

**CITY OF PACIFIC  
WASHINGTON  
ORDINANCE No. 12 - 1819**

**AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, AMENDING  
PACIFIC MUNICIPAL CODE SECTION 14.48.110 AND 14.88.060  
REGARDING WATER AND SEWER UTILITY LEAK ADJUSTMENTS FOR  
RESIDENTIAL AND NONRESIDENTIAL**

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**WHEREAS**, the City finds that the current leak adjustment regulations need to be updated to reflect a more accurate average consumption rate; and

**WHEREAS**, it is recommended by staff that the same period in the prior two years be used to determine the average consumption; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, DO  
ORDAIN AS FOLLOWS:**

**(repealed language is noted by strike through and new language is underlined)**

Section 1. Pacific Municipal Code section 14.48.110 is amended as follows:

14.48.110 Sewer leak adjustment on Commercial Accounts

In the event of a water leak or of failure of a private water system located on the private property of a nonresidential concern that results in excess consumption, the city may in its discretion through administrative staff determination, provide for a sewer billing adjustment through a based upon **average** consumption. **Average consumption is based on the account's actual consumption for the same period in the prior two years, in the event the account does not have two years consumption history the City will use the city's average for a similar type account i.e. restaurant, car wash.** In no event will the adjustment be for more than two billing cycles. The adjustment will be considered only if the following conditions are met: (1) the adjustment is allowed no more than **once every 24 months**; (2) the city is notified of the leak or failure either by notice from the customer or from the city's own written notice to the property owner; and (3) the city requests verification of system or leak repair within 30 days of the notification. **Verification of system or leak repair requires copies of repair invoices and/or receipts and confirmation by City staff that the repair is complete.**

Section 2. Pacific Municipal Code section 14.88.060 is amended as follows:

**14.88.060 Water leak adjustment.**

In the event of a water leak or of failure of a private water system located on the private property that results in excess consumption, the city may in its discretion through administrative staff determination, provide for a water billing adjustment through a credit of 50 percent of the volume and rate above normal consumption

based upon **average** consumption. **Average consumption is based on the actual consumption for the same period in the prior two years, in the event the account does not have two years consumption history the City will use the city's average for a similar account type i.e. residential, commercial.** In no event will the adjustment be for more than two billing cycle. The adjustment will be considered only if the following conditions are met: (1) the adjustment is allowed no more than **once every 24 months**; (2) the city is notified of the leak or failure either by notice from the customer or from the city's own written notice to the property owner; and (3) the city requests verification of system or leak repair within 30 days of the notification.

**Verification of system or leak repair requires copies of repair invoices and/or receipts and confirmation by City staff that the repair is complete.**Ord. 1303 § 2, 1996).

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force effective February 22, 2012.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 13TH DAY OF FEBRUARY, 2012.

CITY OF PACIFIC



CY SUN, MAYOR

ATTEST/AUTHENTICATED:



CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY