



TOWN OF SOUTHAMPTON

Southampton, Massachusetts 01073

BOARD OF WATER COMMISSIONERS

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Thomas J. Gaughan, Superintendent

WATER ABATEMENT POLICY

Statement of Intent for Accidental Excess Water Usage:

The cost associated with the operation of the Town's water services are paid for by user's charges pursuant to an enterprise accounting system. There is a cost to the Town for all water passing through the customer's meter. These users charges, for the most part, are determined by the amount of the service consumed, i.e., the number of water units used.

The Town of Southampton recognizes that a high water bill resulting from an accidental, unpreventable water release, or other unforeseen circumstances, 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 five-year period, for up to half of the excess water consumption above normal consumption, due to an accidental, unpreventable water release.

This policy establishes a formal appeal process by which a customer can obtain a review of a determination regarding a customer's application for abatement or request for adjustment if the user is not satisfied by a decision by the Water Superintendent or if the user seeks an abatement or adjustment that is not within the power of the Superintendent to grant.

Abatement Determination Conditions and Procedure:

1. Grounds for abatement: Major water leaks that result in a significant volume of water read at the meter and consequently billed to the water customer.
2. Customers are eligible to apply for abatement adjustments for specific incidents once every five years. This provision may be waived by the Board of Water Commissioners.
3. No application for abatement or adjustment will be accepted on any account unless all amounts due on that account, including interest and penalties, for all billing periods prior to the contested period covered by the abatement or adjustment application have been paid in full.
4. This policy only applies to leaks that have occurred within the most recent quarterly billing period.

5. The leak must not be caused by the actions of the Customer and/or their agent; such as but not limited to: bulldozing, digging, lack of maintenance or a vehicle running over a water line.
6. In order to qualify for abatement, a customer's excess consumption must exceed five (5) times their normal average water consumption for the same billing period for the prior three years. The customer must also prove that the deficiency responsible for leakage has been repaired or corrected.
7. Those customers requesting an abatement of charges must complete an Abatement Application signed by the property owner and submit it to the Treasurer's Office.
8. 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 Water Superintendent or his/her designee on a case-by-case basis.
9. 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.
10. 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.
11. 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 Water Superintendent.
12. When previous consumption history is unavailable, the Water Department will use a monthly average of a comparable residential user. For all other users, the Department will use an average derived from similar users in its Service Area (ex: restaurant, laundry, other commercial users).
13. The Town shall attempt to notify customers who, during the course of billing preparation, have been determined to have an unusually high bill resulting from abnormally high consumption.

14. 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.
15. In the event the customer is not satisfied with the decision rendered by the Water Superintendent, the customer may appeal to the Board of Water Commissioners who shall render the final decision on such a request.
16. The Town shall continue water 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.
17. The Southampton Board of Water Commissioners reserves the right to modify or eliminate this policy as provided by law.

**THE FOLLOWING EXAMPLE DEMONSTRATES HOW
THE QUARTERLY WATER BILL ABATEMENT MAY BE
CALCULATED BASED ON RATES IN EFFECT AS OF
JANUARY 1, 2021**

WATER BILLING COMPONENT	UNIT COST (\$/1000 GALS)	METERED USE (GALLONS)	CHARGE
BASE FEE (INCL FIRST 12,000 GALLONS)	N/A	12,000	\$ 55.00
METER REPLACEMENT FEE	N/A		\$ 8.00
SUBTOTAL NON-REFUNDABLE BASE CHARGE	N/A		\$ 63.00
12,001 TO 24,000 GALLONS	\$5.50	12,000	\$ 60.00
IN EXCESS OF 24,000 GALLONS	\$8.00	364,960	\$ 2,919.68
TOTAL METERED WATER USE		388,960	\$ 3,042.68
CUSTOMER THREE-YEAR AVERAGE		8,980	\$ 63.00
EXCESS ABOVE AVERAGE		379,980	
PORTION OF EXCESS ABATED	50%		
GALLONS OF EXCESS WATER ABATED	\$8.00	189,990	\$ 1,519.92
REMAINING CUSTOMER RESPONSIBILITY			\$ 1,522.76