



**City of
WILMINGTON**

1165 S. Water Street, Wilmington, IL 60481-PHONE (815) 476-2175 FAX (815) 476-9782 www.wilmington-il.gov

Customer Dispute Form

Identifying Information

Account Number (as it appears on your water bill) _____

Customer Name _____

(if known) Block _____ Lot _____

Mailing Address _____

Service Address (if different than the owner's mailing address) _____

Type of Property (check one)

- Residential Commercial Industrial Vacant Land
- Mixed Use Other (list type) _____

Grounds for Dispute

Categories (check all that apply)

- High Bill Estimated Bill Interest Changes
- Remittance Funds Meter Misread Other (list type) _____

Briefly state the grounds or basis upon which you believe the water and/or sewer charges are incorrect. Attach additional sheets or documentation, if necessary.

I certify that all statements made on this application are true and correct to the best of my knowledge and belief, and I understand that the making of any willful false statement of material fact herein will subject me to the provisions of the Penal Law relevant to the making and filing of false instruments.

Signature of the Owner

Signature of Authorized Representative

Printed Name of the Owner

Printed Name of Authorized Representative

Date

Date

Submit Completed Form to: City of Wilmington, 1165 S. Water Street, Wilmington, IL 60481

FOR INTERNAL USE ONLY: Intake Date: ____/____/____ Taken By: _____

52.06.01 Dispute procedures.

- (A) The city designates the city administrator or his or her designee to hear, in person, any dispute by an applicant, owner, occupant, or user (hereinafter "complainant"). The designee shall consider the complainant's allegations and contentions and shall explain the complainant's account. Any designee assigned to hear a dispute shall be authorized to act on behalf of the city in resolving the dispute and shall be available during all business hours for the duty hereinbefore described.
- (B) When a complainant disputes a particular bill, the city shall not discontinue service for nonpayment so long as the complainant:
 - (1) Promptly pays the undisputed portion of the bill or an amount equal to last year's bill at the location for the same period, normalized for weather, whichever is greater;
 - (2) Pays all future periodic bills in full by the due date; and
 - (3) Enters into bona fide discussions with the city to settle the dispute with dispatch; provided, however, that the city retains the right to discontinue service if an agreement cannot be reached.
- (C) Only net rates shall be charged on any disputed bill paid within 15 days of resolution of the dispute if the complaint was filed before the bill became past due.
- (D) Petitions for Relief from High Billing.
 - (1) High Billing Defined. For the purposes of this section only, "High Billing" shall mean a (i) bill verified to be three times the normal, expected usage evidenced by the average usage of the customer for the past twelve (12) months and over the past twenty-four (24) months (ii) caused by a catastrophic or unexpected event or act of god that is a result of no fault or negligence on behalf of the Complainant, resident, or agent thereof, and (iii) not reflective of deliberate and excessive usage, e.g., swimming pool or irrigation of lawn. If such history is unavailable for the complainant at this particular site, then information from past usage by the complainant at another residential location may be used, however, the lack of history shall not automatically nullify the customer from seeking relief.
 - (2) A Complainant, upon receipt of a water bill that reflects water usage believed to qualify as high billing, as defined above, may petition the city administrator for relief by with the city clerk a certified petition on forms provided by the city clerk that includes the following information:
 - (i) The number of people residing at the property
 - (ii) Describe the use of the property, for example, single-family, multi-family, home occupation;
 - (iii) A sworn statement that the water was not used, in any way, by the complainant or other potential users, and there existed no known plumbing issues of any kind;
 - (iv) Consent to allow the city's plumbing inspector or the water department personnel or both to enter the property for the purposes of conducting an inspection of the plumbing and fixtures and other appurtenances of the property that may have contributed to the high billing;
 - (v) A sworn statement and proof that, if plumbing problems contributed to the high billing, the complainant had the plumbing problems repaired;
 - (vi) An acknowledgment that the city may limit the number of opportunities for relief under this section; and
 - (vii) Proof that insurance will not cover the water loss claim.

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- (3) Inspection Fee. The minimum plumbing inspection fee is \$60, does not preclude the water department from charging an inspection fee per its procedures, and both, as applicable, shall be paid before granting any relief under subsection (D).
 - (4) Actions by Water Department. In conjunction with a petition as set forth in subsection (D), the plumbing inspector and/or water department, per its procedures, shall conduct an investigation, including the following, and provide its findings to the city administrator:
 - (i) A complete, thorough, and satisfactory inspection of the property was made by staff;
 - (ii) A complete leak check was performed;
 - (iii) Flow tests performed on the water meter(s);
 - (iv) Provide a replacement meter if found appropriate; and
 - (v) Provide historical information on customer usage.
 - (5) Relief to be Provided. If the petition and investigation satisfy all requirements of subsection (D), and it is determined by clear and convincing evidence that the petition details high billing, as defined herein and as determined by the city administrator, then the city administrator may adjust the complainant's high billing to reflect a sewer charge consistent with the historic use by the complainant. In no event shall the Complainant receive any relief for the water used.
 - (6) Limitations of Relief. The city understands that unknown problems may occur that could periodically contribute to the occurrence of a high billing; however, the city expects that precautions will be taken by residents to protect and maintain plumbing that is free from defects and not prone to failure; for example: fixing leaking toilets, dripping or running faucets, protect exposed piping from freezing. If a complainant previously sought relief under subsection (D), the complainant shall be held to the highest burden of proof that their petition qualifies as a high billing. Further, if the complainant is a renter, and the property owner is found to have failed to provide plumbing that is free of defect or free of the potential for failure or both, including, but not limited to, instances when the owner was previously told by the city or the water department of what defects may exist, then no relief will be provided, and the city may cease sewer service until such time that the plumbing defects are addressed to the satisfaction of the city.

(Ord. 05-10-18-01, passed 10-18-05; Am. Ord. 12-01-03-01, § 3, passed 1-3-12; Am. Ord. 23-05-16-01 , passed 5-16-23)