



TOWN OF TEWKSBURY

DEPARTMENT OF PUBLIC WORKS
999 WHIPPLE ROAD
TEWKSBURY, MASSACHUSETTS 01876

ENGINEERING

HIGHWAY/FORESTRY

FLEET MAINTENANCE

WATER AND SEWER

WATER TREATMENT PLANT

Water and Sewer Abatement Policy

Introduction

The Town of Tewksbury 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 prevented. It is the customer's responsibility to keep their plumbing system in good working order to avoid leaks and pipe bursts. No abatements shall be granted for water use resulting from general maintenance items (repairs of leaking toilets, faucets, pipes, etc.), which allow water to enter the customer's sewer service, and into the Town's sewer system.

If the Customer fails to receive a bill that does not absolve him or her from the obligation of payment of that or any other water/sewer bills, interest, or penalties.

All appeals to water and sewer bills must be made in writing using the appropriate form and forwarded to the Department of Public Works (DPW) within thirty (30) calendar days of the date of the bill for which the abatement is sought.

All water that passes through the meter will be charged to the Customer except as allowed for Extreme Events (see below). Conditions which allow discharge of water into the customer's sewer service shall not be eligible for abatements except as allowed below. Abatements may be granted for other unique circumstances as evaluated by the Director of Public Works.

Abatements

Abatements may be granted at the discretion of the Water and Sewer Commissioner in accordance with the following requirements:

Leak Abatements

- Leak Abatements shall only be granted for exterior leaks that have been proven to not have entered the sewage collection system.
- The exclusion of the flow to the sewer system must be confirmed through an inspection by a DPW representative.
- The leak flow shall only be abated when it results in usage of more than 200% of the average usage during the same time of year billing cycle when compared to the average of the over the previous three same billing cycles.

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- The abatement request must be accompanied by a written detailed description of the incident/occurrence, supporting information, and a statement as to where the water went (to a drain, to a dirt floor, to an exterior discharged surface disposal).
- The Customer shall provide a repair invoice and proof of payment as verification that the leak has been repaired.
- Customers are limited to one Leak Abatement every five (5) years.

Extreme Event Abatements

Occasionally, the Town's water distribution system experiences Extreme Events that can produce discolored "brown" water. As a result of these Extreme Events, Customers need to flush brown water from their plumbing that was introduced into their system. Abatements for brown water shall only be granted during times of Extreme Events.

- Extreme Events are defined as situations in which:
 - Interconnections with other communities have been put into service due to significant water loss with the Town's system; or
 - Levels in storage tanks drop below 10% of their design storage capacity due to water loss associated with the break.
- Extreme Event Abatements may be granted when the following conditions are met:
 - Water usage must be more than 200% of the normal daily usage for the period at which the abatement is being requested.
 - The Customer has contacted the DPW and the DPW has not been able to perform work to resolve the brown water issue.
 - The Customer must have a new meter with the Eye on Water system.
 - The brown water condition must be confirmed by DPW personnel.
- Customers on the old Read Center system are not eligible for Extreme Event Abatements.
- Extreme Event Abatements are not granted during times when the DPW is flushing hydrants.
- Extreme Event Abatement requests must be submitted within 30 calendar days of the extreme event.
- There is no limit to the number of Extreme Event Abatements a Customer can receive.

Abatement Process

Once an abatement request is received by the DPW, the account will be under review until a decision is issued in writing by the Water and Sewer Commissioner. Any interest or demand fees that are incurred during the time that the account is under review shall be waived, regardless of the decision by the Water and Sewer Commissioner.

No application for abatement or adjustments will be accepted on any account unless all past due amounts, including interest and penalties for prior billing periods, have been paid in full to the Town Collector.

The Town shall not be obligated to adjust any bills not contested within thirty (30) calendar days from the billing date. Applications received after 30 calendar days will be evaluated at the discretion of the Water

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Commissioner or designee. An adjustment can only be made for one bill on one billing period. In the event the water leak extends into a second billing period, the higher bill of the two can be adjusted.

Exclusions

Abatements on water and sewer bills will NOT be made for the following conditions:

- a) Customers not on the Eye on Water system
- b) Premises left or abandoned or vacated without reasonable care for the plumbing system
- c) Filling of swimming pools
- d) Irrigation systems, watering of lawns
- e) Bills claimed to be lost or not received
- f) Home under construction/major renovation
- g) Customer did not take immediate steps, after detection of the water leak, to prevent further loss of water
- h) Meter was tampered with in any way
- i) Usage on secondary meters

Meter Accuracy and Testing

Any Customer opting to challenge the accuracy of a water meter shall be entitled to have the water meter accuracy tested in accordance with MGL Chapter 40 Section 39I. The Customer shall be charged for the expense of the test in accordance with the *Water Regulations & Fees* for the test unless the results yielded reveal a malfunctioning, high-reading, water meter.