

STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION

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INDIANA UTILITY
REGULATORY COMMISSION

PETITION FOR APPROVAL OF RATE AND CHARGE DIFFERENCE BETWEEN
PROPERTY WITHIN AND PROPERTY OUTSIDE THE CORPORATE BOUNDARIES
OF Town of Brookville {Municipality}

Pursuant to Indiana Code § 8-1.5-3-8.3(c), Town of Brookville, {Municipality} by counsel, requests the Director of the Water and Wastewater Division of the Indiana Utility Regulatory Commission ("Commission") to approve the rate and charge difference between property within and property outside the corporate boundaries of Town of Brookville {Municipality}. In support of its request, PETITIONER states:

1. The ordinance setting rates and charges for property within and property outside the municipality's corporate boundaries took effect on (date) 5/13/1958
2. Attached as "Exhibit A" is a copy of the Ordinance.
3. The works that is the subject of the Ordinance is a (select one):
 - a. water utility works
 - b. wastewater utility works
 - c. both water and wastewater utility works
4. The percentage difference between the rates and charges imposed on users of the works for service to property located outside the corporate boundaries of the municipality and to property located within the corporate boundaries is 25%
5. If the percentage difference in #4 above varies based upon the amount of consumption, please provide a chart illustrating the various consumption levels in 1,000 gallon increments with the corresponding percent surcharge and attach to this Petition.
6. BRENDA WILHELM/WAGGONER is counsel of record for Petitioners in this matter and is duly authorized to accept service of papers in this cause on behalf of Petitioners.

Respectfully submitted,


BRENDA WILHELM/WAGGONER

Attorney for Petitioners

Verification

I, KURT T. RIEDMAN, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Signed Kurt T. Riedman {Representative of Municipality}

Date 9/12/12

Attorney Contact Information

BRENDA WILHELM/WAGGONER
424 COURT ST.
BROOKVILLE, IN 47012

765-647-0488

10/1/54
10/1/54

An ordinance concerning the construction of extensions and additions to the Water Works owned and operated by the Town of Brookville, Indiana, and adopting New Schedule of Rates and Charges, and matters connected therewith.

WHEREAS, the Board of Trustees of the Town of Brookville, Indiana, is the owner of and operates an encumbered water works furnishing the Public Water Supply to said Town and its inhabitants; and, ~~users; and,~~

WHEREAS, the Board of Trustees of said Town of Brookville has determined and now finds that said Water Works is in need of certain extensions and additions, during the period of the next Five (5) Years, in order to furnish a volume of water supply of a proper quality and quantity for the use of the Town and its citizens and industries; and that said extensions and additions are required in order to properly ~~maintain~~ protect the health, well-being and property of the Town and its inhabitants and users of said water from said Water Works; and

WHEREAS, said Board has employed Clyde E. Williams & Associates, consulting Engineers of South Bend, Indiana, to determine the extensions and additions required and the costs thereof and to prepare plans, specifications and estimates therefor, and has found from the report of said engineers that the existing ~~existing~~ ~~factory~~ conditions can be remedied by the installation of a new softening unit, new well and pump, roof for salt basin, new chlorinator, rebuilding remote electric pump control system, new meters, valves and some new water lines; and that the costs of said extensions and additions will be in the approximate amount of \$ 75,600.00 over said 5 year period, including all incidental expenses necessary to be incurred in connection therewith; and

WHEREAS, there is still owing an approximate amount of \$ 3,000.00 ~~on~~ ~~Water Works Revenue Bonds of 1951 of said Town; and,~~

WHEREAS, it will be necessary to increase the existing rates and charges which have been approved in a prior sense before the Public Service Commission of Indiana(said Town now furnishing water at a loss in the highest bracket) in order that sufficient funds will be provided to permit the Water Works of said Town to discharge all of its covenants with its bond-holders and to maintain the said utility property in a sound physical and financial condition to render adequate and efficient service, NOW THEREFORE

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BROOKVILLE, INDIANA:

SECTION 1. That the Town of Brookville, Indiana, being the owner and engaged in operating ~~an~~encumbered waterworks supplying the Town and its inhabitants and users with water for domestic and industrial use, now provide for certain needed extensions and additions from the revenues and receipts of such waterworks.

