

# Water Budget Adjustment and Appeal Process for the Water Shortage

Effective 6/1/2009



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# 1. General

In April 2009, the Las Virgenes Municipal Water District Board adopted additional water conservation measures in response to the ongoing water shortage by establishing water budgets for customers. A customer may request the District to adjust their water budget based on their specific needs. An adjustment may be granted if the customer meets qualifying criteria. If the customer disagrees with the District's response to the request, an appeal may be made to the Water Shortage Committee appointed by the District's Board. The Water Budget Adjustment and Appeal processes are described below.

## 2. Water Budget Adjustment Process

A Request for Water Budget Adjustment form (attached) must be submitted to the Customer Service Manager. The District may grant an adjustment if supporting materials indicate that all means of conserving water have been exercised or if the documented circumstances support the request for an increase in budgeted water.

By signing the Request for Water Budget Adjustment form, the customer acknowledges that they read and understood the information on the form. If an adjustment is approved, it will become effective, retroactive to the date the District received the application form.

The information provided in the application form could be subject to verification by the District. If the basis for the adjustment changes, or the account is closed, the adjustment will be removed from the account.

### A. Qualifying Criteria for Water Budget Adjustment

#### 1. Number of people in the household (single family residential accounts only)

Water budgets for single family residential customers are calculated assuming four people per household. If more than four people live in a household year round, the customer can apply for an adjustment. The bi-monthly budget will increase by 2 units per billing period for each additional person on the form. The number of people living in the household, their first and last names, and the age of each person must be provided on the form. The adjustment application for number of people in a household must be submitted by the property owner or property manager. This type of adjustment expires one year from the adjustment approval date.

#### 2. Medical Needs

If a medical need requires a significant increase in the amount of water being used, verification from the physician or healthcare provider is required. All medical information will be kept confidential. This type of adjustment expires one year from the approval date.

### 3. Licensed Care Facility

If a residential dwelling is used as a licensed childcare or healthcare facility, the customer may apply for an adjustment. Documentation, such as a copy of the business license, along with the number of people being cared for at the facility is required. If an adjustment is approved, the water budget will increase by 2 units per billing period per person. This type of adjustment expires one year from the approval date.

### 4. Livestock

Water budgets may be increased by 1 unit (12.5 gallons per day) per billing period per qualifying animal. This type of adjustment expires one year from the approval date.

### 5. Change of Use – Commercial Accounts

If a commercial property changes the type of business being conducted at a location, the water budget will be determined based on the operation and type of the new business.

### 6. Other Considerations for Adjustments

- a. Misclassification of service type
- b. Misclassification of property type
- c. A budget set for a property with no previous history
- d. Business needs, where all efficiency measures have been implemented
- e. Reallocation requests within billing periods

### B. Non-qualifying Criteria for Water Budget Adjustment

Water budgets will not be adjusted to accommodate:

1. Irrigation needs
2. Pools, spas or hot tubs
3. In-home businesses or hobbies that use an increased amount of water
4. Decorative water structures such as fountains, ponds, and waterfalls

### C. Excess Water Surcharges

Excess water surcharges may be adjusted under the following circumstances:

- a. Fire
- b. Home remodels
- c. Lot grading
- d. Leakage, as defined in the District's Leak Adjustment Policy

### D. Residential Water Survey

District field staff will perform a water use survey for any customer requesting assistance in meeting a water budget. The survey takes about 45-60 minutes

per location. The following items will be performed in an effort to promote conservation and education for the customer:

- Check meter for movement – leak indication
- Irrigation timer settings
- Irrigation heads/system flows
- Physical probe of soil for moisture content
- Suggestion for:
  - Pool cover
  - Low Flow/Ultra Low Flow Toilet
  - Shower Head
  - Sink Aerator
  - High Efficiency Clothes Washer

### **3. Water Budget Appeal Process**

If a request for a water budget adjustment is denied by the District, the customer may appeal the decision to the five-member Water Shortage Committee (Committee). A Water Budget Appeal Application must be submitted to the General Manager. The Committee is appointed by the Board of Directors to hear appeals concerning customers' water budgets.

Appointed Water Shortage Committee Members are:

Division 1	Jane Trotman
Division 2	Pat MacGreger
Division 3	Nancy Helsley
Division 4	Suzanne Baird
Division 5	Cindy McGrane

The Committee will hold a publicly-noticed meeting to hear appeals. The Committee will be supported by the General Manager and legal counsel.

Documentation will be provided to the Committee including the basis of the decision of the District along with any supporting documents received with the appeal application. The customer may choose to present their information to the Committee. The Committee shall review the District's decision and approve or deny the appeal based on the circumstances of each case. Decision of the committee shall be final.



# Request for Water Budget Adjustment

Customer/Account Number: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Water Service Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Please check reason(s) for an adjustment request.

### Residential Customers

- \_\_\_\_ Single family residence (more than 4 "permanent" residents)  
(Names and ages can be written on back of this form)
- \_\_\_\_ Multi-family residence (more than 3 "permanent" residents)  
(Names and ages can be written on back of this form)
- \_\_\_\_ Medical needs (please include letter from physician or health care provider)
- \_\_\_\_ Licensed care facility (provide copy of Business License or other documentation)
- \_\_\_\_ Livestock (specify type and quantity)

### Commercial

\_\_\_\_ Change of use at property location

### Other

There may be instances where an increased budget is appropriate. If you believe that this is the case, please explain reason for requesting an increased budget:

\_\_\_\_\_  
\_\_\_\_\_

I certify under penalty of perjury that to the best of my knowledge the above information is true. I agree to inform the District within 10 days of any change in the circumstances which may result in an adjustment for this property. I understand that if this information is found to be erroneous, all water used at the property may be re-billed at the highest excess water use rate. I further understand that all adjustments granted are subject to change based on future, more stringent water conservation requirements.

All of the information provided in the adjustment application is subject to audit. Should an audit be necessary, the applicant may need to provide additional documentation, or access to the property.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Las Virgenes Municipal Water District will contact you regarding the outcome of the adjustment application. If you are billed during the time between your submitted application and the decision, your next bill may be adjusted accordingly. If the adjustment is approved, it becomes effective from the date the District received the application form.

<b>For Office Use - General Manager</b>	Account Type _____
Number of people approved _____	Medical needs approved _____
Licensed care facility approved _____	Livestock approved _____
Commercial – change of use _____	Other approved _____
Application Declined _____ Notes _____	



# Water Budget Appeal Application

Customer/Account Number: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Water Service Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Please check reason(s) for adjustment request.

### Residential Customers

- \_\_\_\_\_ Single family residence (more than 4 "permanent" residents)
- \_\_\_\_\_ Multi-family residence (more than 3 "permanent" residents)
- \_\_\_\_\_ Medical needs (please include letter from physician or health care provider)
- \_\_\_\_\_ Licensed Care Facility (provide copy of Business License)
- \_\_\_\_\_ Livestock (specify number and type)

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All of the information provided in the adjustment application is subject to audit. Should an audit be necessary, the applicant may need to provide additional documentation, and access to the property.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Las Virgenes Municipal Water District will contact you regarding the outcome of the appeal. If you are billed during the time between your submitted application and the decision, your next bill may be adjusted accordingly. If the adjustment is approved, it becomes effective from the date the District received the application form.

<b>For Office Use – Water Shortage Committee</b>	Account Type _____
Number of people approved _____	Medical needs approved _____
Licensed care facility approved _____	Livestock approved _____
Commercial – change of use _____	Other approved _____
Application Declined _____ Notes _____	