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SEP 28 2012

INDIANA UTILITY
REGULATORY COMMISSION

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION FOR APPROVAL OF RATE AND CHARGE DIFFERENCE BETWEEN
PROPERTY WITHIN AND PROPERTY OUTSIDE THE CORPORATE BOUNDARIES
OF Oxford {MUNICIPALITY}

Pursuant to Indiana Code § 8-1.5-3-8.3(c), Town of Oxford, {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 Oxford {
Municipality}. In support of its request, Oxford states:

1. The ordinance setting rates and charges for property within and property outside the
municipality's corporate boundaries took effect on (date) 11/24/2008
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 X
 - 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 40%
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. Jud Barce 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,

Jud Barce

Attorney for Petitioners *Jud Barce*

Attorney # 17229-04

Verification

I, *Christie Hale*, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Signed *Christie Hale* {Representative of Municipality}

Date *9/25/12*

Attorney Contact Information

Jud Barce
PO Box 252
Fowler, IN 47944
phone # 765-884-0383

TOWN OF OXFORD
ORDINANCE NO. 2008-5

**AN ORDINANCE TO AMEND SECTION 51.20 OF THE CODE OF THE
TOWN OF OXFORD, INDIANA**

The Town Council of the Town of Oxford, Indiana ordains as follows:

WHEREAS, the Town Council of the Town of Oxford, Indiana ("Town") previously adopted Rate Ordinance No. 2007-2, as codified by Section 51.20 of the Code of the Town of Oxford; and

WHEREAS, the Town intends to issue its Sewage Works Revenue Bonds of 2008 (the "2008 Bonds") in the aggregate principal amount of \$390,000 to assist in the financing of certain improvements to the Town's sewage works including (i) the construction of a new utility building and utility office, laboratory and multi-bay garage, (ii) improvements and renovations to the Town's wastewater plant, (iii) the construction of a concrete headworks including a flow channel, bar screen and overflow weir, (iv) installation of a bar screen across the opening of the treatment unit, (v) installation of a comminutor in the channel of the head works, (vi) installation of a magnetic flow meter, (vii) installation of a pipe and weir, (viii) construction of an earthen brim, liner, aspirators and covers, (ix) construction of a new lift station, (x) installation of a ultra-sonic meter in the laminar zone, and (xi) installation of a rain gauge (collectively the "Project"); and

WHEREAS, the issuance of the 2008 Bonds to assist in the financing of the Project necessitates amending Rate Ordinance No. 2007-2, as codified by Section 51.20 as set forth in Title V, Chapter 51 of the Town Code; and

WHEREAS, the following schedule of fees shall be adopted and Title V, Chapter 51, Section 51.20(B)(1) and (2) of the Town Code shall be amended to reflect such fees; and

WHEREAS, the fees shown below shall be effective January 1, 2009.

BE IT ORDAINED BY THE TOWN OF OXFORD:

Sewers

§ 51.20 SCHEDULE OF RATES.

(B) (1) The water usage schedule on which the amount of the sewage rates and charges shall be determined shall be as follows:

<i>Quantity of Water Used Per Month</i>	<i>Charge Per 1,000 Gallons Monthly Rate</i>
First 2,000 gallons	\$6.02 minimum
Next 8,000 gallons	\$4.47
Next 20,000 gallons	\$3.62
Next 60,000 gallons	\$2.78

Over	90,000 gallons	\$1.93
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(2) Minimum charges for sewage service based upon water meter size is as follows:

<i>Meter Size</i>	<i>Per Month</i>
5/8 inch -- 3/4 inch meter	\$12.04
1 inch meter	\$30.10
2 inch meter	\$48.16
3 inch meter	\$72.25
4 inch meter	\$96.34
Over 4 inch meter	\$144.50
Flat Wastewater Rate	\$12.04

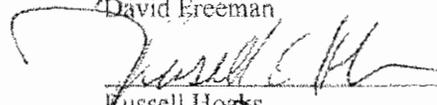
<u><i>Sewer Connection Charge</i></u>	
Standard Connection	\$250.00
Any other connection charges based on time and material, but not less than	\$250.00

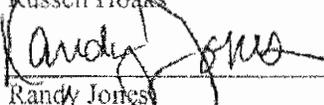
This Ordinance shall be effective upon public hearing, passage and publication according to law. This Ordinance shall supercede any previous or conflicting Ordinance presently in effect.

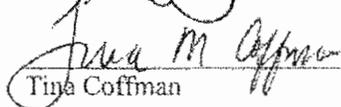
ALL OF WHICH IS ORDAINED this 24th day of November, 2008.

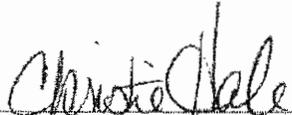
TOWN COUNCIL OF THE
TOWN OF OXFORD, INDIANA


David Freeman


Russell Hoaks


Randy Jones


Tina Coffman

ATTEST: 
Clerk-Treasurer, Christie Hale

(E) All disconnect notices shall plainly state:

- (1) The date of the proposed disconnection;
- (2) The reason for the disconnection and the amount of the then outstanding bill and penalty; and
- (3) The telephone number of the Town Hall.

(F) When service is disconnected for non-payment, it will not be reconnected until all past due charges and penalties, together with a reconnection charge of \$20 are paid.