SECTION 2. Said extensions and additions shall be constructed and installed in accordance with the plans, specifications and estimates prepared by Clyde E. Williams & Associates, consulting engineers of South Bend, Indiana, which plans, specifications and estimates are hereby approved. The extensions and additions shall include the following: Installation of a new softening unit; new well and pump; roof for salt basin; new chlorinator; rebuilding remote electric pump control system; new meters, valves and some new water lines at an approximate cost of \$75,600.00 over a 5 year period.

SECTION 3. The Board of Trustees of said Town is hereby authorized and directed to proceed with the construction and installation of said extensions and additions, and to enter into all contracts necessary for such purposes in conformity with the provisions of this ordinance and the laws of Indiana, subject, however, to the following conditions:

- (a) The approval by the Board of Trustees of said Town of all bids accepted and all contracts let for the construction and installations of said projects;
- (b) The approval of the Public Service Commission of Indiana for the making of said extensions and additions and the ~~insertion~~ schedule of new rates and charges for the water and services of said utility.

SECTION 4. For the purpose of procuring funds with which to pay the cost of construction and installation of the extensions and additions to its waterworks and of paying current bills and to pay said bonds of 1951 as they become due said Board now adopts the following Schedule of Rates and Charges for the use of water from said Water Works of said Town:-

<u>Consumption per Quarter</u>	<u>Charge per 1,000 Gallons</u>
First 7,000 Gallons	50¢
Next 13,000 "	40¢
Next 30,000 "	30¢
Next 50,000 "	25¢
Over 100,000 "	20¢
Flat Rate per Quarter for Unmetered Service	\$ 3.50
Minimum Rate per Quarter	3.50

Each user ~~with~~ shall pay a minimum Quarterly meter charge in accordance with the size of meter installed for which the user will be entitled to the quantity of water set out of the above schedule of rates.

<u>Size of Meter or Tap</u>	<u>Quarterly Charge</u>
5/8 x 3/4 inch or less	\$3.50
3/4 inch	3.75
1 inch	7.00
1 1/4 inch	12.50
1 1/2 inch	20.00

2 inch	\$37.50
3 inch	100.00
4 inch	200.00
6 inch	440.00

In no event shall the quarterly minimum charge for metered or unmetered services be less than \$3.50.

Water customers located outside the corporate limits of Brookville, Indiana shall pay 25 per cent more than the rates stated in the above schedule.

Each applicant for service shall pay a meter service connection charge equal to the cost of meter including any extra charge or cost for meter size over 3/4 inch in diameter.

All bills shall be ~~paid~~ due and payable on the first day of January, April, July and October, following date of billing. Bills unpaid 15 days following date of billing shall include a collection charge of 10% on the first \$3.50 of unpaid billing and 3% on the balance of unpaid billing in excess of \$3.50.

For unmetered fire sprinkler service or emergency connection tap, the annual charge shall be equal to four times the minimum quarterly meter size or tap connection charge.

The amount to be paid by the Town of Brookville for fire hydrant rental ~~per year, payable semi-annually~~ shall be Fifty Dollars (\$50.00) per hydrant per year, payable semi-annually. And for private fire protection the fire hydrant rental shall be Fifty Dollars (\$50.00) per hydrant per annum and 25¢ per annum for each sprinkler head.

Water furnished to temporary users, such as contractors, circuses, etc., shall be charged on the basis of the above gallonage rates as estimated by the Waterworks Superintendent.

A service charge of \$ 1.50 shall be collected for turning on or off water service.

For tank water sales a flat rate of \$1.00 per 1,000 gallons shall be charged.

SECTION 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this ordinance shall be approved by the Indiana Public Service Commission, and until such a time as the order of said Commission approving said new rates and charges shall direct.

SECTION 6. This ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein set out shall not become effective unless approved by the said Public Service Commission of Indiana or until such time as said Commission shall direct.

Passed and adopted by the Board of Trustees of the Town of Brookville, Indiana on the 13th day of May, 1958.

Geo. Ambruster
Richard Williams

Richard J. Feller
Virgil Teble

Board of Trustees of Town of Brookville, Indiana

Attest:

Donald Russell
Clark-Treasurer

Article I. Municipal Water Utility.

