

TITLE V: PUBLIC WORKS

Chapter

50. SEWERS

51. WATER

CHAPTER 50: SEWERS

Section

- 50.01 Disconnection for late payment
- 50.02 Rates and charges

§ 50.01 DISCONNECTION FOR LATE PAYMENT.

(A) It is the policy of the city to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

(1) That all bills are due and payable on or before the date set forth on the bill; and

(2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and

(3) That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(C) When it becomes necessary for the city to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge in the sum of \$12.50.

§ 50.02 RATES AND CHARGES.

For the use of, and the service rendered by, the sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate, or building that is connected with, uses or is served by the town's sanitary sewer system, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows;

(A) *Monthly rates and charges for treatment plant.* Based upon the quantity of water used per month as measured by the water meter there in use, a charge at the rate of \$6.75 per 1,000 gallons shall be applied.

(B) *Monthly rates and charges for collection system.* Based upon the size of the water meter installed:

<i>Size</i>	<i>Per Month</i>
$\frac{5}{8}$ -inch	\$ 23.30
$\frac{3}{4}$ -inch	23.30
1-inch	58.31
1½-inch	134.05
2-inch	235.43
3-inch	524.45
4-inch	932.35
6-inch	2,097.86

(C) Domestic users who do not have a metered municipal supply of water shall be charged a flat price of \$46.05 per month.

(D) Any user connecting more than 90 days subsequent to completion of construction of the sewage works shall pay a tap-on fee of \$400 and \$10 for inspection.

(E) For the service rendered to the town, the town shall be subject to the same rates and charges hereinabove provided, or to charges and rates established in harmony therewith.

(F) All new customers connected on or after July 1, 1998, to the North Central High School line, in addition to being assessed charges as outlined above, they shall each be assessed a monthly charge of \$11.50 for a term from the present to January 1, 2017.

(Ord. 89-3, passed 8-12-89 Am. Ord. 96-2, passed 8-14-96; Am. Ord. 1999-5, passed 7-13-99; Am. Ord. 2002-3, passed 7-29-02; Am. Ord. 2011-2, passed 4-25-11; Am. Ord. 2011-6, passed 11-14-11; Am. Ord. 2017-4-10, passed 4-10-17)

CHAPTER 51: WATER

Section

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Cross-reference:

Cash Reserve Fund, see § 32.01

Editor's Note:

On December 9, 1987, the town's Municipal Water Utility was removed from the jurisdiction of the Indiana Utility Regulatory Commission for the approval of rates and charges and of issuance of stocks, bonds, notes, or other evidence of indebtedness.

§ 51.01 DISCONNECTION FOR LATE PAYMENT.

(A) It is the policy of the city to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The city's form for

application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

(1) That all bills are due and payable on or before the date set forth on the bill; and

(2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and

(3) That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the city official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint. If a customer has their water service discontinued for nonpayment, their water service will not be reconnected until the next business day.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(C) When it becomes necessary for the city to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge in the sum of \$12.50. (Am. Ord. 2002-2, passed 7-29-02)

§ 51.02 RATES AND CHARGES.

The Town Municipal Water Utility shall, from and after the effective date hereof charge the following rates for water service rendered to customers of the Municipal Water Utility:

(A) *Recurring charges.*(1) *Monthly metered rates.*

<i>Consumption per Month</i>	<i>Rates per 1,000 Gallons</i>
First 2,000 gallons	\$ 14.55
Next 3,000 gallons	11.33
Next 3,000 gallons	10.14
Next 17,000 gallons	9.35
Over 25,000 gallons	7.87

(2) *Minimum charge.* Each user shall pay a minimum charge in accordance with the following applicable size of meter installed, for which the user will be entitled to the quantity of water set out in the above schedule of rates.

