

## Town of Bedford Water and/or Sewer Bill Abatement Policy

**Whereas**, Section 1.8 of the Town of Bedford's General Bylaws (the Bylaws) allows rules and regulations to be developed by boards and departments authorized to do so as long as they are consistent with Massachusetts General Laws, the Town Charter, and the Town Bylaws; and,

**Whereas**, Section 52.2 of the Bylaws allows the Department of Public Works (DPW) to interpret rules and regulations in a manner consistent with furnishing and protecting a safe water supply; and

**Whereas**, Section 52.3 of the Bylaws states in part that the Selectmen establish reasonable rates for the use of water.

**Now, therefore**, the Bedford Selectmen hereby establish a Water and Sewer Bill Abatement Policy as follows:

### Reasonable Rates and Abatement Requests

Customers can request an abatement of all or a portion of a bill they do not feel is reasonable. The abatement request is directed to the DPW as the operator of the water and sewer system. An application for a water and/or sewer bill abatement can be found on the DPW web page at the following location: <https://www.bedfordma.gov/sites/bedfordma/files/file/file/water.pdf>. While a bill abatement request is being processed, the applicant should pay their bill to avoid interest charges; if all or a portion of a bill abatement request is granted a refund for the portion of the abated bill will be issued.

### Abatement Categories

The DPW bases its review of bill abatement requests on metered water usage. The water meters are the basis on which all water and sewer billing occurs. As a result, the Town must identify extraordinary circumstances and set stringent conditions under which a bill abatement request would be granted. Abatements may be granted under the following conditions:

1. If a water and/ or sewer bill has been estimated and an actual read shows a lower usage than the estimate, the Town will abate the portion of the bill above the actual read. If water/ sewer rates have changed during the period to be abated, the DPW will adjust the abatement based on the rates in place at the date of each past bill. This type of abatement request may take as long as three weeks to process;
2. If unique circumstances can be shown regarding an account, the DPW may issue a partial abatement on the sewer portion of a bill. This type of abatement may take as long as six weeks to process based on the availability of information to support the request; and
3. An abatement shall be given for no more than the two previous billing cycles provided that a water and/ or sewer bill shows usage meeting all of the following requirements:
  - a. At least 200% of the median water usage for residential customers as reported in the water rate calculations for the current fiscal year (6,000CF annually for FY2018);
  - b. At least 200% of the customer's median usage over the previous four billing cycles;
  - c. DPW personnel inspects the meter for tampering and ascertains that there has been no attempt to tamper with the meter;



- d. The DPW, at the owner's expense, tests the meter through a third party testing company;
  - e. The DPW, at the owner's expense, hires a plumber to perform a water leak survey of the house; and
  - f. The DPW finds that no fixtures have been repaired or replaced during the period in question.
4. Provided all requirements outlined in Section 3 above have been satisfied, a bill abatement request will be granted for no more than the two previous billing cycles meeting these criteria. The abatement shall be for the difference between the actual metered usage and the average usage of the last four periods. This type of abatement may take as long as six months to process.

Non-Reimbursement of Interest, Late Fees; and Lost Bank Interest

Abatements will typically be given as a refund to the customer. The Town will not reimburse for interest and late fees on bills not paid, nor any bank interest that the customer would have earned during the abatement period.

Municipal Underbilling

If a water/ sewer bill has been estimated and the actual meter reading shows a higher usage than the estimate, the Town will bill the customer to collect the underbilled portion up to, but not exceeding, two past years' worth of bills. If water/ sewer rates have changed during the period to be billed, the DPW will adjust the abatement based on the rates in place at the date of each past bill.

Appeals Process

A customer who chooses to appeal the decision of the DPW regarding an abatement request can appeal to the Selectman acting as the water/ sewer commissioners. An appeal must be made in writing to the Town Manager's Office within fifteen days of the date of the abatement decision by the DPW. The appeal will be scheduled for discussion at a Selectmen's meeting within 30 days of the date of the written request. At the Selectmen's meeting the customer will have the opportunity to present their appeal. The decision of the Selectmen shall be final and if necessary DPW shall issue a revised bill based on the decision.

**Adopted** this 26th day of March, 2018.

**Selectmen of Bedford**

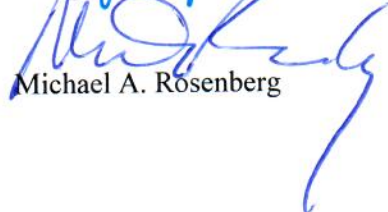


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