For state law as to power of town to establish, maintain and control watercourses, see IC 1971, & 19-1-1.5-9. As to waterworks in town generally, see IC 1971, & 19-3-15-1 et seq.

Section 14-1. Rates and Charges Established

There are hereby established for the use of and the service rendered by the waterworks system of the Town of Brookville the following rates and charges:

<u>Metered Rates per month</u>	<u>Per Thousand Gallons</u>
First 2,333 gallons	\$4.00
Next 4,333 gallons	\$3.15
Next 10,000 gallons	\$2.39
Next 16,667 gallons	\$1.98
Next 33,333 gallons	\$1.61

<u>Minimum Charges</u>	<u>Per Month</u>
5/8 x 3/4 inch meter	\$9.34
3/4 inch meter	\$9.90
1 inch meter	\$18.49
1 1/4 inch meter	\$33.07
1 1/2 inch meter	\$52.99
2 inch meter	\$99.58
3 inch meter	\$188.10
4 inch meter	\$349.30
6 inch meter	\$591.10

(Ord. No. 3-2007)

Public Fire Protection

Fire Hydrant fee per month	\$2.00
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Private Fire Protection

Per Hydrant per annum	\$225.00
6 inch Sprinkler charge per annum	\$300.00
8 inch Sprinkler charge per annum	\$500.00

(Ord. No. 3-2011)

Service Outside Corporate Limits

Water customers located outside the Town shall pay twenty-five percent more than the rates in the above schedule.

(Ord. No. 3-2001)

Tank Sales

0-500 Gallons	\$2.00
Over 500 Gallons (per 1,000 gallons)	\$4.00

(Ord. No. 3-2001)

Temporary Users

Water furnished to temporary users such as contractors, circuses, etc., shall be charged on the basis of the metered gallon rates and charged an appropriate deposit hereinbefore set forth as estimated and established by the Superintendent of the Water Utility.

(Ord. No. 2-1976, & 1; Ord. No. 2-1979, & 1)

Returned Check Fee

A fee of \$25.00 shall be assessed for each check returned by the bank for non-sufficient funds. This is to be paid in full in addition to any outstanding charges due, prior to acceptance of any payment or reinstatement of services.

(Ord. No. 3-2007)

Service Charge

A service charge of \$50.00 shall be charged for any non-emergency service calls made after normal Water Works working hours.

(Ord. No. 3-2007)

Section 14-2. Rules and Regulations.

(a) The following rules and regulations governing the operation of the municipal water utility are hereby adopted as follows:

(1) **Meter Deposit.** Each consumer of the Water Utility and the Sewage

Works, before being connected to the system, shall be required to make a deposit with the Town of Brookville in the sum of One Hundred Dollars (\$100.00). Said deposit shall be returned to the customer after one year of satisfactory payment of charges, or when the customer has terminated service provided all charges due and owing from the customer are paid. Otherwise the deposit shall be used to offset any charge due and owing by the customer.

(Ord. No.5-2008)

(2) **Tapping Fees.** Each user of the Water Utility upon being connected to the system, shall pay a connection or tap charge for such connection, which charge shall be made directly to the user according to the following schedule:

<u>Meter Size</u>	<u>Tapping Charges</u>
¾-1 inch	\$200.00 plus installation cost
1 1/2-2 inch	\$400.00 plus installation cost
3-inch	\$500.00 plus installation cost
4-inch	\$600.00 plus installation cost
6-inch	\$800.00 plus installation cost
8-inch	\$1000.00 plus installation cost

(Ord. No. 3-2001)

(3) **Approval of Connections.** The Superintendent of the Water Utility shall approve all connections and taps before any construction shall begin.

(Ord. No. 3-2001)

(4) **Extensions.** Extensions of all distribution or transmission lines shall be made in accordance with the “Rules and Standards of Service for Water Utilities of Indiana”, as now in effect or as hereinafter amended.

