

TITLE 15
PUBLIC UTILITIES

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Chapter 15.04

REPAIRS TO STREETS FOLLOWING THE INSTALLATION OF NEW UTILITY LINES

Sections:

15.04.010 Repairing streets following the installation of new utility lines

15.04.010 Repairing streets following the installation of new utility lines. When the Chrisney Water Utility, Chrisney Sewer Utility or Chrisney Gas Utility disturbs the pavement of the streets or sidewalks of the Town of Chrisney while repairing or installing water, sewer or gas lines, the Town of Chrisney shall charge the appropriate utility a reasonable sum for the repair of the disturbed pavement, which sum shall be reasonably related to the costs of the repairs. (Ord. 1988-1, S1, Mar. 7, 1988)

Chapter 15.06

WATER

Sections:

15.06.100	Rates and charges
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15.06.138	Water purchase contract
15.06.140	Revisions to rates and charges
15.06.150	Separability

15.06.100 Rates and charges. There shall be and are hereby established for the use of the services rendered by the waterworks system of the Town of Chrisney, Indiana, the following rates and charges, based upon the amount of water supplied during each monthly billing period:

(1)	<u>Consumption Per Month</u>	<u>Rate Per Month Per 1,000 Gallons</u>
	First 2,000 gallons	\$ 14.40
	Next 3,000 gallons	7.06
	Over 5,000 gallons	6.42

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

<u>Meter Size</u>	<u>Minimum Charge Per Month</u>
5/8 inch meter	\$ 28.80
3/4 inch meter	28.80
1 inch meter	35.66
1-1/2 inch meter	75.66
2 inch meter	94.92
Schools	685.58
Town Hall	28.80
Fire Station	28.80

(Ord. 2009-5, S1, Aug. 22, 2009) (Ord. 2008-8, S1, July 14, 2008) (Ord. 2008-1, S1, Jan. 7, 2008) (Ord. 2006-1, S1, Feb. 6, 2006) (Ord. 2005-1, S1, Feb. 7, 2005) (Ord. 2001-5, S1, Apr. 2, 2001) (Ord. 1999-3, S1, April 5, 1999) (Ord. 1997-2, S1, June 9, 1997) (Ord. 1995-3, May

1, 1995) (Ord. 1989-4, S1, Oct. 2, 1989) (Ord. 1976-1, Pt. S1, Dec. 6, 1976) (Ord. unnumbered, S1, June 30, 1960)

(2) Wholesale Water Rate. There is hereby established a wholesale water rate tracker whereby the water rates may be changed effective on December 1 of each year hereafter in the event of an increase in the wholesale cost of water and water loss. (Ord. 2008-8, S2, Jan. 7, 2008) (Ord. 2008-1, S2, Jan. 7, 2008)

(3) User Classes.

A. The Town Council hereby determines to create a user class, to be identified as the Large Volume User Class. In order to fall within the Large Volume User Class, such users shall

1. have made a contribution in aid of construction for waterworks improvements that will serve such Large Volume User and
2. have available to them 40,000 gallons per day (“GPD”) as a result of the waterworks improvements being paid with the contribution in aid of construction (hereinafter “Large Volume User”).

B. The minimum monthly charge for Large Volume Users shall be based on the quantity of water stated in the following schedule to be determined on a monthly average (quantity multiplied by the number of days in the month):

Upon commencement of service on a monthly average	10,000 gallons per day
Commencing July 1, 1998	20,000 gallons per day on a monthly average
Commencing July 1, 1999	30,000 gallons per day on a monthly average

The above amounts shall be referred to as the “Large Volume User Minimum Monthly Quantity.” This minimum monthly charge is in lieu of a minimum monthly charge based upon size of meter installed.

C. In addition to all existing rates and charges of the waterworks, the Large Volume User Class shall be subject to the following surcharges:

Variable Rate Surcharge \$0.05 per 1,000 gallons per month

Surcharge for Additional
Quantities

Large Volume Users shall pay the Town of Chrisney for additional quantities of water taken without the prior written approval of the Town, a surcharge of eighty cents (\$0.80) per one thousand (1,000) U.S. gallons of water taken by the Large Volume User which exceeds, by fifty percent (50%), the cumulative Large Volume User Minimum Monthly Quantity. The surcharge shall be measured by the volume registered at the metering point on a monthly basis. (Ord. 1997-2, S3, June 9, 1997)