<i>Size of Meter</i>	<i>Per Month</i>
⁵ / ₈ -inch meter	\$ 19.20
³ / ₄ -inch meter	19.20
1-inch meter	36.80
2-inch meter	72.25

(3) *Farmersburg monthly usage.*

<i>Farmersburg (Wholesale User) Monthly Usage</i>	<i>Rate per 1,000 gallons</i>
First 1,000,000 gallons	\$ 5.00
Next 2,000,000 gallons	4.91
Over 3,000,000 gallons	4.76

(4) *Wholesale - Wilfred Water Corp.*

<i>Consumption per Month</i>	<i>Rate per 1,000 gallons</i>
First 1,000,000 gallons	\$ 7.88

(5) *Wholesale customers.* Each wholesale customer shall pay a minimum charge in accordance with the following applicable size of meter installed, for which the user will be entitled to the quantity of water set out in the above schedule of wholesale rates (Farmersburg being exempt).

<i>Size of Meter</i>	<i>Per Month</i>
1-inch meter	\$10.08
2-inch meter	19.81

(6) *Surcharge.* Each user shall pay a surcharge of \$1.50 per month for maintenance of the radio reading system.

(B) *Non-recurring charges.* The Municipal Water Utility shall make the following charges on the following non-recurring matters:

<i>Type of Charge</i>	<i>Amount</i>
⁵ / ₈ and ³ / ₄ -inch new service connection on water main side of road charge	\$2,000
⁵ / ₈ and ³ / ₄ -inch new service connection on opposite side or road from water main charge	\$2,800
⁵ / ₈ and ³ / ₄ -inch new service connection County Road 175 West Project charge	\$3,050
1-inch or 2-inch new service connection charge or tap-on	Cost of labor and material plus \$300
Existing service connection charge	\$5
Reconnection charge	\$5
Special meter reading	\$5
Meter profiling charge	\$10
Bad check charge	\$25
Late payment charge	10% of first \$3; 3% over \$3 on water except as to wholesale customer i.e., Farmersburg
Reconnect water service after service discontinued for delinquency	\$25

<i>Type of Charge</i>	<i>Amount</i>
Meter deposit	\$175
Inspecting water lines for empty houses	\$10
Meter tampering charge	\$500

(Ord. 1993-2, passed 9-14-93; Am. Ord. 1998-4, passed 9-28-98; Am. Ord. 2002-2, passed 7-29-02; Am. Ord. 2005-3, passed 7-28-05; Am. Ord. 2007-6, passed 10-15-07; Am. Ord. 2008-2, passed 8-11-08; Am. Ord. 2013-6, passed 12-11-13; Am. Ord. 2020/03/10, passed 3-10-20)

RULES FOR INSTALLATION AND BILLING

§ 51.10 INSTALLATION.

(A) All residences must have a separate meter for metering water usage. No two residences may be hooked into the same meter.

(B) Customers must give the water utility at least ten days notice for installation of a new water service.

(Ord. 1998-4, passed 9-28-98; Am. Ord. 2020/03/10, passed 3-10-20)

§ 51.11 BILLING AND PAYMENTS.

(A) Meters will be read around the 15th of each month.

(B) Bills will be mailed on the end of the month and no later than the first of the next month. Notification should be given to the water utility office at (812) 397-5900 if a bill is not received by the 2nd of the month.

(C) Payment is due by the 15th of the month. After the 15th, penalties will be applied to the bills.

(D) If bills are not paid by noon the disconnect day as stated on the water bill, the customer's water service will be discontinued.

(E) Partial payments will be accepted in order to keep water service from being discontinued. There must be a payment made of at least 10% of the bill due before noon of the final day as stated on the final notice. The remaining balance will be considered in arrears and will be applied to the current bill that the customer has incurred. The arrears balance must be paid on the 6th of the new month or water service will be discontinued and the current bill must also be paid by the disconnect date placed on the water bill.

(F) There will be only one partial payment or payments on one current month's bill per customer per 12-month period.

(G) Payments made with a bad check will be required to reimburse the Shelburn Water Utility with cash, certified check or money order.

(H) There will be no water leak adjustments to a water customer's bill. Payment arrangements will be allowed for a water customer's bill due to the water leak. A customer may have up to 12 months to pay the water bill. If agreed payments are not adhered to, water service will be discontinued until the bill is paid in full.

(Ord. 1998-4, passed 9-28-98; Am. Ord. 2002-2, passed 7-29-02; Am. Ord. 2007-6, passed 10-15-06; Am. Ord. 2020/03/10, passed 3-10-20)

§ 51.12 TRUSTEE PAYMENTS.