(Ord. No. 3-2001)

(5) **Separate User Metering.** Each user shall be separately metered, whether such user shall be located within one structure or a number of structures, and even though located on multiple lots or within the boundaries of a single lot; except, that any customer now receiving water for or on behalf of more than one user though a single meter, shall, at his option, continue on a single meter until ownership changes or additional users are added. All changes and additions are to be approved by the Water Superintendent prior to construction. For purposes of this section, a

“user” shall mean any single commercial establishment or any single residence family.

(Ord. No. 3-2001)

(6) **Collection of Deferred Payment Charge.** All bids for water service not paid within fifteen (15) days from the due date thereof, as stated in such bills, shall be subject to a collection of deferred payment charge of ten percent (10%) on the first Three Dollars (\$3.00) and three percent (3%) on amounts in excess of Three Dollars (\$3.00).

(Ord. No. 3-2001)

(7) **Reconnection Charge.** Each user shall be charged Twenty-five Dollars (\$25.00) for the reconnection of service because of nonpayment. This cost is based on, but not limited to, the approximate cost of labor and transportation incurred to accomplish reconnection. Whenever the Water Utility has turned off the water service, the customer shall not turn it on, nor cause it to be turned on without permission of the Water Superintendent or his representative. A penalty of \$25.00 for first violation, \$50.00 for second violation, and no reinstatement of service for third violation will be imposed on violators.

(Ord. No. 3-2001)

(8) **Meters.** The Water Utility will specify and furnish all meters, except by agreement with the Water Superintendent. Any damage caused by the Customer or owner, or by others with their consent, because of illegal access, tampering, or any other actions causing damage to the meter or setting, whether intentional or not, the cost of repairs will be charged to the customer and/or owner. Non payment of these charges shall be reason for discontinuance of service until such fees are paid.

(Ord. No.3-2007)

(9) **Access to Meters and Equipment.** The Water Utility shall have access, at all reasonable hours, to replace, inspect, or otherwise maintain all meters, valves, hydrants and other equipment associated with water service. It is also forbidden for the users to cover up or in any way obstruct the free access to any water meter, hydrant, valve, or other equipment required for town water service. In case of a violation of this provision, and failure on the part of the owner of the premises to remove such obstruction upon notice from the Water Utility, the water service shall be discontinued.

(Ord. No. 3-2001)

(10) **Maintenance of Service.** The Water Utility assumes responsibility for maintaining that part of the service that connects, and includes the corporation stop, service line up to and including the meter setting, meter, pit, and lid, including any meters located on the premises. The remainder of the service from the meter, or curb stops, to the users plumbing is to be maintained and kept in repair by the customer. Any changes in location of the meter setting or curb box shall be at the customers' expense.

(Ord. No. 3-2001)

(11) **Property Owners Responsible for Bills.** The rates and charges may be billed to the tenant or tenants occupying the properties served by the Water Utility, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required.

(Ord. No. 3-2001)

(12) **Billing.**

(A) Bills for water service furnished through meters shall be rendered monthly. A month shall not mean a calendar month, but shall mean the period between any two attempted consecutive readings of the meter by the Utility, and shall be as nearly thirty (30) days as practicable.

(Ord. No. 3-2001)

(B) The Water Utility will make an effort to read meters once a month and such readings shall be prima facie evidence of the amount of water used. If the Utility is unable to gain access to a customer's property, from obstructions, inclement weather, or other difficulties, the Utility shall estimate consumption for the period. Bills so made shall be labeled "estimated" and the difference, if any, shall be adjusted with the next regular reading. If the meter fails to register, in whole or part, the customer shall pay at the average rate as shown by the three (3) previous readings.

(Ord. No. 3-2001)

(C) The Water Utility will undertake to deliver bills and notices by depositing it in the Post Office only as a matter of convenience to the owner or consumer; failure to receive bills shall not relieve any person from his, or her, obligation in the payment of

such bills.

(Ord. No. 3-2001)

(D) There shall be no abatement in charges by reason of non-use of service by customer unless the Utility has been ordered to discontinue service.

(Ord. No. 3-2001)

(E) An adjustment to the sewage charges, or "sprinkling rate", will be made during the months of July, August, and September for residential customers. Sewage charges will be based on water usage during January, February, and March. Any other adjustments to sewage charges due to outside leaks, filling swimming pools, construction use, commercial/industrial use, etc. must be approved by the Water Utility Superintendent.

