

## Attachment 2

### **Falls Creek Ranch Water Billing Appeal Process Policy Updated May 2023**

The intent of this process is to encourage members to take preventive actions to minimize the loss of large amounts of water. This document provides general FCR and individual member responsibilities relating to water usage and infrastructure maintenance. General guidelines for a member's right to appeal an exceptionally high water bill due to large water losses are provided. Board authority guidelines for considering an appeal are also included.

#### **General Responsibilities:**

- 1) Falls Creek Ranch is responsible for the water system maintenance and repairs up to and including the residential water meter. Members are responsible for all water lines and fixtures downstream of the meter.
- 2) FCR will continue to make non-potable irrigation water available to residents at no charge (from the lake).
- 3) The Board and FCR Utilities Committee will continue to offer education, advice, and water-saving tips to residents.
- 4) In the event of meter malfunction, the FCR Utilities Committee will prepare an estimated billing based on previous use data and other pertinent factors. Once the meter is repaired, an adjusted billing will be generated.
- 5) Members are expected to pay for all water that passes through their meter at the rates established in this document. Members shall comply with FCR's water billing payment process as described in the Water Usage Rate Structure document in Attachment 1.
- 6) Members are responsible for adhering to water conservation principles and managing their water use to avoid unnecessary water losses and charges. Members are expected to implement common sense strategies to prevent catastrophic water losses. Such actions might include installation of water shutoff valves, replacement of aging water appliances, routine maintenance of faucets/toilets/etc., turning off hydrants/hoses when not in use, hose bibb shutoff valves and/or protection, water leak alarms, and other similar actions. Always turn your home water off when out of town.
- 7) If a lot is rented, the lot owner is responsible for the tenant's water usage. The water utility invoice will be sent to the lot owner for payment.

## Appeal Process Guidelines:

In the case of an exceptionally high water bill a member may appeal to the Board for relief.

- 1) The Board will consider a member's appeal in exception to Section 2 if the cause of the high charge is due to an extreme unpredictable event. Such events might include explosion, criminal activity, lightning, vehicle damage, vandalism, and possibly other unpredictable causes. The Board may also consider an appeal in exception to Section 2 for an underground leak occurring between the Ranch meter and the home foundation if such leak is certified by a licensed contractor/plumber.
- 2) The Board will follow this policy for exceptional losses of water resulting from reasonably foreseeable events that could be preventable. Such events might include leaks which occur in unoccupied homes when water is not turned off, toilets left running, garden hose/hydrant problems, and others.
  - a. First time major leak or break, member pays 1/2 of the water bill
  - b. Second time major leak or break, if work is documented to show owner took preventive measures against further major losses of water, resident pays 3/4ths of water bill.
  - c. After that, no forgiveness shall be allowed.
  - d. Lot owners may enter into a payment plan with no late fees as approved by the Board in accordance with current FCR Collections Governance Policy. Normal water bills must be paid when due in addition to the agreed upon payment plan.
- 3) The Board retains existing authority to levy fines for any intentional abuse, tampering, or bypass of meters; as well as theft of water from Ranch hydrants or neighbor homes; pursuant to the Ranch's Dispute Resolution and Enforcement of Covenants and Rules; Schedule of Fines Policy.
- 4) The Board retains existing authority to implement additional water conservation restrictions (such as limiting potable water irrigation on private lots) with authority to fine owners for noncompliance.
- 5) The Board shall have the authority to shut off water to homes with significant ongoing leaks that are not addressed by the homeowner. The Board shall notify the member by phone prior to such action.
- 6) The FCR Board retains authority to modify or revise the overall program as conditions warrant.

*Adopted October 2019*

*Amended and approved May 25, 2023*

*FCR Board of Directors*

## **FAQs:**

### What can I do to prevent big water bills?

Be more aware of your water use. Look for leaky faucets. Listen for running toilets. And shut off your whole house water valve when you leave home for more than a few days. Ask a neighbor or hire someone to watch your home while you're away. Shut off your garden hoses at the house valve (bibb) to avoid burst hoses or animal damage. Install water flow/leak alarms. Review our list of Water Conservation Tips (Attachment 3).

### What if I don't have a water shutoff valve, or if it's hard to reach?

Consider hiring a plumber to install a shutoff valve that is convenient for you to access.

### What if I can't shut off my water system because it supports my boiler heating system?

Consider hiring a plumber to revise your piping so it can feed the boiler (only) while shutting off the remainder of your house. Consider installing water flow/leak alarms that can notify you or your security system if there is a problem.

### What if I can't shut off my water when I leave because my caretaker needs it to clean house or water plants?

You can show the caretaker how to turn on and turn off the water system, or they can bring their own water in containers, or your plumber can pipe one source (sink?) to be used while the rest of the house is shut off.

### How can I protect my outside hose bibbs in the winter?

The best way is to have a valve inside the home that can shut off the water to the outside taps. It is also possible to physically protect/cover the outside bibbs with various construction materials. Falling ice and snow from roofs have caused several major leaks in the past.

### What's the problems with garden hoses?

Hoses can be inadvertently left running, or they can burst as they age, or they may be damaged by gardeners, wildlife or vehicles. We should always turn off hoses at the house hose bibb to be secure.

### What's the problem with yard hydrants?

Yard hydrants are designed to leak! They should always be turned off (handle closed/down) when not in active use. Or have your plumber add a shutoff valve inside the home to secure it.

### Can I buy water from town?

Yes. Several members have installed cisterns and have water delivered from Durango by one of several suppliers in town. Be aware that public health regulations including backflow preventers may apply.