

Local Law 1 of 2024

A Local Law amending Chapter 400 Sewers of the Code of the Village of Corinth

Be it enacted by the board of trustees of the Village of Corinth as follows:

New subsection 400-36(G) and (H) shall be added as follows:

G. Adjustment.

(1) A system user who wishes to contest the accuracy of any bill for sewer rent for any given billing cycle may make an application to the Board of Trustees for an adjustment for that billing cycle's sewer rent within 30 days from the time the system user learns of such error, and in any event no later than 90 days from the date of the bill claimed to be in error. Such application shall be in writing and be supported by substantial evidence establishing that the amount of the system user's water consumption that actually was discharged into the sanitary system was less than the amount of water consumption used to calculate the system user's sewer rent. Proof shall be in the following form:

- a. An engineering report from a professional engineer licensed in the State of New York;
- b. Data from a meter whose operation has been inspected by the Village of Corinth;
- c. Affidavits; or
- d. Any other documentary evidence.

(2) The system user has the burden of proof.

(3) The system user shall appear at the next regular meeting of the Village Board of Trustees after receipt by the Village Clerk of the application, or at another regular meeting of the Village Board of Trustees as agreed upon by the user and the Board, to present their evidence and answer any questions posed by the Board or appropriate Village employee. The Village Board will issue its written decision within ten (10) days.

(4) Factors which may be considered by the Board in making its decision are:

- i. History of sewer/water usage by the customer.
- ii. The presence of any repairs made to the plumbing system of the premises of the customer, including service line and indoor fixtures.
- iii. The presence or absence of the customer in the premises during the period of sewer usage in question.

(5) If any adjustment is warranted, the Board may forgive the outstanding bill in whole or in part, including penalties for late payment, may allow the unpaid bill to be paid in installments, or may fashion any other remedy which the Board believes to be fair under the circumstances. Determinations by the Board of Trustee are final and subject to judicial review.

(6) All applications for an adjustment that are currently pending shall be heard and determined under this subsection.