(Ord. No. 3-2001)

(13) **Discontinue of Service.** A customer's water service may be discontinued by the Water Utility at the tap or curb for any of the following reasons:

- (A) For any use of water not covered by contract.
- (B) For any tampering or knowingly permitting any tampering with any service pipe, curb stop, meter, meter seal, fire hydrant or sprinkler system.
- (C) For failure to pay bills when due.
- (D) For failures to provide free and non-hazardous access to the meter so that representative of Utility may take meter readings, make necessary inspections, maintain, replace or remove meter.
- (E) For unapproved cross-connections with any other source of water supply.
- (F) For permitting any condition to exist about the premises, which might, in the opinion of the Water Utility, cause pollution of the public water supply.
- (G) For wastage of un-metered water.
- (H) For violation of any of these rules or regulations or any amendments thereof.

(Ord. No. 3-2001)

(14) **Fire Lines and Hydrants.** All pipes or hydrants placed in or about buildings for fire protection shall be used exclusively for fire purposes.

No person, not an authorized employee of the Water Utility, Fire Department, or Street Department shall open, operate, or remove the nozzle cap from any public or private fire hydrant to which water is supplied by the Utility. Temporary connections to fire hydrants for industrial or other purposes shall be permitted only when authorized by the Water Superintendent or his representative.

(Ord. No. 3-2001)

(15) **Shut-off Valve for Emergency Use Required.** The owner of every building where the Water Utility provides water service shall provide a good shut-off valve located in a convenient location just inside the basement or crawl space so that the occupants in case of emergency may shut off the water.

(Ord. No. 3-2001)

(16) **Fluoridation.** The Town Board of Brookville is authorized to provide the means for and to proceed with the addition of sufficient quantities of a fluoride compound to the public water supply of the town Water Utility to bring the total amount of fluoride ions present in the furnished water to the optimum concentration recommended by the Indiana State Board of Health. The Water Utility shall keep an accurate record of the amount of fluoride-bearing chemical applied and the quantity of water treated, and shall conduct such analytical tests to be made for fluoride in the treated water as shall be directed by the Indiana State Board of Health.

(Ord. No. 3-2001)



Ordinance No. 3 – 2007

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE TOWN OF BROOKVILLE PERTAINING TO THE MUNICIPAL WATER UTILITY

WHEREAS, the Town of Brookville, Indiana, has heretofore established and constructed and currently owns and operates a Municipal Water Utility pursuant to the provisions of I.C. 1971, 19-3-15-1, as amended; and

WHEREAS, the Town Council has empowered the Utilities Superintendent to formulate a new schedule of rates and charges to be paid by the users of the Town's Water Utility; and

WHEREAS, I.C. 8-1.5-3-8 provides that a municipality owning a Water Utility shall furnish reasonably adequate services and that rates and charges imposed by a municipality for such services shall be non-discriminatory, reasonable and just; and

WHEREAS, the Town Council now finds it necessary to amend the rates and charges paid by its water users as set forth in Chapter 14 in order to provide sufficient funds to pay for all of the expenses necessary and incident to the operation of the Water Utility pursuant to I.C. 8-1.5-3-8.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Brookville, Franklin County, Indiana, as follows:

Section I. Brookville Town Code, Chapter 14. Parts of Section 14-1 are repealed and in their place are enacted the following changes

Section 14-1. Rates and Charges Established

There are hereby established for the use of and the service rendered by the waterworks system of the Town of Brookville the following rates and charges:

<u>Metered Rates per month</u>	<u>Per Thousand Gallons</u>
First 2,333 gallons	\$4.00
Next 4,333 gallons	\$3.15
Next 10,000 gallons	\$2.39
Next 16,667 gallons	\$1.98

Next 33,333 gallons \$1.61

Minimum Charges Per Month

5/8 x 3/4 inch meter	\$9.34
3/4 inch meter	\$9.90
1 inch meter	\$18.49
1 1/4 inch meter	\$33.07
1 1/2 inch meter	\$52.99
2 inch meter	\$99.58
3 inch meter	\$188.10
4 inch meter	\$349.30
6 inch meter	\$591.10

Public Fire Protection

Fire Hydrant fee per month \$2.00

Returned Check Fee.