- (4) All rates and charges, including the surcharges, shall be billed beginning the first month after any Large Volume User is connected to the Town's waterworks or the waterworks is available for connection to the Large Volume User. (Ord. 1997-2, S4, June 9, 1997)
- (5) The Town shall utilize any contribution in aid of construction paid by a Large Volume User to complete the agreed upon waterworks improvements, and all costs associated with said improvements, including engineering, rate consultant and legal costs incurred by the Town. Such improvements shall be constructed as expeditiously as possible under Indiana law and such Large Volume User shall not be subject to any charges under this Ordinance until such Large Volume User is connected to the Town's waterworks or the waterworks is available for connection to the Large Volume User. (Ord. 1997-2, S5, June 9, 1997)
- (6) Any such Large Volume User shall receive 40,000 GPD, or more as may be allowed under Section (10) of this Ordinance, of water and shall receive maximum flow rate of four hundred (400) gallons per minute ("gpm"). Such water shall be delivered at a point agreed to between the Town and the Large Volume User ("Point of Delivery"). Such Point of Delivery shall be determined and agreed upon in writing when such waterworks improvements are designed and the amount of the contribution in aid of construction is set. (Ord. 1997-2, S6, June 9, 1997)
- (7) Large Volume Users shall receive a minimum pressure of 70 p.s.i. at a flow rate of 400 gpm at any meter station with an elevation no greater than 425 feet MSL. Emergency failure of pressure or supply due to main supply line

breaks, power failure, fire and use of water to fight fire, earthquake or other catastrophe shall excuse the Town from this provision for such reasonable period of time as may be necessary to restore service. (Ord. 1997-2, S7, June 9, 1997)

- (8) The Town shall furnish, install, calibrate, operate and maintain at its own expense at the Point of Delivery, the necessary standard metering equipment for properly measuring the quantity of water delivered to any Large Volume User and to calibrate such metering equipment upon request, but not more than every twelve (12) months. A meter registering not more than two percent (2%) above or below the accurate test quantities will be deemed to be accurate. The previous readings of any meter disclosed by test to be inaccurate shall be corrected for the four months previous to such test in accordance with the percentage of inaccuracy found by such tests. If the meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless the Town and the Large Volume User shall agree upon a different amount. The metering equipment shall be read monthly. The Town shall have access to the meter for the purpose of verifying its readings at all reasonable times. (Ord. 1997-2, S8, June 9, 1997)
- (9) The Town shall bill all Large Volume Users in accordance with its existing billing practices. (Ord. 1997-2, S9, June 9, 1997)
- (10) The Town shall allow additional quantities of water to be purchased by a Large Volume User for a period of time not to exceed seven (7) days so long as the Large Volume User
 - A. Notifies the Town no later than seventy-two (72) hours prior to the time that said additional water shall be taken and
 - B. Receives written approval from the Town to draw the additional water. Additional quantities of water may be purchased for a period of time greater than seven (7) days by submitting a written request to the Town at least twenty-one (21) days in advance specifying the additional quantity and the specific days it is to be taken. Before the additional water is taken, the request must be approved in writing by the Town. All applicable surcharges shall be paid by the Large Volume User to the Town for any such additional quantities which are taken without the prior written approval of the Town. (Ord. 1997-2, S10, June 9, 1997)
- (11) Large Volume User. The Town shall not provide water service to any proposed Large Volume User if the water needs of such User, together with all the existing users of all classes, would exceed the capacity of the

waterworks or quantity of water available to the Town, unless such proposed Large Volume User or the Town takes all necessary steps to increase the capacity of the waterworks and quantity of water available to the Town to satisfy the water needs of all customers of all classes, including the proposed Large Volume User. (Ord. 1997-2, S11, June 9, 1997)

- (12) Bulk Water Sales. The approximate gallons allowed for water sold through the coin operated water dispenser located at the Chrisney Town Hall shall be approximately 140 gallons for \$0.50. (Ord. 2001-5, Apr. 2, 2001) (Ord. 1995-3, May 1, 1995) (Ord. 1976-1, pt. S1, Dec. 6, 1976)

- (13) Customer Fire Hydrant Rental Fee. That each customer located within the corporate limits of the Town of Chrisney shall pay a hydrant rental fee in the amount of \$2.15 per month.

