



199 Raymond Road | P.O. Box 111
Sudbury, Massachusetts 01776

SUDBURY WATER DISTRICT ABATEMENT POLICY

**Revised
August 5, 2025**

The Sudbury Water District (District) may, under limited and specific circumstances, authorize an abatement for water charges incurred by a customer. Abatements may be granted solely under the following circumstances:

- Verified leak (after the curb valve) and subsequent repair.
- Demonstrated financial hardship.

Customer's seeking relief must submit a formal [Abatement Application](#) using one of the following delivery methods:

Email

customerservice@sudburywater.com

U.S. Mail

Sudbury Water District
P.O. Box 111
Sudbury, MA 01776

Hand Delivery

Sudbury Water District
Administration Office
199 Raymond Road
Sudbury, MA 01776

WATER ABATEMENT POLICY

Categories of Water Abatement

- 1. Administrative Abatement**
- 2. Hardship Abatement**

1. ADMINISTRATIVE ABATEMENT

a. Payment Requirement:

A registered property owner or their authorized designee may file a formal [Abatement Application](#) for water charges incurred due to a verified water leak (after the curb valve) and subsequent repair.

Eligibility is contingent upon strict adherence to the following conditions and the provisions of the Sudbury Water District's Abatement Policy:

- The invoiced amount must be paid in full (100%), however, if the invoiced amount exceeds five (5) times the average consumption, as determined by the same three

preceding quarterly billing cycles, the applicant must remit at least fifty percent (50%) of the invoiced amount.

- The applicant must be in full compliance with all prior billing obligations, with no outstanding balances at the time of submission.
- A customer may request to have their water meter tested by a company that specializes in meter testing and is approved by the District. If the meter is determined to be inaccurate based on American Water Works Association (AWWA) standards, the District will cover the cost of the testing and adjust the water bill accordingly. However, if the meter is found to be accurate, the customer will be responsible for the testing costs and will not be eligible for a bill abatement unless a verified leak is documented.
- The registered property owner is responsible for all water infrastructure beyond the curb valve including the service line (pipe), interior and exterior plumbing and fixtures, and underground irrigation systems.

Exception: The first valve and meter are owned and maintained by the Sudbury Water District. However, the registered property owner is responsible for ensuring their protection from damage, freezing, tampering, or obstruction. If either the first valve or meter is damaged due to negligence (e.g., exposure to freezing conditions) the registered property owner shall be liable for cost of repair or replacement, including water consumption.

b. Application and Support Documentation

To be considered for an abatement, the completed application and supporting documentation must be submitted within forty-five (45) calendar days from the date of the original invoice:

- A detailed invoice identifying the cause of the leak and subsequent repair services rendered by a plumber licensed by the Commonwealth of Massachusetts, or by a lawn irrigation specialist, as applicable.
- Photographic evidence of the leak and the completed repair (strongly recommended).
- If the repair was self-detected and repaired by individuals without license or certified professionals (i.e., a DIY repair), the application will be reviewed solely at the discretion of the Executive Director. In such cases, detailed receipts for all materials and parts must be included.
- No application shall be deemed complete, nor shall it be accepted for review, unless the applicant has fully complied with the payment requirement accompanied by a completed abatement application and required supporting documentation.

c. Clarifying Conditions – for the avoidance of doubt:

Water loss due to user negligence (e.g., unintentionally leaving a fixture running) does not constitute a leak and is not eligible for abatement.

The burden of proof lies solely with the applicant, who must demonstrate eligibility by clear and convincing evidence.

Unexplained or uncharacteristic high-water usage, without verifiable evidence of a leak, does not constitute grounds for abatement.

d. Review Process

The Executive Director will review all complete applications in consultation with the Executive Administrator and the Foreman and issue a determination within thirty (30) calendar days of receipt.

e. Leak Abatement Limitations

- An abatement may be granted only when water usage during the affected billing period exceeds one-hundred fifty percent (150%) of the average consumption (established by the same three preceding quarterly billing cycles).
- The abatement shall be calculated as follows: Water usage exceeding one-hundred fifty percent (150%) of the established average will be re-calculated at the Tier 1 water rate. Water usage up to one-hundred fifty (150%) of the established average shall be calculated at the established tiers of the current rate structure.
- Only one (1) abatement may be granted per property per continuous ownership tenure.
- Abatement shall not exceed fifty percent (50%) of the invoiced amount.

f. Right to Appeal

If the applicant is dissatisfied with the determination of the Executive Director, the applicant may file a written appeal to the Board of Water Commissioners. Said appeal shall be scheduled as an official Agenda item for discussion during an open public session Board of Water Commissioners meeting.

g. Further Legal Remedies

If the appeal is denied by the Board of Water Commissioners, the applicant may pursue one of the following remedies:

- ***Where the disputed charges have been paid in full:***
The registered property owner may pursue a civil action for recovery of overpayment in either the District Court, pursuant to G.L. c. 218, § 19 (where the amount in controversy does not exceed \$2,500); or the Superior Court, pursuant to G.L. c. 212, § 4. See: Epstein v. Executive Secretary of Bd. of Selectmen of Sharon, 22 Mass. App. Ct. 135 (1986).
- ***Where the disputed charges remain unpaid:***
The Sudbury Water District reserves the right to record a municipal lien for the unpaid outstanding balance; and/or terminate water service at the curb valve until payment in full is rendered, including any applicable turn on fees, pursuant to Section 6.4.1 of the Sudbury Water District Rules and Regulations.

In such cases, jurisdiction lies with the Appellate Tax Board per G.L. c. 40, §§ 42A–42F. An aggrieved owner may appeal under G.L. c. 59, § 65.

2. FINANCIAL HARDSHIP ABATEMENT

The Board of Water Commissioners recognizes that some customers may experience extraordinary financial hardship. In such cases, discretionary relief may be provided under the Financial Hardship Abatement Policy.

a. Application Procedure:

The registered property owner or their appointed designee may apply for a Financial Hardship Abatement within forty-five (45) calendar days of the original invoice date by submitting:

- A completed [Abatement Application](#).
- A signed written statement describing the nature of the hardship, and
- Supporting documentation substantiating the applicant's financial condition.
- The abatement must be signed under the pains and penalties of perjury.

Applications for a Financial Hardship Abatement shall be scheduled as an official Agenda item for deliberation during a closed executive session Board of Water Commissioners meeting.

a. Additional Provision:

Payment extensions may be considered on a case-by-case basis, subject to approval and at the discretion of the Board of Water Commissioners.