A fee of \$25.00 shall be assessed for each check returned by the bank for non-sufficient funds. This is to be paid in full in addition to any outstanding charges due, prior to acceptance of any payment or reinstatement of services.

Service Charge.

A service charge of \$50.00 shall be charged for any non-emergency service calls made after normal Water Works working hours.

Section II. Brookville Town Code, Chapter 14, Section 14-2, the following changes and additions shall be made:

(1) Meter deposit. Each consumer of the Water Utility, before being connected to the system, shall be required to make a deposit with the Utility in the sum of Sixty-five Dollars (\$65.00). Said deposit shall be returned to the customer after one year of satisfactory payment of charges, or when the customer has terminated water service provided all charges due and owing from the customer are paid. Otherwise the deposit shall be used to offset any charge due and owing by the customer.

(8) Meters. The Water Utility will specify and furnish all meters, except by agreement with the Water Superintendent. Any damage caused by

the customer or owner, or by others with their consent, because of illegal access, tampering, or any other actions causing damage to the meter or setting, whether intentional or not, the cost of repairs will be charged to the customer and/or owner. Non payment of these charges shall be reason for discontinuance of service until such fees are paid.

(17) Mandatory Connection. All houses, buildings, structures, mobile homes, etc. whether they be permanent or temporary, commercial or residential that are located in the Town's corporation limits are required to connect to the Town's water system as a means of supplying potable water. Any exceptions to this rule must be applied for in writing and approved by the Water Superintendent and the Town Board.

(b) Any other rules and regulations of the Municipal Water Utility, not otherwise mentioned herein, shall remain in full force and effect (Ord. No. 2-1976, §§, 3).

Section III. This ordinance shall be in full force and effect from and after its passage by the Town Council and publication as provided by law.

APPROVED AND ADOPTED by the Board of Trustees of the Town of Brookville, Indiana on this 28th day of August, 2007.

TOWN OF BROOKVILLE, INDIANA

Michael A. Bilty
James Rene Stivers
Paul A. ...
David H. ...

Board of Trustees of the Town of Brookville

Attest:

Linda L. ...
Clerk/Treasurer

Ordinance No. 3 - 2001

**AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF
ORDINANCES OF THE TOWN OF BROOKVILLE
PERTAINING TO THE MUNICIPAL WATER UTILITY**

WHEREAS, the Town of Brookville, Indiana, has heretofore established and constructed and currently owns and operates a Municipal Water Utility pursuant to the provisions of I.C. 1971,19-3-15-1, as amended; and

WHEREAS, the Town Council has empowered a Committee consisting of the Water Superintendent and two Town Council members to formulate a new schedule of rates and charges to be paid by the users of the Town's Water Utility; and

WHEREAS, I.C. 8-1.5-3-8 provides that a municipality owning a Water Utility shall furnish reasonably adequate services and that rates and charges imposed by a municipality for such services shall be non-discriminatory, reasonable and just; and

WHEREAS, the Town Council now finds it necessary to amend the rates and charges paid by its water users as set forth in Chapter 14 in order to provide sufficient funds to pay for all of the expenses necessary and incident to the operation of the Water Utility pursuant to I.C. 8-1.5-3-8.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Brookville, Franklin County, Indiana, as follows:

Section I. Brookville Town Code, Chapter 14, Section 14-1 is repealed and in its place is enacted the following Section 14-1:

Section 14-1. Rates and Charges Established

There are hereby established for the use of and the service rendered by the waterworks system of the Town the following rates and charges:

Metered Rates Per Month

Per Thousand Gallons

First 2,333 gallons per month

\$3.08

Next 4,333 gallons per month	\$2.42
Next 10,000 gallons per month	\$1.84
Next 16,667 gallons per month	\$1.52
Over 33,333 gallons per month	\$1.24

Minimum Charges

Per Month

5/8 inch meter	\$7.19
3/4 inch meter	\$7.62
1 inch meter	\$14.22
1 1/4 inch meter	\$25.44
1 1/2 inch meter	\$40.76
2 inch meter	\$76.60
3 inch meter	\$144.69
4 inch meter	\$268.69
6 inch meter	\$454.69

Public Fire Protection

Fire Hydrant fee per month	\$1.50
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Private Fire Protection

Per Hydrant per annum	\$225.00
6 inch Sprinkler charge per annum	\$300.00
8 inch Sprinkler charge per annum	\$500.00

Tank Sales

0-500 Gallons	\$2.00
Over 500 Gallons (Per 1,000 Gallons)	\$4.00

Service Outside Corporate Limits

Water customers located outside the Town shall pay twenty-five percent more than the rates stated in the above schedule.

