

ORDINANCE NO. 795

AN ORDINANCE PROVIDING FOR TESTING OF METERS WITHIN THE CITY OF WASHINGTON, KANSAS TO DETERMINE ACCURACY OF THE SAME AND AMENDING ARTICLE 1, GENERAL PROVISIONS OF CHAPTER 21, UTILITIES, OF THE CITY CODE OF THE CITY OF WASHINGTON, KANSAS.

WHEREAS, the governing body of the City of Washington, Kansas, recognizes the need to provide for a procedure for the testing of the accuracy of meters within the City of Washington, Kansas;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WASHINGTON, KANSAS:

Section 1. Section 21-115 of Chapter XXI, Utilities, of the City of Washington, Kansas, shall be replaced with the following language:

21-115 TESTING OF METERS; ADJUSTMENTS TO UTILITY ACCOUNTS.

(a) Water and electric meters will be tested and verified for accuracy prior to installation. Meters will be tested by the City when, upon the City's own observation, any meter appears to be measuring incorrectly. If a meter is found to be measuring incorrectly, it will be replaced by the City at the City's cost.

(b) If a customer requests that a meter be tested, a meter change-out fee of \$25.00 shall be paid to the City at the time of the request. If a meter can be tested within the capability of the city (water meters up to 2" and residential single-phase electric meters) then a charge of \$30.00 per hour for actual testing performed by the City, with a one hour minimum, will be invoiced to the customer upon the completion of the testing, provided the meter is found to be accurate within two percent. If a meter is found to be measuring incorrectly, the meter change-out fee shall be returned to the customer, and testing fees shall be waived.

(c) If a customer requests that a meter be tested that is outside the testing capabilities of the city, a meter change-out fee of \$25.00 shall be paid at the time of the request, and all costs associated with the meter testing by an outside agency will be invoiced to the customer upon the completion of the testing, provided the meter is found to be accurate within two percent. If a meter is found to be measuring incorrectly, the meter change-out fee shall be returned to the customer, and testing fees shall be waived.

(d) If payment for testing fees is not received in full within 30 days of the invoice date, the City reserves the right to terminate utility services to the customer until the bill is paid in full.

The City also reserves the right to use any and all other measures it deems necessary and legal to recover payment for services.

(e) If, after testing, a meter is found to be inaccurate, an estimated consumption for the applicable billing cycle(s) will be determined by adding the consumption for the same month(s) the inaccuracy is determined to have occurred for the previous three years, and dividing said amount by three. If the customer does not have a three year history, staff will create an estimated usage based on the available history.

(f) An adjustment to a customer's utility account will occur after an estimated consumption is determined, but said adjustment shall not exceed the three previous billing cycles from the cycle in which the request is being made. If the adjustment results in a credit, it will be applied to the account during the next billing cycle. If the adjustment results in an underpayment, it will be applied to the account during the next billing cycle, and will be due and payable the same as all other utility bills.

(g) Any request for a variance on the foregoing procedure must be submitted to and approved by the City Council. No request for a variation may be made by a City employee.

Section 2. Existing Section 21-115 in the City Code of the City of Washington, PENALTIES, shall be re-codified at 21-116.

Section 3. Existing Section 21-116, CONFLICTS, shall be re-codified at 21-117.

Section 4. This ordinance shall supersede and take the place of any city ordinance previously passed dealing with this subject matter or any ordinance which contains terms, provisions, and requirements which are inconsistent with this ordinance.

Section 5. This ordinance shall be in full force and effect from and after its adoption by the City and publication in the official City newspaper.

Passed by the City Council this 6th day of November, 2017.

Ryan Kern, Mayor

ATTEST:

Denise Powell, City Clerk

(SEAL)