(G) Owners who do not occupy the housing shall be responsible to the town for unpaid water, sewage, sanitation, stormwater and mowing bills. (1987 Code, § 10-3) (Am. Ord. 1989-1, passed 4-17-1989)

Quantity of Water Used Per Month	Charge Per 1,000 Gallons Monthly Rate
First 2,000 gallons	\$3.96 minimum
Next 8,000 gallons	\$2.94
Next 20,000	\$2.38
Next 60,000	\$1.83
Over 90,000	\$1.27

(2) Minimum charges for sewage service based upon water meter size is as follows:

Meter Size	Per Month
5/8-inch — 3/4-inch meter	\$7.92
1-inch	\$19.80
2-inch	\$31.68
3-inch	\$47.52
4-inch	\$63.36
Over 4-inch	\$95.04
Flat sewer rate	\$7.92

SEWERS

§ 51.20 SCHEDULE OF RATES.

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 the town's sanitary sewer system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewer system of the town, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows:

(A) Except as herein otherwise provided, sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to the rates and charges, as the same is measured by the water meter there in use.

(B) (1) The water usage schedule on which the amount of the sewage rates and charges shall be determined shall be as follows:

Sewer Connection Charges	
Standard connection	\$150.00
Any other connection charges based on time and material, but not less than	\$150.00

(3) The minimum rate for residential sewage service, where the user is not a metered user will be \$7.92 per month.

(C) The quantity of water obtained from sources other than the municipal waterworks and discharged into the public sanitary sewer system may be determined by the town in such manner as the town shall elect, and the sewage treatment service may be billed at the above appropriate rates.

(D) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial waste, water or other liquids into the town's sanitary sewer system, either directly or indirectly, is not a user of water supplied by the town's waterworks and the

water used thereon or therein is not measured by a meter, or is measured by a meter not acceptable to the town, then the amount of water used shall be otherwise measured or determined by the town, in order to ascertain the rates of charge, or the owner or other interested party, at his or her expense, may install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the town for the determination of the sewage discharge.

(E) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial waste, water or other liquids into the town's sanitary sewer system, either directly or indirectly, is a user of water supplied by the town's waterworks, and in addition uses water from another source which is not measured by a water meter, or is measured by a water meter not acceptable to the town, then the amount of water used shall be otherwise measured or determined by the town in order to ascertain the rates of charge, or the owner or other interested party, at his or her expense, may install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the town for the determination of sewage discharge.

(F) In the event a lot, parcel of real estate or building discharges sanitary sewage, industrial waste, water or other liquids into the town's sanitary sewer system, either directly or indirectly, and uses water in excess of 10,000 gallons per month, and it can be shown to the satisfaction of the town that a portion of water as measured by the water meter or meters does not and cannot enter the sanitary sewer system, then the owner or other interested party shall install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the town for the determination of sewage discharge.

(G) In the event 2 or more residential lots, parcels of real estate or buildings discharging sanitary sewage, water or other liquids into the town's sanitary sewer system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the quantity of water used shall be averaged for each user and the minimum charge and the sewage

rates and charges shall apply to each of the number of residential lots, parcels of real estate or buildings served through the single water meter.

(H) In the event 2 or more dwelling units such as trailers, apartments or housekeeping rooms discharging sanitary sewage, water or other liquids into the town's sanitary sewer system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, billing shall be for a single service in the manner set out elsewhere herein, except that the charge shall be not less than the number of dwelling units times the minimum charge per month for a single dwelling unit. In the case of trailer parks, the number of dwelling units shall be computed and interpreted as the total number of trailers located and installed in the park plus any other dwelling units served through the meter. A dwelling unit shall be interpreted as a room or rooms or any other space or spaces in which cooking facilities are provided.

(I) In order that domestic and residential users of sewage services shall not be penalized for the sprinkling of lawns during the months of June, July, August and September, the billing for sewage service for residences and/or domestic users for the months of June, July, August and September shall be based on the water usage for the previous months of January, February, March and April, or for 4 consecutive months. In the event the water usage for the previous months of January, February, March and April, or for 4 consecutive months, is greater than the water usage for the months of June, July, August and September, then the billing for sewage service shall be computed on the actual water used in the month for which the sewage service bill is being rendered. Domestic and/or residential sewage service, as applicable to the sprinkling rate, shall apply to each lot, parcel of real estate or building which is occupied and used as a residence. The sprinkling rate shall not apply to any premises which are partially or wholly used for industrial or commercial purposes. In the event a portion of the premises shall be used for commercial or industrial purposes, the owner shall have the privilege of separating the water service so that the residential portion of the premises is served through a separate meter, and in such case, the water usage as registered by the water meter serving such

portion of the premises used for residential purposes would qualify under the sprinkling rate.

(J) Where a metered water supply is used for fire protection as well as for other uses, the town may, in its discretion, make adjustments in the minimum charge and in the use charge as may be equitable.

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

(L) No lot, parcel of real estate or building located outside the corporate limits of the town shall discharge sanitary sewage, industrial waste, water or other liquids into the town's sanitary sewer system, either directly or indirectly without the prior consent of the Council of the town. In the event such permission is granted, the rates and charges applying to the lot, parcel of real estate or building located outside the corporate limits shall be 140% of the rates and charges provided for herein.