The water utility will continue to accept the Curry Township Trustee's warrant for agreement to pay the water bill owed.
(Ord. 1998-4, passed 9-28-98)

§ 51.13 CUSTOMER DEVELOPMENT.

Water service may be provided at rates and charges other than as specifically established by the Town Board to new customers which meet the following conditions:

(A) The new customer must enter into a contract for water service that has a term of not less than five years and sets forth, among other provisions, the rates and charges applicable to the service; provided, however, the applicable rates must be sufficient to cover the incremental cost to provide service to the new customer and make a contribution to the water utility's fixed costs;

(B) The new customer must represent that he or she has available to him or her an alternative source of water supply and the rates and charges set forth in his or her contract are necessary for the new customer to receive service; and

(C) The new customer's service must require at least 50,000 gallons per month for at least six months out of any contract year.
(Ord. 1998-4, passed 9-28-98)

CROSS-CONNECTIONS

§ 51.20 DEFINITIONS.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

CROSS-CONNECTIONS. Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the town water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.
(Ord. 1995-1, passed 6-13-95)

**§ 51.21 CROSS-CONNECTION;
INTERCONNECTION.**

No person, firm, or corporation shall establish or permit to be established or maintain or permit to be maintained any cross-connection. No interconnection shall be established whereby potable water from a private, auxiliary, or emergency water supply other than the regular distribution system of the municipality, unless such private, auxiliary, or emergency water supply shall have been approved by the Town Water Works and by the Indiana Department of Environmental Management in accordance with 327 IAC 8-10.
(Ord. 1995-1, passed 6-13-95)

§ 51.22 INSPECTION.

It shall be the duty of the Town Water Works to cause inspections to be made of all properties served by the public water system where cross-connection with the public water system is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be established by the Town Water Works.
(Ord. 1995-1, passed 6-13-95)

§ 51.23 RIGHT OF ENTRY.

Upon presentation of credential, the representative of the Town Water Works shall have the right to request entry at any reasonable time to

examine any property served by a connection of the public water system of the town for cross-connections. On request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding piping system or systems on the property. The refusal of access or refusal of requested pertinent information shall be deemed evidence of the presence of cross-connections.

(Ord. 1995-1, passed 6-13-95)

§ 51.24 DISCONTINUANCE OF WATER SERVICE.

The Town Water Works is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this subchapter exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice is served on the owner, lessee, or occupants of the property or premises where a violation is found or suspected to exist. Water service to such property shall not be restored until the cross-connection has been eliminated in compliance with the provisions of this subchapter.

(Ord. 1995-1, passed 6-13-95)

§ 51.25 HEARING.

If it is deemed by the Town Water Works that a cross-connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the Town Clerk and delivered to the consumer's premises, service may be immediately discontinued. The consumer shall have an opportunity for hearing within ten days of the emergency discontinuance.

(Ord. 1995-1, passed 6-13-95)

§ 51.26 BACKFLOW PREVENTER REQUIRED FOR CONSUMERS USING TOXIC OR HAZARDOUS LIQUIDS.

(A) All consumers using toxic or hazardous liquids, all hospitals, mortuaries, wastewater treatment plants, laboratories, and all other hazardous users shall install and maintain a reduced pressure principle backflow preventer in the main water line serving each building on the premises.

§ 51.27 CORRECTING ILLEGAL CROSS-CONNECTION.

In the event it is determined by the Town Water Works that an illegal cross-connection exists, then the Town Water Works shall, by written notice, allow the occupant of the property 30 days to correct the illegal cross-connection. In the event the illegal cross-connection is not corrected within 30 days, the Town Water Works shall take legal action by filing a complaint in the Sullivan Circuit Court to correct the illegal cross-connection and recover the expenses incurred in correcting the illegal cross-connection.

(Ord. 1995-1, passed 6-13-95)

§ 51.28 SUPPLEMENTAL TO OTHER REGULATIONS.

This subchapter does not supersede the I.D.E.M. Rule Code 327 IAC 8-10 or the town plumbing ordinance No. 1995-1, but it is supplementary to them.

(Ord. 1995-1, passed 6-13-95)

(B) The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing.

(Ord. 1995-1, passed 6-13-95)