On motion of **M.,** seconded by **M.,** the following ordinance was offered:

SUMMARY NO. 26749 ORDINANCE NO.

An ordinance amending Sec. 27-51 of the Code of Ordinances relative to the adjustment of water and sewerage fees, and providing for related matters. (Parishwide)

NOW, THEREFORE, THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS:

Section 1. That section 27-51 of the Code of Ordinances of Jefferson Parish, Louisiana is hereby amended to read as follows:

Sec. 27-51 Adjustment of charges.

(a) A parish utility consumer is entitled to have the water and sewer charges adjusted no more than one adjustment under Sec. 27- 51 (a) and one adjustment under Sec. 27-51 (c) in a twelve-month period as outlined in the following:

(1) *Increase due to leak or act of vandal.* A parish utility consumer's water and sewerage charges can be adjusted if the increase in charges is directly identified to a leak in the consumer's water system or damage caused by an act of a vandal which caused a waste of water, an increase in water consumption.

(2) *Historical average consumption.*

a. For adjustment affecting the sewerage system, the adjustment of the parish utility, consumer's water and sewerage charges be recalculated using the historical average consumption of the consumer's account plus one-half (½) of the excessive consumption. For example, the average consumption is subtracted from the consumption of the bill that is to be adjusted. The difference between the average consumption and the consumption that is being questioned will be referred to as unadjusted consumption. The unadjusted consumption is divided into two (2) equal amounts. The parish departments of water and sewerage will add one (1) part to the average consumption and refer to this figure as the adjusted consumption. The charges for sewerage and water are then recalculated using the adjusted consumption. The difference between the charges for sewage and water on the original bill and the charges generated using the adjusted consumption is to be the dollar value of the adjustment to the consumer;

b. For adjustment not affecting the sewer system, the adjustment of the parish utility consumer's sewerage charge shall be recalculated by using the historical average consumption of the consumer's account only. The difference between the charges for sewerage on the original bill and the charges generated using the historical average consumption is to be the dollar value of the adjustment to the consumer. The adjustment for water will remain as established in subsection (a).

(3) *Repairs required.* The parish departments of water and sewerage may require, prior to adjusting a consumer's bill, that the necessary repairs to their system be made. The parish departments of water and sewerage should be satisfied that a leak did exist and has been repaired. This may be accomplished by inspection which would verify a leak existed and the repairs made or a signed affidavit be executed by the consumer to this effect and/or a copy of a plumber's invoice that the leak was repaired.

(b) *Increase due to a catastrophic event.* A parish utility consumer's water and sewerage charges can be adjusted if the increase in the charge is directly identified to be damage caused by a catastrophic event.

A catastrophic event occurs when the Jefferson Parish President declares a state of emergency pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act as defined in R.S. 29:721 et seq.

After a state of emergency is declared, the director of water must request from the Jefferson Parish Council, the authority to adjust utility bills on a case by case

basis if the adjustment is directly identified to be damages caused by the catastrophic event. The director of water may restructure, reduce or waive the consumer's water consumption and sewer user fees on a case by case basis, up to and including the complete waiver of fees for a given period following a catastrophic event, if such waiver is warranted by the facts of the case as presented to the director. Persons wishing to contest any such decision of the director of water may appeal the director's decision directly to the Jefferson Parish Council. In such cases, the decision of the council regarding the adjustment of the utility bill shall be final

(c) *Disputes concerning consumption billed.*

(1) *Initial Complaint.* A water utility customer who has received a bill for water consumption that is greater than twice the moving average of the prior three (3) billing periods (in thousand gallons) may initiate a claim by first contacting the department of water ("department") to register a complaint. If fewer than three (3) billing periods have elapsed since the establishment of the customer's account, then the threshold shall be twice the moving average of all prior billing periods. Upon receiving the complaint, the department shall inspect water meter at the service address and record and photograph the current meter reading. If requested by the customer, the department shall provide the customer with the date and approximate time of the inspection in order to allow for the customer to be present. The department shall notify the customer of the results of its inspection, which shall include a determination regarding the accuracy of the recorded water consumption that appears on the customer's utility bill.