Temporary Users

Water furnished to temporary users such as contractors, circuses, etc., shall be charged on the basis of the metered gallon rates and charged an appropriate deposit hereinbefore set forth as estimated and established by the Superintendent of the Water Utility (Ord. No. 2-1976, § 1; ord. No. 2-1979, § 1).

Section II. Brookville Town Code, Chapter 14, Section 14-2 is repealed and in its place is enacted the following Section 14-2:

Section 14-2. Rules and Regulations

(a) The following rules and regulations governing the operation of the Municipal Water Utility are to be accepted by the user as a condition upon which water is furnished and are hereby adopted as follows:

(1) **Meter Deposit.** Each consumer of the Water Utility, before being connected to the system, shall be required to make a deposit with the Utility in the sum of Fifty Dollars (\$50.00).

(2) **Tapping Fees.** Each user of the Water Utility upon being connected to the system, shall pay a connection or tap charge for such connection, which charge shall be made directly to the user according to the following schedule:

<u>Meter Size</u>	<u>Tapping Charges</u>
3/4-1 inch	\$200.00 plus installation costs
1 1/2-2-inch	\$400.00 plus installation costs
3-inch	\$500.00 plus installation costs
4-inch	\$600.00 plus installation costs
6-inch	\$800.00 plus installation costs
8-inch	\$1200.00 plus installation costs

(3) **Approval of Connections.** The Superintendent of the Water Utility shall approve all connections and taps before any construction shall begin.

(4) **Extensions.** Extensions of all distribution or transmission lines shall be made in accordance with the “ Rules and Standards of Service for Water Utilities of Indiana”, as now in effect or as hereinafter amended.

(5) **Separate User Metering.** Each user shall be separately metered, whether such user shall be located within one structure or a number of structures, and even though located on multiple lots or within the boundaries of a single lot; except, that any customer now receiving water for or on behalf of more than one user through a single meter,

shall, at his option, continue on a single meter until ownership changes or additional users are added. All changes and additions are to be approved by the Water Utility Superintendent prior to construction. For purposes of this section, a "user" shall mean any single commercial establishment or any single residence family.

(6) Collection of Deferred Payment Charge. All bills for water service not paid within fifteen (15) days from the due date thereof, as stated in such bills, shall be subject to a collection or deferred payment charge of ten percent (10%) on the first Three Dollars (\$3.00) and three percent (3%) on amounts in excess of Three Dollars (\$3.00).

(7) Reconnection Charge. Each user shall be charged Twenty-five Dollars (\$25.00) for the reconnection of service because of non-payment. This cost is based on, but not limited to, the approximate cost of labor and transportation incurred to accomplish reconnection. Whenever the Water Utility has turned off the water service, the customer shall not turn it on, nor cause it to be turned on without permission of the Water Superintendent or his representative. A penalty of \$25.00 for first violation, \$50.00 for second violation, and no reinstatement of service for third violation will be imposed on violators.

(8) Meters. The Water Utility will specify and furnish all meters, except by agreement with the Water Superintendent.

(9) Access to Meters and Equipment. The Water Utility shall have access, at all reasonable hours, to replace, inspect, or otherwise maintain all meters, valves, hydrants and other equipment associated with water service. It is also forbidden for the users to cover up or in any way obstruct the free access to any water meter, hydrant, valve, or other equipment required for town water service. In case of a violation of this provision, and failure on the part of the owner of the premises to remove such obstruction upon notice from the Water Utility, the water service shall be discontinued.

