

Town of Stoughton Water and Sewer Abatement Policy

General Policy Statement

Any customer of the Stoughton water and/or sewer system may file an abatement request if he/she believes that the amount charged on the utility bill is in error by reason of incorrect reading, miscalculation of a bill, excessive reading, or a water leak as described below. No abatement requests for lawn watering, garden irrigation and similar outdoor usage will be accepted. For billing purposes, the Town assumes that sewage use equals water use.

Submission of Requests for Abatements

Requests for abatements must be submitted in writing to the Stoughton Water & Sewer Department, 950 Central Street, Stoughton, no later than forty-five (45) days after the issuance date of the bill in dispute. Application forms may be obtained from the Water & Sewer Department or the Town Website. Applications received more than 45 days after the billing date are untimely submissions and will be returned without action. The request must state the reason for the abatement request and the amount of abatement being requested. The burden of proof for the abatement shall rest upon the applicant. The abatement request must include adequate information that will support the applicant's request. Those requesting an abatement must demonstrate that the charges involved are not the result of failure to pay attention to usage and cost.

Abatement Guidelines

1. In order to qualify for an abatement, a customer's excess consumption must exceed the greater of 100% of their two year quarterly average or 5900 cubic feet.
2. Customers who have received a catch-up bill due to multiple "no usage" bills are eligible for an abatement to the first-tier rate structure.
3. In the event that a customer cannot determine the source or cause of the abnormally high consumption, the customer is required to hire a private licensed plumber to assist the customer in trying to determine the said source or cause. If the plumber is unable to determine the source or cause of the abnormally high consumption, the Town can only speculate that the customer has located and repaired or corrected said source. If the customer claims that said source never existed, the Town shall test the meter and make an adjustment to the bill if the meter is found to be over-recording. If the meter test reveals an accurate or under-recording meter, the customer shall be held responsible for the entire bill.
4. In the event of high consumption due to a leak, customers are required to hire a licensed plumber to assist in determining the cause and location of the leak. Proof of repair by the licensed plumber must be attached to the abatement form. If a leak is confirmed, the customer may qualify for an abatement of 50% of the water usage and 50% of the sewer usage above normal consumption (measured over a two-year period).
5. High water usage to fill a pool or for irrigation does not qualify for a water or sewer abatement. As a matter of policy, Stoughton does not provide water and sewer abatements for high water usage not entering the sewer system because the community is assessed its sewer fee from the MWRA based on water usage.

6. A customer's inability to pay a water or sewer bill shall not be grounds for abatement under this policy.

Review of Request

The Water/Sewer Director or his/her designee (hereinafter referred to as "Director") must investigate all abatement requests and issue a determination in writing within twenty (20) days after the date a request for abatement has been received by the Water & Sewer Department. The Director is authorized to approve, modify, or reject the request of the applicant or take any other action deemed appropriate in disposition of the abatement request. The department will notify the applicant in writing of their determination.

In the event that the applicant disputes the decision of the Director, the applicant may appeal the decision in writing to the Select Board acting as Water & Sewer Commissioners for the Town of Stoughton. The applicant's appeal must provide specific evidence in support of his/her position in opposition to the decision of the Director. At the next regularly scheduled Select Board meeting after receipt of the applicant's written appeal, the Select Board will place the appeal of the Director's determination on the agenda and will notify the applicant. The Select Board will review the appeal, allowing the applicant to speak to the issue, and the determination of the Director. The Select Board will then render a final decision on the applicant's appeal.

Resolution of Request

The Select Board may resolve the abatement request appeal on the basis of the applicant's position, the Director's determination, some combination thereof or on any other basis as deemed appropriate by the Select Board. The Select Board may also table the matter to a future meeting should it require additional time to make a decision or require additional information, but in no event will a final decision be delayed longer than 45 days after the matter has first been heard by the Select Board.