(M) In order that the rates and charges may be justly and equitably adjusted to the services rendered, the town shall have the right to base its charges not only on volume but also on the strength and character of the sewage and waste which it is required to dispose of. The town shall have the right to measure and determine the strength and content of all sewage and waste discharged, either directly or indirectly, into the town's sanitary sewer system in such manner and by such method as may be deemed practical in the light of the conditions and attending circumstances of the case in order to determine the proper charge. Any and all commercial and industrial installations shall be so controlled and/or treated as to the sewage strength that their effluent discharge to the town's sewers shall have a B.O.D. (biochemical oxygen demand) not to exceed 300 parts per million at any time. The Council is authorized to prohibit the dumping of wastes into the town's sewer system which, in its discretion, are deemed harmful.

(N) The terms *SANITARY SEWAGE* and *INDUSTRIAL WASTES* shall be defined as follows:

(1) *SANITARY SEWAGE*. The waste from water closets, urinals, lavatories, sinks, bathtubs, showers, household laundries, basement drains, garage floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains, stable floor drains, and all other water-carried wastes except industrial wastes.

(2) *INDUSTRIAL WASTES*. The liquid waste or liquid-borne waste resulting from any commercial, manufacturing or industrial operation or process.

(O) The town shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economic and efficient management of the town sewer system and for the construction and use of house sewers and connections to the sewer system, and for the regulation, collection, rebating and refunding of rates and charges.

(P) Except as otherwise provided, the rates and charges as herein set forth shall become effective on the date that sanitary sewers of the sewer system are made available for connection to any lot, parcel of real estate or building.

(Q) The town is hereby authorized to prohibit dumping of wastes into the town's sewer system which, in its discretion, are harmful to the operation of the sewage works, or to require methods effecting pretreatment of wastes to reduce the characteristics of the waste satisfactory to the town. (1987 Code, § 10-1-1) (Am. Ord. 1995-1, passed 4-17-1995; Am. Ord. 2006-2, passed 1-2-2006; Am. Ord. 2007-2, passed 1-2-2007)

§ 51.21 REGULATING THE CONNECTION AND INSTALLATION TO AND USE OF SEWERS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

B.O.D. (BIOCHEMICAL OXYGEN DEMAND). The quantity of oxygen utilized in the biochemical oxidation of organic matter under

standard laboratory procedure in 5 days at 20° C., expressed in parts per million by weight.

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER. Only a sewer receiving both surface runoff and sewage, which sewage however is later diverted to the municipal sewage treatment plant for treatment.

GARBAGE. Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

INDUSTRIAL WASTES. The liquid wastes from industrial processes as distinguished from sanitary sewage.

INSPECTOR. The person or persons duly authorized by the town, through its Council, to inspect and approve the installation of building sewers and their connection to the public sewer system.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/12 inch in any dimension.

PUBLIC SEWER. A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS. All facilities for collecting, pumping, treating, and disposing of sewage.

SEWAGE. A combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground surface and storm waters as may be present.

SEWER. A pipe or conduit for carrying sewage.

STORM SEWER or STORM DRAIN. A sewer which carries storm and surface waters and drainage, only and excludes sewage and polluted industrial wastes.

SUPERINTENDENT. The Superintendent of the municipal sewage works of the town or his or her authorized deputy, agent or representative.

SUSPENDED SOLIDS. Solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently.

(B) (1) It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town, any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this section.

(3) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended or used for the disposal of sewage.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes situated within the town, and abutting any street, alley, or right-of-way in which there is now located or may in the future be located a public sewer or combined sewer, is hereby required at his or her expense to install suitable toilet facilities therein, and to connect the facilities directly with the proper public sewer in accordance with the provisions of this section, within 90 days after date of official notice to do so, provided that the public sewer is within 100 feet of the property line.

(C) (1) Where a public sanitary or combined sewer is not available under the provisions of division (B)(4), the building sewer shall be connected to a private sewage disposal system complying with all recommendations of the State Board of Health.

(2) At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in division (B)(4), a direct connection shall be made to the public sewer in compliance with this section, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned.

(3) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the town.

(4) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the local Health Officer.

(D) (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Clerk-Treasurer.

(2) There shall be 2 classes of building sewer permits: for residential and commercial service; and for service to establishments producing industrial waste. In either case, the owner or his or her agent shall make application on a special form furnished by the town. The permit applications shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Inspector. A permit and inspection fee of \$5 for a residential or commercial building sewer permit and \$15 for an industrial building sewer permit shall be paid to the Clerk-Treasurer at the time the application is filed.

(3) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for the owner shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation.

(4) A separate and independent building sewer shall be provided for every building; except where 1 building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as 1 building sewer.

(5) Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Inspector to meet all requirements of this section.

(6) The building sewer shall be cast iron soil pipe, ASTM specification or equal; vitrified clay sewer pipe, ASTM specification or equal; or other suitable material approved by the Inspector. Joints shall be tight and water-proof. Any part of the

building sewer that is located within 10 feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipes with leaded joints may be required by the Inspector where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Inspector.

(7) The size and slope of the building sewers shall be subject to the approval of the Inspector, but in no event shall the diameter be less than 6 inches. The slope of the 6-inch pipe shall not be less than 1/8-inch per foot.

(8) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within 3 feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform grade and in straight alignment in so far as possible. Changes in direction shall be made only with properly curved pipes and fittings.

(9) In all buildings in which any building drain is too low to permit gravity flow to the sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer. No water-operated sewage ejector shall be used.