The hydrant rental fee shall be redetermined in April of each year beginning in April, 2002 in accordance with the formula set out in Ordinance 2001-2 at Section 2B. (Ord. 2001-5, Apr. 2, 2001) (Ord. 1997-2, S2, June 9, 1997) (Ord. 1995-3, May 1, 1995) (Ord. 1976-1, Dec. 6, 1976)

- (14) Collection of Deferred Payment Charge. All bills for water service not paid within 15 days from the due date thereof shall be as stated in such bills, be subject to a collection of deferred payment charge of 10% on the first \$10.00 and 5% on the excess over \$10.00. (Ord. 2001-5, Apr. 2, 2001) (Ord. 1995-3, May 1, 1995) (Ord. 1976-1, pt. S1, Dec. 6, 1976) (Ord. unnumbered, S3, June 3, 1960)

- (15) Temporary Users. Water furnished to temporary users, such as contractors, circuses, etc., shall be charged on the basis of the above quantity rates as estimated by the Waterworks Superintendent. (Ord. 2001-5, Apr. 2, 2001) (Ord. 1995-3, May 1, 1995) (Ord. 1976-1, pt. S1, Dec. 6, 1976) (Ord. unnumbered, S3, June 3, 1960)

- (16) Rural Customers. A rural customer is a service outside the corporate boundaries of the Town of Chriney. Rural customers will sign a Water Service Agreement with the Town of Chrisney which requires the customer to abide by all of the ordinances of the Town of Chrisney concerning the Town's Water Utility. (Ord. 2001-5, Apr. 2, 2001) (Ord. 1995-3, May 1, 1995)

15.06.105 Public Fire Protection Service Costs.

- (1) Commencing February 5, 2001, the Public Fire Protection Service Costs of the Town's Water Utility will cease to be paid by the Town and, instead, be included in the basic rates and charges of, and paid for by, all customers of

the Water Utility within the corporate limits of the Town of Chrisney. (Ord. 2001-2, S1, Feb. 5, 2001)

- (2) The change in recovery of the Public Fire Protection Service Costs by the Water Utility authorized in Section 1 hereof shall be reflected in a new schedule of rates, which shall be established by the Town Council of the town of Chrisney, Indiana. Pursuant to the statute, the new schedule shall:
 - A. Eliminate Public Fire Protection Service Costs billed directly to the Town, other than in metered rates applicable to all customers and other than hydrant construction costs for new hydrants installed on the after February 5, 2001; and,
 - B. Increase the rates charged each customer of the Water Utility, based on equivalent meter size, by an amount equal to the revenues lost from the elimination of such Public Fire Protection Service Costs billed directly to the Town, divided by the number of equivalent five-eighths (5/8) inch meters in service at the time the new schedule is established. (Ord. 2001-2, S2, Feb. 5, 2001)
- (3) On and after February 5, 2001, all new public fire hydrants installed or constructed by, or under the direction and supervision of, the Water Utility shall be in compliance with the fire hydrant spacing recommended or required, from time to time, by NFPA or any successor thereof. (Ord. 2001-2, S3, Feb. 5, 2001)
- (4) The Town Council is hereby authorized to establish rules governing the payment of fire hydrant installation and construction costs by or on behalf of the Town. (See Section 15.06.100 (12)) (Ord. 2001-2, S4, Feb. 5, 2001)

15.06.110 Equitable rates to be paid by all consumers. That the rates and charges as aforesaid are hereby declared to be reasonable, just and equitable and shall be paid by said Town and by all citizens, corporations or other consumers for services and facilities furnished by and through the municipal waterworks system. (Ord. unnumbered, S2, June 30, 1960)

15.06.120 Waterworks Meter Deposit. A waterworks meter deposit of \$100.00 shall be charged to each user. The waterworks meter deposit, less the amount of any current bill owing, shall be refunded to the customer making such deposit at such time as said customer shall be disconnected from water services. Any requests for refunds due to mistakes in billing or meter reading shall be made within five (5) days of receiving the bill. (Ord. 2002-6, S1, June 6, 2002)

15.06.130 Connection fees and installation requirements. That no free water shall be supplied to any premises. The owner of any premises not connected with the waterworks

appliance of the waterworks system used for controlling or regulating the supply of water; for defrauding in any other manner the waterworks department.

The size of the meter to be used shall be determined by the Superintendent or other person in charge of the waterworks.

All changes in service pipes and fixtures that may be necessary to set the meter properly to avoid freezing and to make all water used on any premises pass through the meter shall be made at the expense of the property owner and consumer, and the cost thereof shall be paid before the water is turned on.

