to the home water spigot. Leaks due to outdoor usage including, but not limited to, outdoor hoses, irrigation systems, etc. will not qualify for abatement.
7. The abatement calculation may consider compensation from any other sources, including insurance policy claims, etc. 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.
8. The Town will not reimburse for interest and late fees on bills not paid, nor any bank interest that the customer would have earned during the abatement period.
9. The Customer may choose to pay the water bill in question. If the abatement request is granted a refund for the portion of the abated bill will be issued in the form of a check or credit on the water account.
10. Abatement request reimbursements shall not exceed \$500 unless otherwise authorized by the Select Board on a case-by-case basis.
11. In the event the customer is not satisfied with any decision rendered by the DPW Director, the customer may appeal to the Select Board who shall render the final decision on such a request. Requests for appeal must be submitted to the Town Manager within thirty (30) days following the DPW Director's final decision.
12. This Town reserves the right to modify or eliminate this policy as provided by law.