(10) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Inspector. Pipe laying and backfill shall be performed in accordance with ASTM specifications except that no backfill shall be placed until the work has been inspected by the Inspector or his or her representative.

(11) (a) All joints and connections shall be made gas tight and water tight. Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specification QQ-L-156, not less than 1-inch deep. Lead shall be run in 1

pouring and calked tight. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

(b) All joints in vitrified clay pipe or between such pipe and metals shall be made with approved jointing material in accordance with the latest edition on Volume III, Plumbing Rules and Regulations of the Administrative Building Council of the State of Indiana.

(12) The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is 12 inches in diameter or less and no properly located "Y" branch is available, the owner shall at his or her expense install a "Y" branch in the public sewer at the location specified by the Inspector.

(13) The applicant for the building sewer permit shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Inspector or his or her representative.

(14) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town.

(E) (1) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

(2) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged upon approval of the Superintendent, to a storm sewer, combined sewer or natural outlet.

(3) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(a) Any liquid or vapor having a temperature higher than 150° F.

(b) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.

(c) Any water or waste which may contain more than 25 parts per million, by weight, of soluble oils.

(d) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(e) Any garbage that has not been properly shredded.

(f) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, leathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

(g) Any waters or wastes having a pH lower than 5.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(h) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving water of the sewage treatment plant.

(i) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage disposal plant.

(j) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(4) (a) Grease, oil, and sand interceptors shall be provided when, in the opinion of the Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

(b) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water tight, and equipped with easily removable covers which when bolted in place shall be gas tight and water tight.

(5) Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

(6) The admission into the public sewers of any waters or wastes, having a 5-day biochemical oxygen demand greater than 400 parts per million by weight, or containing more than 450 parts per million by weight of suspended solids, or containing any quantity of substances having the characteristics described in division (E)(3), or having an average daily sewage flow greater than 2% of the average daily sewage flow of the town, shall be subject to the review and approval of the Superintendent. Where necessary, in the opinion of the Superintendent, the owner shall provide at his or her expense such preliminary treatment as may be necessary to reduce the biochemical oxygen demand to 400 parts per million and the suspended solids to 500 parts per million by weight, or reduce objectionable characteristics or constituents to within the maximum limits provided for in division (E)(3), or control the quantities and rates of discharge of such waters or

wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the Indiana State Board of Health, and no construction of facilities shall be commenced until the approval is obtained in writing.

(7) Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his or her expense.

(8) When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. The manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his or her expense, and shall be maintained by him so as to be safe and accessible at all times.

(9) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in divisions (E)(3) and (6) shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage" and shall be determined at the control manhole provided for in division (E)(8) or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

(10) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment, subject to payment therefor by the industrial concern.

(F) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works.

(G) The Superintendent, Inspector, and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this section. (1987 Code, § 10-1-2) Penalty, see § 10.99

WATER

§ 51.35 SCHEDULE OF RATES.

(A) There shall be and there are hereby established for the use of and the service rendered by the waterworks system of the Town of Oxford, the following rates and changes, based upon the use of water supplied by the waterworks system.

<i>Metered Water Service</i>	<i>Rate Per 1,000 Gallons</i>
First 2,000 gallons per month	\$11.44 minimum
Next 3,000 gallons per month	\$4.25
Next 245,000 gallons per month	\$3.36
Over 250,000 gallons per month	\$2.59

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WRC
 AWC Ctr.
 101 W. Washington St., 1500E
 Indpls IN 46204

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Hulver* Agent Addressee

B. Received by (Printed Name)

C. Date of Delivery
9/20/10

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from service label)

7008 1140 0000 5057 7700

**CLERK'S CERTIFICATE
AUTHENTICATING OXFORD TOWN ORDINANCE**

Comes now Christie Hale, the duly elected Clerk-Treasurer of the Town of Oxford, Indiana, and certifies that by such, she has the official responsibility for maintaining the records and ordinances of the Town of Oxford. She further certifies that the Ordinance attached hereto, being §51.20(L) of the Town of Oxford, Indiana Code of Ordinances providing for a Forty percent (40%) surcharge to parcels of real estate or buildings located outside the corporate limits of the Town of Oxford, was a re-codification of Section 10-1-1(J) of the former Town of Oxford, Indiana Code of Ordinances codified October 7, 1987, and was originally passed as an Ordinance of the Town of Oxford in 1969, or a 1986 amendment to that 1969 Ordinance. The attached code sections are true complete and accurate copies of a Oxford Town Code.


CHRISTIE HALE, CLERK-TREASURER
TOWN OF OXFORD



(E) All disconnect notices shall plainly state:

- (1) The date of the proposed disconnection;
- (2) The reason for the disconnection and the amount of the then outstanding bill and penalty; and
- (3) The telephone number of the Town Hall.

(F) When service is disconnected for non-payment, it will not be reconnected until all past due charges and penalties, together with a reconnection charge of \$20 are paid.

(G) Owners who do not occupy the housing shall be responsible to the town for unpaid water, sewage, sanitation, stormwater and mowing bills. (1987 Code, § 10-3) (Am. Ord. 1989-1, passed 4-17-1989)

SEWERS

§ 51.20 SCHEDULE OF RATES.

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 the town's sanitary sewer system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewer system of the town, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows:

(A) Except as herein otherwise provided, sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to the rates and charges, as the same is measured by the water meter there in use.