(10) Maintenance of Service. The Water Utility assumes responsibility for maintaining that part of the service that connects, and includes the corporation stop, service line up to and including the meter setting, meter, pit, and lid, including any meters located on the premises. The remainder of the service from the meter, or curb stop, to the users plumbing is to be maintained and kept in repair by the customer. Any changes in location of the meter setting or curb box shall be at the customers' expense.

(11) Property Owners Responsible for Bills. The rates and charges may be billed to the tenant or tenants occupying the properties served by the Water Utility, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required.

(12) Billing.

- (A) Bills for water service furnished through meters shall be rendered monthly. A month shall not mean a calendar month, but shall mean the period between any two attempted consecutive readings of the meter by the Utility, and shall be as nearly thirty (30) days as practicable.
- (B) The Water Utility will make an effort to read meters once a month and such readings shall be prima facie evidence of the amount of water used. If the Utility is unable to gain access to a customer's property, from obstructions, inclement weather, or other difficulties, the Utility shall estimate consumption for the period. Bills so made shall be labeled "estimated" and the difference, if any, shall be adjusted with the next regular reading. If the meter fails to register, in whole or part, the customer shall pay at the average rate as shown by the three (3) previous readings.
- (C) The Water Utility will undertake to deliver bills and notices by depositing it in the Post Office only as a matter of convenience to the owner or consumer; failure to receive bills shall not relieve any person from his, or her, obligation in the payment of such bills.
- (D) There shall be no abatement in charges by reason of non-use of service by customer unless the Utility has been ordered to discontinue service.
- (E) An adjustment to the sewage charges, or "sprinkling rate", will be made during the months July, August, and September for residential customers. Sewage charges will be based on water usage during January, February, and March. Any other adjustments to sewage charges due to outside leaks, filling swimming pools, construction use, commercial/industrial use, etc. must be approved by the Water Utility Superintendent.

(13) Discontinuance of Service. A customer's water service may be discontinued by the Water Utility at the tap or curb for any of the following reasons:

- (A) For any use of water not covered by contract.
- (B) For any tampering or knowingly permitting any tampering with any service pipe, curb stop, meter, meter seal, fire hydrant, or sprinkler system.
- (C) For failure to pay bills when due.
- (D) For failures to provide free and non-hazardous access to the meter so that representative of Utility may take meter readings, make necessary inspections, maintain, replace or remove meter.
- (E) For unapproved cross-connections with any other source of water supply.
- (F) For permitting any condition to exist about the premises, which might, in the opinion of the Water Utility, cause pollution of the public water supply.
- (G) For wastage of un-metered water.
- (H) For violation of any of these rules or regulations or any amendments thereof.

(14) Fire Lines and Hydrants. All pipes or hydrants placed in or about buildings for fire protection shall be used exclusively for fire purposes. No person, not an authorized employee of the Water Utility, Fire Department, or Street Department shall open, operate, or remove the nozzle cap from any public or private fire hydrant to which water is supplied by the Utility. Temporary connections to fire hydrants for industrial or other purposes shall be permitted only when authorized by the Water Superintendent or his representative.

(15) Shut-off Valve for Emergency Use Required. The owner of every building where the Water Utility provides water service shall provide a good shut-off valve located in a convenient location just inside the basement or crawl space so that the occupants in case of emergency may shut off the water.

(16) Fluoridation. The Town Board of Brookville is authorized to provide the means for and to proceed with the addition of sufficient quantities of a fluoride compound to the public water supply of the town Water Utility to bring the total amount of fluoride ions present in the furnished water to the optimum concentration recommended by the Indiana State Board of Health. The Water Utility shall keep an accurate record of the amount of fluoride-bearing chemical applied and the quantity of water treated, and shall conduct such analytical tests to be

made for fluoride in the treated water as shall be directed by the Indiana State Board of Health.

(b) Any other rules and regulations of the Municipal Water Utility, not otherwise mentioned herein, shall remain in full force and effect (Ord. No. 2-1976, §§, 3).

APPROVED AND ADOPTED by the Board of Trustees of the Town of Brookville, Indiana on this 28th day of August, 2001.

TOWN OF BROOKVILLE, INDIANA

Michael A. Beltz

James R. Shivers

Marvin R. Thalheimer

Attest:

Reberta Sauerland
Clerk-Treasurer

Board of Trustees of the Town of Brookville