



Abatement Procedure

SECTION 21 – ABATEMENT PROCEDURE

In addition to any other abatement procedure provided by law, abatements and adjustment will be made for clerical errors, misreads, or failure of Weir River Water System equipment. Abatements may be issued for water leaks in accordance with the below procedure. Abatements shall not be issued for water wasted by improper or damaged service pipes or fixtures belonging to the Customer. Abatements shall not be issued, in whole or in part, by reason of the extended absence of the Customer unless the service has been discontinued at his or her request.

If as a result of a bill the Customer was not made aware of a hidden leak until receipt of a bill based on an actual reading, the Customer may request an adjustment. In the case of an undetectable leak, a **one-time** adjustment may be made under the following conditions.

- a. **To qualify for a leak adjustment the water billed must be three (3) times over the average level of consumption for the same billing periods over the last three year period.**

The leak adjustment would be calculated to adjust the Customer's bill by fifty percent (50%) of the excess over the average level of consumption for the same billing periods, but only if the Customer promptly and properly repairs such leak when detected.

In addition to any other abatement procedure provided by law, the Abatement Procedure for water bills is below:

- a. All requests for adjustments of water bills shall be made **within thirty (30) days** of the billing date. Abatement request must be made in writing⁽¹⁾, signed by the Customer or property owner, directed to the Water Superintendent, and shall state concisely the amount the Customer wishes to be abated and the reason why the Customer requests that the abatement should be granted.
- b. The Water Superintendent or designee shall, upon written request, consider an abatement of a water bill that has not been paid. The account history will be checked. An appointment will be made to inspect the Premises. Service pipes, internal plumbing, toilets and/or other associated fixtures belonging to the Customer may be checked, and leaks pointed out to the Customer. The meter reading will be verified. The Customer will be informed that they may have the Water Superintendent test their meter for accuracy.

- c. The Water Superintendent or designee shall investigate with the Customer and render a decision ***within forty five (45) days*** of receipt of a request for abatement. Within ten days after rendering their decision on an application for an abatement, the Water Superintendent shall send written notice thereof to the applicant. If the Water Superintendent fails to take action on such application for a period of three months following the filing thereof, the Water Superintendent shall, within ten days after such period, send the applicant written notice of such inaction. Said notice shall indicate the date of the decision or the date the application is deemed denied and shall further state that appeal of such decision or inaction may be taken as provided below. Shut off will not happen during this time.
- d. If the Customer disagrees with the decision or inaction of the Water Superintendent, they can appeal to the BWC within 45 days. The BWC shall, upon written request, use their best effort to hold a hearing within thirty (30) days of receipt of a request for an abatement and shall render a decision within forty-five (45) days from date of the hearing.

There shall be no abatement on the meter service charge, in whole or in part, by reason of the extended absence of the Customer, unless the service has been discontinued at the Customer's request.

There shall be no abatement approved for underground lawn irrigation system leaks. The WRWS recommends that customers with these systems install a secondary meter to monitor underground lawn irrigation usage.

The Water Superintendent may also allow flexible payment arrangements for the remaining 50% of the excess over said average level of consumption; however, such arrangement shall not exceed one year.

In accordance with Section 27(g) of our Rules and Regulations, the Weir River Water System shall not be responsible for any damage caused by discolored water resulting from the operations of the Weir River Water System including: opening or closing of a gate valve; from repairs to the distribution system or the treatment plant, the use of hydrants for fire protection or flushing of the system; the breaking of any water main; or any other reason.

Abatement requests should be mailed or emailed to:

*Weir River Water System
Customer Service Center
185 Lincoln St, Suite 202
Hingham, MA 02043
Email: abatements@weirriverwater.com*