(B) (1) The water usage schedule on which the amount of the sewage rates and charges shall be determined shall be as follows:

Quantity of Water Used Per Month	Charge Per 1,000 Gallons Monthly Rate
First 2,000 gallons	\$3.96 minimum
Next 8,000 gallons	\$2.94
Next 20,000	\$2.38
Next 60,000	\$1.83
Over 90,000	\$1.27

(2) Minimum charges for sewage service based upon water meter size is as follows:

Meter Size	Per Month
5/8-inch — 3/4-inch meter	\$7.92
1-inch	\$19.80
2-inch	\$31.68
3-inch	\$47.52
4-inch	\$63.36
Over 4-inch	\$95.04
Flat sewer rate	\$7.92

Sewer Connection Charges	
Standard connection	\$150.00
Any other connection charges based on time and material, but not less than	\$150.00

(3) The minimum rate for residential sewage service, where the user is not a metered user will be \$7.92 per month.

(C) The quantity of water obtained from sources other than the municipal waterworks and discharged into the public sanitary sewer system may be determined by the town in such manner as the town shall elect, and the sewage treatment service may be billed at the above appropriate rates.

(D) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial waste, water or other liquids into the town's sanitary sewer system, either directly or indirectly, is not a user of water supplied by the town's waterworks and the

water used thereon or therein is not measured by a meter, or is measured by a meter not acceptable to the town, then the amount of water used shall be otherwise measured or determined by the town, in order to ascertain the rates of charge, or the owner or other interested party, at his or her expense, may install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the town for the determination of the sewage discharge.

(E) In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial waste, water or other liquids into the town's sanitary sewer system, either directly or indirectly, is a user of water supplied by the town's waterworks, and in addition uses water from another source which is not measured by a water meter, or is measured by a water meter not acceptable to the town, then the amount of water used shall be otherwise measured or determined by the town in order to ascertain the rates of charge, or the owner or other interested party, at his or her expense, may install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the town for the determination of sewage discharge.

(F) In the event a lot, parcel of real estate or building discharges sanitary sewage, industrial waste, water or other liquids into the town's sanitary sewer system, either directly or indirectly, and uses water in excess of 10,000 gallons per month, and it can be shown to the satisfaction of the town that a portion of water as measured by the water meter or meters does not and cannot enter the sanitary sewer system, then the owner or other interested party shall install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the town for the determination of sewage discharge.

(G) In the event 2 or more residential lots, parcels of real estate or buildings discharging sanitary sewage, water or other liquids into the town's sanitary sewer system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the quantity of water used shall be averaged for each user and the minimum charge and the sewage

rates and charges shall apply to each of the number of residential lots, parcels of real estate or buildings served through the single water meter.

(H) In the event 2 or more dwelling units such as trailers, apartments or housekeeping rooms discharging sanitary sewage, water or other liquids into the town's sanitary sewer system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, billing shall be for a single service in the manner set out elsewhere herein, except that the charge shall be not less than the number of dwelling units times the minimum charge per month for a single dwelling unit. In the case of trailer parks, the number of dwelling units shall be computed and interpreted as the total number of trailers located and installed in the park plus any other dwelling units served through the meter. A dwelling unit shall be interpreted as a room or rooms or any other space or spaces in which cooking facilities are provided.

(I) In order that domestic and residential users of sewage services shall not be penalized for the sprinkling of lawns during the months of June, July, August and September, the billing for sewage service for residences and/or domestic users for the months of June, July, August and September shall be based on the water usage for the previous months of January, February, March and April, or for 4 consecutive months. In the event the water usage for the previous months of January, February, March and April, or for 4 consecutive months, is greater than the water usage for the months of June, July, August and September, then the billing for sewage service shall be computed on the actual water used in the month for which the sewage service bill is being rendered. Domestic and/or residential sewage service, as applicable to the sprinkling rate, shall apply to each lot, parcel of real estate or building which is occupied and used as a residence. The sprinkling rate shall not apply to any premises which are partially or wholly used for industrial or commercial purposes. In the event a portion of the premises shall be used for commercial or industrial purposes, the owner shall have the privilege of separating the water service so that the residential portion of the premises is served through a separate meter, and in such case, the water usage as registered by the water meter serving such

portion of the premises used for residential purposes would qualify under the sprinkling rate.

(J) Where a metered water supply is used for fire protection as well as for other uses, the town may, in its discretion, make adjustments in the minimum charge and in the use charge as may be equitable.

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

(L) No lot, parcel of real estate or building located outside the corporate limits of the town shall discharge sanitary sewage, industrial waste, water or other liquids into the town's sanitary sewer system, either directly or indirectly without the prior consent of the Council of the town. In the event such permission is granted, the rates and charges applying to the lot, parcel of real estate or building located outside the corporate limits shall be 140% of the rates and charges provided for herein.

(M) In order that the rates and charges may be justly and equitably adjusted to the services rendered, the town shall have the right to base its charges not only on volume but also on the strength and character of the sewage and waste which it is required to dispose of. The town shall have the right to measure and determine the strength and content of all sewage and waste discharged, either directly or indirectly, into the town's sanitary sewer system in such manner and by such method as may be deemed practical in the light of the conditions and attending circumstances of the case in order to determine the proper charge. Any and all commercial and industrial installations shall be so controlled and/or treated as to the sewage strength that their effluent discharge to the town's sewers shall have a B.O.D. (biochemical oxygen demand) not to exceed 300 parts per million at any time. The Council is authorized to prohibit the dumping of wastes into the town's sewer system which, in its discretion, are deemed harmful.

