

CITY OF BLOOMINGTON

2018 - 110

**AN ORDINANCE AMENDING CHAPTER 27 OF THE CITY CODE TO ENACT A FORMAL
WATER LEAK ADJUSTMENT POLICY**

**Adopted by the City Council
of the City of Bloomington
on December 10, 2018**

Published in pamphlet form by authority of the City Council of the
City of Bloomington, McLean County, Illinois, on December 14, 2018.

STATE OF ILLINOIS)

COUNTY OF MCLEAN)

) ss.

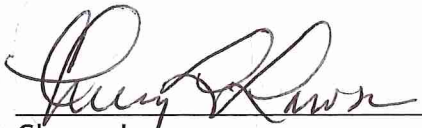
CERTIFICATE

I, Cherry L. Lawson, certify that I am the duly appointed and qualified municipal clerk of the City of Bloomington, County of McLean, Illinois.

I further certify that on the Corporate Authorities of the above municipality passed and approved Ordinance No. 2018-110, entitled, An Ordinance Amending Chapter 27 of the City Code to enact a formal Water Leak Adjustment Policy, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of this Ordinance, including the Ordinance and cover sheet thereof, was prepared, and a copy of the Ordinance was posted in the municipal building, commencing on December 14, 2018 and continuing for at least ten days thereafter. Copies of the Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Bloomington, Illinois, on 12/14/2018


Cherry Lawson
City Clerk

ORDINANCE NO. 2018 - 110

AN ORDINANCE AMENDING CHAPTER 27 OF THE CITY CODE TO ENACT A FORMAL
WATER LEAK ADJUSTMENT POLICY

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF BLOOMINGTON, ILLINOIS:

SECTION 1. That Chapter 27 of the Bloomington City Code, 1960, as amended, shall be further amended as set forth below by adding a new Section 37, Billing Adjustments, under Article V as follows:

Section 37 Billing Adjustments.

Effective May 1, 2019, any and all requests for adjustments to City services utility bills shall be processed in accordance with and subject to the conditions and limitations of the “City of Bloomington Water Leak Adjustment Policy” as the same may from time to time be amended by the City Council.

SECTION 2. The document titled “City of Bloomington Water Leak Adjustment Policy,” attached hereto as Exhibit A is incorporated by reference and adopted with an effective date of May 1, 2019.

SECTION 3. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 4. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 6. This ordinance shall be effective immediately after the date of its publication as required by law.

SECTION 8. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 10th day of December 2018.

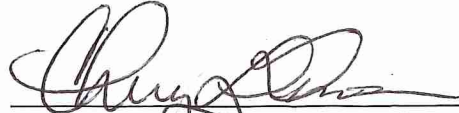
APPROVED this 11th day of December 2018.

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Cherry L. Lawson, City Clerk

EXHIBIT A
CITY OF BLOOMINGTON WATER LEAK ADJUSTMENT POLICY

City of Bloomington Water Leak Adjustment Policy

In accordance with Bloomington City Code Article V, Section 37, any and all requests for adjustments to City services utility bills shall be in accordance with the procedures and subject to the limitations contained within this Water Leak Adjustment Policy.

Section 1. Customer's Responsibility

The City's ownership and maintenance obligations, as outlined by City code, for the water distribution system includes the public water mains. The customer's ownership and maintenance obligations, as outlined by City code, includes the customer's tap at the water main and the water service line extending to the structure, as well as the premise plumbing and fixtures. Though City code outlines the above delineation of ownership and maintenance obligations, the City, through practice, has maintained residential service lines from the public water main to and including the curb stop. Based on this practice, the residential customer is responsible for the water service line from the curb stop to the structure, as well as the premise plumbing and fixtures. It is the customer's responsibility to keep his or her water lines and plumbing system in good working order. That said, water leaks do occur from time to time resulting in unexpectedly high City services utility bills.

