



Memorandum

To: Mayor, Town Council
From: Dawn Wallace
Date: February 6, 2015
Re: **February 12, 2015 Town Council Meeting**
Sewer Fee Adjustment – Warner, 1217 Canyon Springs Road

On November 28, 2014, a large amount of water flowed through Brant and Patricia Warner's meter. This occurred after water meters had been read for the month of November, so the usage was not discovered until they received their December utility bill. At this point, it showed that 55,310 gallons had been used. This translated into a water charge of \$471.28 and sewer charge of \$199.06.

At the Warner's request, a meter data report, which detailed the usage in four-hour increments, was completed. According to the report, 51,920 gallons of water ran through the meter between November 28th and November 30th. After November 30th, water usage returned to normal.

On January 26, Brant contacted Robby Totten to explain what he felt may have caused the high water usage. It appears that, at some point in the past, Brant connected the irrigation system to the culinary system at their home to allow them to water during the winter when the irrigation water was turned off. On November 28th, Brant turned the water on to irrigate some plants in his yard, and neglected to turn it off until November 30th. Due to the nature of this connection, in excess of 50,000 gallons of culinary water ran into the irrigation system.

It should be noted that this connection was made without the Town's permission or knowledge, and is prohibited by Town Code. A Notice of Violation was sent to Brant on February 6, 2015, a copy of which is attached. Because the irrigation and culinary systems were connected without the installation of a proper and approved backflow prevention device, a substantial cross-connection was created. This could allow irrigation water to be drawn into the culinary system, creating a potentially dangerous and unsanitary condition. A low pressure event, such as an open fire hydrant or a water break, could cause untreated water to enter the culinary system.

At this time, Brant and Patricia are requesting relief from payment of the sewer portion of their December bill. They maintain that, since the water did not go into the sewer system, they should be entitled to an adjustment. When they approached me about the possibility of making this adjustment, I informed them that Resolution 2004-12 prohibits me from making this type of adjustment when the circumstances do not meet the criteria established by the Council. I informed them that they were welcome to approach the Council and request relief.

While it is possible for the Council to approve this request, it is the staff's opinion that such an action would likely have some significant consequences. Since sewer rates are tied to water usage, and some property owners, particularly those in the foothills where irrigation water is not available, use culinary water to irrigate their yards, if the requested relief is granted, other homeowners would likely expect similar relief as well. These types of adjustments are especially problematic because it is impossible to determine how much of the usage is indoor versus outdoor. Additionally, the act of using culinary water to irrigate implies acceptance of the resulting water and sewer charges.

Staff Recommendation:

Staff recommends the Council deny the Warner's request to have their sewer fees adjusted.