(N) The terms *SANITARY SEWAGE* and *INDUSTRIAL WASTES* shall be defined as follows:

(1) *SANITARY SEWAGE*. The waste from water closets, urinals, lavatories, sinks, bathtubs, showers, household laundries, basement drains, garage floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains, stable floor drains, and all other water-carried wastes except industrial wastes.

(2) *INDUSTRIAL WASTES*. The liquid waste or liquid-borne waste resulting from any commercial, manufacturing or industrial operation or process.

(O) The town shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economic and efficient management of the town sewer system and for the construction and use of house sewers and connections to the sewer system, and for the regulation, collection, rebating and refunding of rates and charges.

(P) Except as otherwise provided, the rates and charges as herein set forth shall become effective on the date that sanitary sewers of the sewer system are made available for connection to any lot, parcel of real estate or building.

(Q) The town is hereby authorized to prohibit dumping of wastes into the town's sewer system which, in its discretion, are harmful to the operation of the sewage works, or to require methods effecting pretreatment of wastes to reduce the characteristics of the waste satisfactory to the town. (1987 Code, § 10-1-1) (Am. Ord. 1995-1, passed 4-17-1995; Am. Ord. 2006-2, passed 1-2-2006; Am. Ord. 2007-2, passed 1-2-2007)

§ 51.21 REGULATING THE CONNECTION AND INSTALLATION TO AND USE OF SEWERS.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

B.O.D. (BIOCHEMICAL OXYGEN DEMAND). The quantity of oxygen utilized in the biochemical oxidation of organic matter under

standard laboratory procedure in 5 days at 20° C., expressed in parts per million by weight.

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal.

COMBINED SEWER. Only a sewer receiving both surface runoff and sewage, which sewage however is later diverted to the municipal sewage treatment plant for treatment.

GARBAGE. Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

INDUSTRIAL WASTES. The liquid wastes from industrial processes as distinguished from sanitary sewage.

INSPECTOR. The person or persons duly authorized by the town, through its Council, to inspect and approve the installation of building sewers and their connection to the public sewer system.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking, and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/12 inch in any dimension.

PUBLIC SEWER. A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS. All facilities for collecting, pumping, treating, and disposing of sewage.

SEWAGE. A combination of the water carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground surface and storm waters as may be present.

SEWER. A pipe or conduit for carrying sewage.

STORM SEWER or STORM DRAIN. A sewer which carries storm and surface waters and drainage, only and excludes sewage and polluted industrial wastes.

SUPERINTENDENT. The Superintendent of the municipal sewage works of the town or his or her authorized deputy, agent or representative.

SUSPENDED SOLIDS. Solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently.

(B) (1) It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the town, or in any area under the jurisdiction of the town, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town, any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this section.

(3) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended or used for the disposal of sewage.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes situated within the town, and abutting any street, alley, or right-of-way in which there is now located or may in the future be located a public sewer or combined sewer, is hereby required at his or her expense to install suitable toilet facilities therein, and to connect the facilities directly with the proper public sewer in accordance with the provisions of this section, within 90 days after date of official notice to do so, provided that the public sewer is within 100 feet of the property line.

(C) (1) Where a public sanitary or combined sewer is not available under the provisions of division (B)(4), the building sewer shall be connected to a private sewage disposal system complying with all recommendations of the State Board of Health.

(2) At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in division (B)(4), a direct connection shall be made to the public sewer in compliance with this section, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned.

(3) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the town.

(4) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the local Health Officer.

(D) (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Clerk-Treasurer.

(2) There shall be 2 classes of building sewer permits: for residential and commercial service; and for service to establishments producing industrial waste. In either case, the owner or his or her agent shall make application on a special form furnished by the town. The permit applications shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Inspector. A permit and inspection fee of \$5 for a residential or commercial building sewer permit and \$15 for an industrial building sewer permit shall be paid to the Clerk-Treasurer at the time the application is filed.

(3) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for the owner shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation.

(4) A separate and independent building sewer shall be provided for every building; except where 1 building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as 1 building sewer.

(5) Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Inspector to meet all requirements of this section.

(6) The building sewer shall be cast iron soil pipe, ASTM specification or equal; vitrified clay sewer pipe, ASTM specification or equal; or other suitable material approved by the Inspector. Joints shall be tight and water-proof. Any part of the

building sewer that is located within 10 feet of a water service pipe shall be constructed of cast iron soil pipe with leaded joints. Cast iron pipes with leaded joints may be required by the Inspector where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Inspector.

(7) The size and slope of the building sewers shall be subject to the approval of the Inspector, but in no event shall the diameter be less than 6 inches. The slope of the 6-inch pipe shall not be less than 1/8-inch per foot.

(8) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within 3 feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform grade and in straight alignment in so far as possible. Changes in direction shall be made only with properly curved pipes and fittings.

(9) In all buildings in which any building drain is too low to permit gravity flow to the sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer. No water-operated sewage ejector shall be used.

(10) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Inspector. Pipe laying and backfill shall be performed in accordance with ASTM specifications except that no backfill shall be placed until the work has been inspected by the Inspector or his or her representative.