Section 2. Water Leak Adjustment Protection

The City of Bloomington has partnered with Sunbelt Insurance Group, herein referred to as "ServLine," to provide the City's residential water customers with water leak adjustment insurance coverage for one (1) adjustment of up to \$500 each year. This coverage provides payment of unexpectedly high City services utility bills due to qualifying leaks. See item H below for services impacted by this protection. The following conditions, provisions, and limitations apply:

- (A) **Qualifying Leaks** - Any leak, other than those non-qualifying leaks listed below, that generates a minimum additional charge resulting in a City services utility bill that is twice the average water bill of that customer calculated over a twelve (12) month period, up to a maximum adjustment of five hundred (500) dollars during any twelve (12) month period. For water customers who have been on the City's water system for less than twelve (12) months, a water leak adjustment will not be made until at least three (3) months of average usage has been established.
- (B) **Non-Qualifying Leaks or Usage** - The following leaks or use of water do not qualify for a water leak adjustment under this policy:
 - 1. Commercial or Industrial customers;

Exhibit A

2. Residential customers who do not have a water meter and/or who are not the responsible party for the City services utility bill;
3. Leaks associated with structures that have been left or abandoned without reasonable care for the plumbing system (i.e. unattended homes that have not had the meter turned off and water drained from plumbing system or homes that have been left for any period of time without heat);
4. Leaks on irrigation systems or irrigation lines;
5. Filling of water features, such as fountains or fish ponds, or leaks associated with water features;
6. Filling of, leaks associated with, and/or general water usage associated with outdoor recreational activities such as, but not limited to, hot tubs, pools, slip-n-slides, and sprinklers;
7. Negligent or intentional acts such as leaving water running (i.e. leaving the outside water faucet on, interior faucets left running, and/or any other water left on in the home without a faulty plumbing issue), meaning there must be an actual break and repair for leak reimbursement;
8. Leaks in any structure other than the primary residential structure, such as, but not limited to, detached garages or storage buildings;
9. Filling swimming pools or leaks in swimming pools;
10. Watering of lawns or gardens; and
11. Washing or pressure-washing driveways, cars, windows or siding of any structure.

(C) Submission of Claims -

1. Claims must be submitted to ServLine within ninety (90) days from the billing date.
2. Claims must be accompanied by proof that the leak has been repaired before an adjustment will be made (i.e. copy of invoice for materials, bill from plumber, receipt for repair parts utilized by the homeowner for repair, meter consumption information (when available)).
3. Call ServLine to initiate a claim.

(D) Limitations - A leak adjustment can encompass no more than two (2) billing cycles. No customer shall receive more than one (1) leak adjustment during any

Exhibit A

twelve (12) month period. Water leak adjustment coverage assists with the payment of high City services utility bills due to qualifying water leaks but does not provide any reimbursement for the repair or replacement of water lines or plumbing fixtures.

- (E) **Monthly Fees** - Monthly fees shall be established by the City for residential customers. Monthly fees will be established by adding a ten (10) percent City administration fee to the ServLine established monthly fees. Customers are obligated to pay the monthly fee for the water leak adjustment policy unless the customer has properly declined protection as provided herein.
- (F) **Enrollment** - Residential customers are automatically enrolled when a new account is established. There is a thirty (30) day waiting period for water leak adjustment coverage to take effect after the new account is established. Water leak adjustment coverage fees will be included on the monthly City utility services bill.
- (G) **Customer Option to Decline Program** - Water customers are entitled to decline the water leak adjustment protection set out in this policy by calling ServLine. Customers that have opted out of this program will not be entitled to any adjustment to their City services utility bills and the water customer will remain fully responsible for any and all amounts due. Customers may re-enroll in the water leak adjustment program after they have opted out of the program. There is a thirty (30) day waiting period for water leak adjustment coverage to take effect after the customer is re-enrolled in the program.
- (H) **Services Impacted** - Leak adjustments approved are applicable to water, utility tax, sewer, and Bloomington-Normal Water Reclamation District (BNWRD) charges.

Section 3. Water Line and Sewer Lateral Protection

Optional coverage for water line and/or sewer lateral break coverage is available for residential water customers through ServLine. These options are voluntary and, if added, can provide up to ten thousand (10,000) dollars in coverage for repair and/or replacement of broken water lines and / or sewer laterals. For more information on these protection options or to add these coverages please contact ServLine.

Section 4. How to Contact ServLine

All questions or comments concerning this water leak adjustment policy should be directed to ServLine.

Section 5. Effective Date - This policy shall be effective beginning May 1, 2019.

ADOPTED this 10th day of December 2018.

Exhibit A

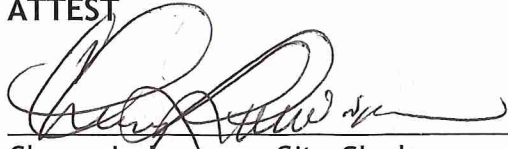
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