

AMENDMENT TO ORDINANCE AND FEE SCHEDULE  
FOR WATER AND SEWER FEES

WHEREAS, the City of Durham bills utility customers to equitably assign the costs of services rendered; and

WHEREAS, from time to time errors and omissions are discovered where the City has under- or over-charged customers; and

WHEREAS, the City remains committed to treating customers equitably within the limits and constraints of laws and regulations; now therefore,

THE CITY COUNCIL OF THE CITY OF DURHAM ORDAINS:

Sec. 1. Section 70-51(d) of the ordinance is added as follows:

Sec. 70-51. Rates for water service, sewer service, and water and sewer service.

(d) Correction of errors. Adjustments shall be made to correct clerical and/or computer errors. If a customer is incorrectly billed, or not billed, or a bill is sent to the wrong party, the city may back bill the customer for the lesser of the actual period or a four-year period for water charges and a three-year period for other utility charges. Similarly, in the event customers are charged for services not received, a credit adjustment will be allowed only for amounts paid by the customer for charges incurred within the prior four years for water and three years for other utility charges. Customers with complaints about the accuracy of error corrections are entitled to a review as provided in Section 70-58.

Sec. 2. Section 70-57(g) of the Ordinance is amended as follows:

A service charge shall be set by city council from time to time to defray the city's cost of making a visit to the location of the customer's service for the purpose of an on-site inspection to check the meter, check for evidence of leaking pipes, or look for malfunctions in the plumbing inside the structure receiving service. No service charge shall be assessed if the visit is in connection with a service charged for under another section of the ordinance unless an additional visit is required due to a customer's action or failure to act such as when a fixture is left open at an unoccupied premise when a meter is turned on which requires a return visit after the condition is corrected. No service charge shall be made if the visit results from ~~administrative~~ error by city employees or if the visit reveals a leak from or damage to city infrastructure. No service charge shall be assessed to investigate an issue with sewer service or for an issue with clearly visible water leakage.

Sec. 3. Part 15-102A of the Fee Schedule is added as follows:

Part 15-102A (Service visit fee) Pursuant to city code section 70-57(g), the service visit fee to defray the city's cost of making a visit to the location of the customer's service is \$25.

Sec. 4. Part 15-102B of the Fee Schedule is added as follows:

Part 15-102B (Vacant property service visit fee) Pursuant to city code section 70-61, the service visit fee to defray the city's cost of making a visit to the location of vacant property to turn the water service on or off between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday shall be \$25. If the customer requests that the water be turned off or on after hours, or on a weekend or holiday, the fee shall be \$100.

Sec. 5. Where this ordinance strikes through text in the Ordinance or Fee Schedule, that text is deleted. Where this ordinance underlines text in the Ordinance or Fee Schedule, that text is added.

Sec. 6. Sections 1 and 2 of this ordinance take effect for all service visits rendered on or after November 18, 2013.