(11) (a) All joints and connections shall be made gas tight and water tight. Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, Federal Specification QQ-L-156, not less than 1-inch deep. Lead shall be run in 1

pouring and calked tight. No paint, varnish, or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

(b) All joints in vitrified clay pipe or between such pipe and metals shall be made with approved jointing material in accordance with the latest edition on Volume III, Plumbing Rules and Regulations of the Administrative Building Council of the State of Indiana.

(12) The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is 12 inches in diameter or less and no properly located "Y" branch is available, the owner shall at his or her expense install a "Y" branch in the public sewer at the location specified by the Inspector.

(13) The applicant for the building sewer permit shall notify the Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Inspector or his or her representative.

(14) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town.

(E) (1) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.

(2) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged upon approval of the Superintendent, to a storm sewer, combined sewer or natural outlet.

(3) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(a) Any liquid or vapor having a temperature higher than 150° F.

(b) Any water or waste which may contain more than 100 parts per million, by weights, of fat, oil or grease.

(c) Any water or waste which may contain more than 25 parts per million, by weight, of soluble oils.

(d) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

(e) Any garbage that has not been properly shredded.

(f) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

(g) Any waters or wastes having a pH lower than 5.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(h) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving water of the sewage treatment plant.

(i) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage disposal plant.

(j) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(4) (a) Grease, oil, and sand interceptors shall be provided when, in the opinion of the Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

(b) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water tight, and equipped with easily removable covers which when bolted in place shall be gas tight and water tight.

(5) Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

(6) The admission into the public sewers of any waters or wastes, having a 5-day biochemical oxygen demand greater than 400 parts per million by weight, or containing more than 450 parts per million by weight of suspended solids, or containing any quantity of substances having the characteristics described in division (E)(3), or having an average daily sewage flow greater than 2% of the average daily sewage flow of the town, shall be subject to the review and approval of the Superintendent. Where necessary, in the opinion of the Superintendent, the owner shall provide at his or her expense such preliminary treatment as may be necessary to reduce the biochemical oxygen demand to 400 parts per million and the suspended solids to 500 parts per million by weight, or reduce objectionable characteristics or constituents to within the maximum limits provided for in division (E)(3), or control the quantities and rates of discharge of such waters or

wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the Indiana State Board of Health, and no construction of facilities shall be commenced until the approval is obtained in writing.

(7) Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his or her expense.

(8) When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. The manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his or her expense, and shall be maintained by him so as to be safe and accessible at all times.

(9) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in divisions (E)(3) and (6) shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage" and shall be determined at the control manhole provided for in division (E)(8) or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

(10) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment, subject to payment therefor by the industrial concern.

(F) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works.

(G) The Superintendent, Inspector, and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this section. (1987 Code, § 10-1-2) Penalty, see § 10.99

WATER

§ 51.35 SCHEDULE OF RATES.

(A) There shall be and there are hereby established for the use of and the service rendered by the waterworks system of the Town of Oxford, the following rates and changes, based upon the use of water supplied by the waterworks system.

<i>Metered Water Service</i>	<i>Rate Per 1,000 Gallons</i>
First 2,000 gallons per month	\$11.44 minimum
Next 3,000 gallons per month	\$4.25
Next 245,000 gallons per month	\$3.36
Over 250,000 gallons per month	\$2.59

ARTICLE 10: WATER & SEWER

10-1 Sewer

10-1-1: Schedule of Rates

For the use of and the service rendered by said 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 the Town's sanitary sewer system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewer system of the Town, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows:

A. Except as herein otherwise provided, sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges, as the same is measured by the water meter there in use.

B. The water usage schedule on which the amount of said sewage rates and charges shall be determined shall be as follows:

<u>Quantity of Water Used Per Month</u>	<u>Charge Per 1,000 Gallons</u>
First 2,000 Gallons	\$2.00
Next 8,000 Gallons	1.68
Next 20,000 "	1.36
Next 60,000 "	1.04
Over 90,000 "	.72

Minimum charges for sewage service based upon water meter size is as follows:

<u>Meter Size</u>	<u>Per Month</u>
5/8"-3/4" meter	\$ 4.00
1" "	10.00
1 1/4" "	16.00
1 1/2" "	24.00
2" "	32.00
3" "	48.00
4" "	80.00
6" "	128.00

The minimum rate for residential sewage service, where the user is not a metered user, will be \$6.80 per month.

A. The quantity of water obtained from sources other than the municipal waterworks and discharged into the public sanitary sewer system may be determined by the Town in such manner as the Town shall elect, and the sewage treatment service may be billed at the above appropriate rates.

B. In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial waste, water or other liquids into the Town's sanitary sewer system, either directly or indirectly, is not a user of water supplied by the Town's waterworks and the water used thereon or therein is not measured by a meter, or is measured by a meter not acceptable to the Town, then the amount of water used shall be otherwise measured or determined by the Town, in order to ascertain the rates of charge, or the owner or other interested party, at his expense, may install and maintain meters, wires, volumetric measuring devices or any adequate and approved method of measurement acceptable to the Town for the determination of the sewage discharge.

