

To: Mr. Murray WALTERS B.A.Sc. Manager of Water Services, Nanaimo Regional District.

From: Mr. Clark Rutledge, Homeowner of 1541 Arbutus Drive, Nanoose Bay.

Subject: Policy Exception Request Policy D1.1 "Adjustment for Water Leak"

Dear Mr. WALTERS,

I am writing to request an exception to the 5 year application clause in Policy D1.1 "Adjustment for Water Leak." I hope you will consider my respectful, although long winded, case stating my belief this clause is both punitive and appears outdated when compared to other communities

The purpose portion of Policy D1.1 read to me as a procedure so I jotted down the City of Guelph's stated purpose for their water leak adjustment Policy with the hope you will agree in principle.

"The Credit is intended to provide partial reimbursement to innocent customers who suffer significant, unexpected, unintended increased fees and charges due to Leaks, and to encourage prompt repair of such Leaks."

Four years ago we suffered a service line failure that resulted in a significant water bill.

We had not yet moved onto the property, which was being renovated, but had our reputable Contractor locate the leak. He installed a new line. (I would have him attest to this however he has had a stroke and can no available. Because it was a new line to repair this leak, permits were required and the RDN inspected and approved the installation. The line went from the meter to a point underneath the concrete sidewalk and front stairs of the house. Given the leak had been located and bypassed by a new line with permits and inspection, I think a reasonable person would conclude this was a professional repair.

Last month we were contacted by the RDN and advised that we had a severe water leak. This was found at the 8 month reading of the meter. We had no idea until that point. We then turned off the water supply and only turned it on 30 minutes each day for showers and toilets until the leak was found. We live on a property which is gravel so there was no indicators of a leak. I had even previously installed pressure gauges in the house and noted no pressure difference. To make this point further I've attached a bill from roto-rooter who attended the house with special locating equipment and still couldn't find the leak.

We demolished the stairs and broke up the concrete and eventually found a 5-6 foot section of split pipe 4 feet underground (Pictures attached.). There was no way for a vehicle to have crushed it as it was under concrete. Perhaps faulty pipe, age, or a pressure bump. (We have a fire hydrant in front of the house, and this being a service line is before the pressure reducer.) We just don't know and could not foresee.

I do not believe there was anything more a reasonable person could do to repair the old leak, or monitor for a new leak. I hope this categorizes me as the innocent customer described above.

With respect to the 5 year rule, my research has found that it appears to be only here at the RDN. It was not used, removed or updated by the other Island Regions and Cities exemplified below.

Comox Valley District, Royston - 2 years

Capital Region, Western Communities - 2 years

Cowichan Valley Regional District – 1 time forgiveness then max of 1500

Qualicum Beach – No mention of waiting period in bylaws.

Port Alberni – No waiting period but not all metered.

Nanaimo City – No waiting period. I called and confirmed that each application is reviewed on its own merit.

Parksville – Used to have the 5 year rule but amended it back in 2014.

Parksville stated the reason for the 5 year rule was to “Encourage property owners to properly maintain their water systems” In the amendment proposal. It also states that the 5 year rule came before escalating (tiered) conservation rates and “ The purpose of escalating water rates is to promote water conservation and was not intended to raise much higher revenues from water leaks.”

Parksville policy 6.13 offers a water leak adjustment the same as the RDN and a second adjustment within the 5 year period of the average of 3 bills plus \$0.50 per cubic meter to a maximum of \$300 added to the average.

I’ve attached the Parksville policy amendment proposal and Amended Policy from 2014.

In summary, I am respectfully requesting an exception to the 5 year non application rule in the RDN policy. The reasons for this are:

1. I am an innocent customer who took reasonable steps with RDN approval to repair my original water leak and conserve water.
2. I was not aware of or reasonably should have been aware of a water leak prior to the 8 month reading of my meter and immediately took action to conserve water, locate and repair the leak once I was made aware.
3. The 5 year non-consideration rule in this policy is both punitive and appears outdated as compared to the surrounding communities.

I’ve attached bills and my signed Adjustment form so that we can start this process.

My understanding is that Policy is a statement of intent, a guideline to be implemented with procedures and is subject to exemptions and changes by those in authority. I am hoping my specific circumstances will be taken into account.

Again, thank you for your consideration.

Sincerely,

Clark Rutledge.