(2) *Formal Claim .* Within thirty (30) days of being notified of the results of the department's inspection, a water utility customer may submit a written claim to the director of water. The submission shall include the account number, name of account holder, service address, billing period(s) at issue, a clear description of why the customer believes that the results of the department's inspection are incorrect, and any relevant information and documentation that the customer wishes to be considered.

(3) *Department Investigation.* After receiving the customer's claim, the department shall review the customer's disputed bill and any relevant information, including but not limited to billing history, past meter readings, maintenance records, etc. In conjunction with its review, the department shall conduct a meter test. The cost of the first on-site meter test per account holder shall be covered by the Department.

Meter tests conducted by the department in response to subsequent written disputes shall be subject to a meter test fee that is equal to the radio frequency transmitter installation fee provided for in section 27-222 of this code. If the department lacks the equipment or capacity to test the meter itself, then the amount charged to the customer shall be the actual cost that the department incurs for a third-party test. The aforementioned meter test fees shall be reversed if the meter test demonstrates that the meter is recording higher-than-actual water flow rates and that the deviation is the cause of the increase in the customer's bill. The department is authorized to bill and collect the meter test fees provided for in this section. Meter test cost shall not exceed actual cost.

(4) *Written Determination*. The department shall issue a written determination within thirty (30) calendar days of receipt of the customer's written claim. The written determination shall include any meter photographs taken in connection with the department's investigation, a copy of the meter test results, and a conclusion regarding the accuracy of the amount billed. If the investigation reveals that the water meter at the service address is recording higher-than-actual water flow rates, then the department shall adjust the consumption amount in accordance with paragraph (a)(2) of this section to account for the error and shall provide the customer with a recalculated amount due.

(5) *No Leak Affidavit.* After the Department has issued a written determination that has found no deficiency with the resident's water meter, the resident shall provide documentation from a Louisiana licensed plumber and sign an affidavit confirming that no leak was found at the property. If proper

documentation is provided, the Department shall provide relief off of the disputed bill according to the table below and the claim will be settled. This no leak affidavit can only be used once per account holder per 12 months.

Bill Amount	Relief
0-$500.00	50%
$500.01-$1,000.00	40%
Over $1,000.00	30%

(6) *Council Authority to Use Third-Party Administrator.* The Jefferson Parish Council may engage a qualified third-party to facilitate the formal claim process. In such event, the third party shall:

a. Serve as administrator and arbiter of the appeals process.
b. Answer questions the customer has regarding the claim process and the Water department's written determination.
c. Provide a written report with reasons for billing adjustment determination to include evidence received from both the Department and the water utility customer. The report shall include any billing adjustment determination made and be sent to the members of the Jefferson Parish Council, Council Clerk, and Office of Research and Budget.
d. Within 2 months of a billing adjustment determination, a resolution ratifying the billing adjustment determination shall be placed on the Council agenda.

(7) *Payment During Formal Claim Process.* During the formal claim process, which commences upon the customer submitting a written dispute to the director, the customer shall be required to remit payment for the billing period(s) in dispute as follows: an amount equal to the moving average of the prior three (3) billing periods for water and sewerage charges. If fewer than three (3) billing periods have elapsed since the establishment of the account, then the payment due shall be the moving average of all prior billing periods. While a bill is in the formal claims process, the department shall not assess delinquent fees on the amount in dispute. As long as required payments are made by the customer during the formal claims process, water service shall not be disconnected.

(8) *Conclusion of Formal Claim .* After the issuance of the department's written determination or Council approval of the administrator's billing adjustment determination, the department shall, within two (2) billing cycles, either: (1.) bill the customer for any amount of a disputed bill that is owed but that has not yet been paid by the customer; or (2.) process any bill credits that may be owed to the customer. The Department shall provide customers with a payment plan option to spread payments over time if requested by the resident.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: **NAYS:** **ABSENT:**

The ordinance was declared to be adopted on this the **18th day of November, 2026,** and shall become effective as follows, if signed forthwith by the Parish President, ten (10) days after adoption; thereafter, upon the signature by the Parish President, or, if not signed by the Parish President, upon expiration of the time for ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.