C. In the event a lot, parcel of real estate or building discharging sanitary sewage, industrial waste, water or other liquids into the Town's sanitary sewer system, either directly or indirectly, is a user of water supplied by the Town's waterworks, and in addition uses water from another source which is not measured by a water meter, or is measured by a water meter

not acceptable to the Town, then the amount of water used shall be otherwise measured or determined by the Town in order to ascertain the rates of charge, or the owner or other interested party, at his expense, may install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the Town for the determination of sewage discharge.

D. In the event a lot, parcel of real estate or building discharges sanitary sewage, industrial waste, water or other liquids into the Town's sanitary sewer system, either directly or indirectly, and uses water in excess of 10,000 gallons per month, and it can be shown to the satisfaction of the Town that a portion of water as measured by the water meter or meters does not and cannot enter the sanitary sewer system, then the owner or other interested party shall install and maintain meters, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the Town for the determination of sewage discharge.

E. In the event two (2) or more residential lots, parcels of real estate or buildings discharging sanitary sewage, water or other liquids into the Town's sanitary sewer system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the quantity of water used shall be averaged for each user and the minimum charge and the sewage rates and charges shall apply to each of the number of residential

lots, parcels of real estate or buildings served through the single water meter.

F. In the event two (2) or more dwelling units such as trailers, apartments or housekeeping rooms discharging sanitary sewage, water or other liquids into the Town's sanitary sewer system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case billing shall be for a single service in the manner set out elsewhere herein, except that the charge shall be not less than the number of dwelling units times the minimum charge per month for a single dwelling unit. In the case of trailer parks the number of dwelling units shall be computed and interpreted as the total number of trailers located and installed in said park plus any other dwelling units served through the meter. A dwelling unit shall be interpreted as a room or rooms or any other space or spaces in which cooking facilities are provided.

G. In order that domestic and residential users of sewage services shall not be penalized for the sprinkling of lawns during the months of June, July, August and September, the billing for sewage service for residences and/or domestic users for said months of June, July, August and September shall be based on the water usage for the previous months of December, January, February and March. In the event the water usage for said previous months of December, January, February and March is greater than the water usage for said months of June, July,

August and September, then the billing for sewage service shall be computed on the actual water used in the month for which the sewage service bill is being rendered. Domestic and/or residential sewage service, as applicable to the sprinkling rate, shall apply to each lot, parcel of real estate or building which is occupied and used as a residence. Said sprinkling rate shall not apply to any premises which are partially or wholly used for industrial or commercial purposes. In the event a portion of such premises shall be used for commercial or industrial purposes, the owner shall have the privilege of separating the water service so that the residential portion of the premises is served through a separate meter, and in such case, the water usage as registered by the water meter serving such portion of the premises used for residential purposes would qualify under the sprinkling rate.

H. Where a metered water supply is used for fire protection as well as for other uses, the Town may, in its discretion, make adjustments in the minimum charge and in the use charge as may be equitable.

I. For the service rendered to the Town, the Town shall be subject to the same rates and charges hereinabove provided or to rates and charges established in harmony therewith.

J. No lot, parcel of real estate or building located outside the corporate limits of the Town of Oxford shall discharge sanitary sewage, industrial waste, water or other liquids into the Town's sanitary sewer system, either directly or

indirectly without the prior consent of the Board of Trustees of said Town. In the event such permission is granted, the rates and charges applying to said lot, parcel of real estate or building located outside the corporate limits shall be one hundred forty percent (140%) of the rates and charges provided for herein.

In order that the rates and charges may be justly and equitably adjusted to the services rendered, the Town shall have the right to base its charges not only on volume but also on the strength and character of the sewage and waste which it is required to dispose of. The Town shall have the right to measure and determine the strength and content of all sewage and waste discharged, either directly or indirectly, into the Town's sanitary sewer system in such manner and by such method as may be deemed practical in the light of the conditions and attending circumstances of the case in order to determine the proper charge. Any and all commercial and industrial installations shall be so controlled and/or treated as to the sewage strength that their effluent discharge to the Town's sewers shall have a B.O.D. (biochemical oxygen demand) not to exceed 300 parts per million at any time. The Board of Trustees is authorized to prohibit the dumping of wastes into the Town's sewer system which, in its discretion, are deemed harmful.

The terms "sanitary sewage" and "industrial wastes" shall be defined as follows:

A. "Sanitary Sewage" is defined as the waste from

water closets, urinals, lavatories, sinks, bathtubs, showers, household laundries, basement drains, garage floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains, stable floor drains, and all other water-carried wastes except industrial wastes.

B. "Industrial Wastes" are defined as being the liquid waste or liquid-borne waste resulting from any commercial, manufacturing or industrial operation or process. (1969)

The Town shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economic and efficient management of the Town sewer system and for the construction and use of house sewers and connections to the sewer system, and for the regulation, collection, rebating and refunding of rates and charges.

Except as otherwise provided, the rates and charges as herein set forth shall become effective on the date that sanitary sewers of the sewer system are made available for connection to any lot, parcel of real estate or building.

The Town of Oxford is hereby authorized to prohibit dumping of wastes into the Town's sewer system which, in its discretion, are harmful to the operation of the sewage works, or to require methods effecting pretreatment of said wastes to reduce the characteristics of the waste satisfactory to the Town (1969, Amended 1986)

10-1-2: Regulating the Connection and Installation to and Use of Sewers

A. Unless the context specifically indicates otherwise, the meaning of terms used in this 10-1-2 shall be as follows:

the meaning of terms used in this 10-1-2 shall be as follows: