

**ORDINANCE NO.**

**An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 46, Utilities; Article II, Rates and Charges; Division 1, Water.**

**IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:**

**Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 46, Utilities; Article II Water Supply and Sewage Disposal System; Division 1, Generally; by the amending Section 46-17, Disputed Water Supply And Sewage Disposal Billing; Inspection; Consumer Hearing; Adjustment of Bill and adding 46-17.1 disputed unpaid water bills left by tenants or water liens from previous owners; consumer hearing; adjustment of bill. which shall read in its entirety as follows:**

**§ 46-17 DISPUTED WATER SUPPLY AND SEWAGE DISPOSAL BILLING; INSPECTION; CONSUMER HEARING; ADJUSTMENT OF BILL.**

(a) Any consumer may apply for and be granted a hearing as to any amount appearing on his or her water bill which he or she feels to be unusually large. Upon receipt by the City of a request for an adjustment, wherein it appears that an inspection of the plumbing system at the consumer's property is appropriate, the Department of Building and Safety Inspections or the Department of Water Supply may inspect the property prior to the City considering whether or not to grant an adjustment. If it appears from the inspection that the plumbing system is defective, in need of replacement or repair, the appropriate notices shall be given to the consumer and the property owner who shall

thereafter correct all deficiencies noted before any billing adjustment is made.

(b) The ~~City Administrator~~ **CHIEF LEGAL OFFICER** or such other person as the ~~City Administrator~~ **CHIEF LEGAL OFFICER** may designate shall act as referee at the time of the hearing and shall render a decision as to the validity of the billing of the disputed amount based on evidence presented by the consumer and the results of the investigation conducted by the Department of Water Supply or Building and Safety Inspections Division.

(c) The referee may approve an adjustment in the consumer's water bill providing it is shown to his or her satisfaction from investigation by the Department of Water Supply or Building and Safety Inspections Division that a leak occurred due to the non negligence of the consumer, in plumbing of the consumer which resulted in an unusually large bill without the knowledge of the consumer, and where the consumer took immediate steps to repair the plumbing defect causing this leak. The basis of this adjustment shall be 50% of the excess to be absorbed by the customer, 50% by the City. Consumers may also dispute unpaid water bills left by tenants or water liens left by previous owner.

**§ 46-17.1 DISPUTED UNPAID WATER BILLS LEFT BY TENANTS OR WATER LIENS FROM PREVIOUS OWNERS; CONSUMER HEARING; ADJUSTMENT OF BILL.**

**(a) ANY CONSUMER MAY APPLY FOR AND BE GRANTED A HEARING TO DISPUTE AND ADDRESS UNPAID WATER BILLS LEFT BY TENANTS OR WATER LIENS FROM PREVIOUS OWNERS.**

**(b) UPON RECEIPT BY THE CITY OF A REQUEST TO PARTICIPATE IN THE**

**DISPUTE RESOLUTION PROCESS, A HEARING SHALL BE SCHEDULED.**

**(C) THE CHIEF LEGAL OFFICER OR SUCH OTHER PERSON AS THE CHIEF LEGAL OFFICER MAY DESIGNATE SHALL ACT AS REFEREE AT THE TIME OF THE HEARING AND SHALL RENDER A DECISION AS TO THE VALIDITY OF THE BILLING OF THE DISPUTED AMOUNT BASED ON EVIDENCE PRESENTED BY THE CONSUMER AND THE RESULTS OF THE INVESTIGATION CONDUCTED BY THE DEPARTMENT OF WATER SUPPLY OR BUILDING AND SAFETY INSPECTIONS DIVISION.**

**(c) THE REFEREE MAY APPROVE AN ADJUSTMENT IN THE CONSUMER'S WATER BILL PROVIDING IT IS SHOWN TO HIS OR HER SATISFACTION FROM INVESTIGATION BY THE DEPARTMENT OF WATER SUPPLY OR BUILDING AND SAFETY INSPECTIONS DIVISION IN A FULL AND FINAL SETTLEMENT.**

Sec. 2. This ordinance shall become effective immediately upon publication.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021 A.D.

**FOR THE CITY:**

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**Sheldon A. Neeley, Mayor**

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**Inez M. Brown, City Clerk**

**APPROVED AS TO FORM:**

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**Angela Wheeler, Chief Legal Officer**