The word “premises” shall be construed to cover all buildings and divisions under one common roof, owned by one party, and all dwellings or buildings owned by one party and supplied through one service pipe from the main, and but one meter shall be placed on service pipes leading onto such premises, and all charges will be made against but one owner and occupant.

In case any meter shall get out of order and fail to register the quantity of water passing through the same, the consumer shall be charged at the rate of average consumption registered by such meter before such meter became out of repair. (Ord. 1993-3, Oct. 4, 1993) (Ord. 1980-2, S1, May 5, 1980) (Ord. unnumbered, S4, June 30, 1960)

15.06.135 Customer deposit for laundromats.

- (1) Any laundromat shall be required to make a customer deposit of \$1,000.00 prior to use of water from the water utility. (Ord. 1987-3, S1, Sept. 14, 1987)
- (2) When the delinquency in the bill of any laundromat reaches the amount of the customer deposit of \$1,000.00, the Town shall have the right to terminate service without notice. (Ord. 1987-3, S2, Sept. 14, 1987)
- (3) The Town shall give 10 days notice to any laundromat of a delinquency which is less than \$1,000.00; and, if the delinquency is not paid in full within the 10 day period, the Town shall have the right to terminate service without further notice. (Ord. 1987-3, S3, Sept. 14, 1987)

15.06.138 Water Purchase Contract. The parties Town of Santa Claus (Seller) and the Town of Chrisney (Purchaser) agree to amend the provisions of that certain First Amended Water Purchase Contract entered into by the parties and dated April 14, 1997 as follows:

- (1) Item A. 1 is amended to read as follows:
 - A. THE SELLER PROMISES AND AGREES:
 1. (Quality and Quantity) The **SELLER** shall furnish to **PURCHASER** at the point of delivery hereinafter specified, during the term of the contract or any renewal or extension

thereof the following indicated gallons per day of potable treated water, meeting applicable purity standards of the Indiana Department of Environmental Management, to wit

85,000 gal, per day beginning January 1, 2002

(2) Item B. 1 is amended to read as follows:

B. THE PURCHASES PROMISES AND AGREES:

1. (Minimum Quantity) The **PURCHASER** shall purchase from **SELLER** the following indicated gallons per day:

85,000 gal. per day beginning January 1, 2002

and shall take said quantity in daily averages computed each three (3) days. The quantity of water stated above is a minimum daily quantity that **PURCHASER** agrees to pay for regardless of whether **PURCHASER** uses the water or not. (Ord. 2001-18, Dec. 17, 2001)

(3) **PURCHASER** acknowledges that **SELLER** has, pursuant to Item C. 2 Modification of Rates of the original Water Purchase Contract, increased the water rate from \$1.67 per one thousand (1,000) gallons to \$2.27 per one thousand (1,000) gallons. That all other provisions of the original Water Purchase Contract dated February 12, 1996 as amended by the First Amended Water Purchase Contract dated April 14, 1997 shall remain in full force and effect. (Ord. 2001-18, Dec. 17, 2001)

15.06.140 Revisions to rates and charges. The foregoing schedule of minimum rates and charges shall be revised from time to time to be sufficient at all times, after making due and reasonable allowances for contingencies and for a margin of error in the estimates to pay the interest on and principal of the Waterworks Revenue Bonds referred to in the preamble hereof as such interest and principal become due and payable, to pay all current expense of operation, maintenance and repair of said municipal waterworks system, to comply in all respects with the terms of the Ordinance pursuant to which said bonds are being issued and to meet any other obligations of said Town which are charges, liens or encumbrances upon the revenues of said municipal waterworks system. (Ord. unnumbered, S5, June 30, 1960)

15.06.150 Separability. That if any section, paragraph, clause or provision of this Ordinance shall be held to be invalid or ineffective for any reason, the remainder thereof shall remain in full force and effect, it being expressly hereby found and declared that the remainder of this Ordinance would have been adopted despite the invalidity of such section, paragraph, clause or provision. (Ord. unnumbered, S6, June 30, 1960)

Chapter 15.12

GAS UTILITY

Sections:

- 15.12.010 Rates and charges
- 15.12.020 Equitable rates to be paid by all consumers
- 15.12.030 Monthly meter readings
- 15.12.040 Bills for gas service rendered monthly
- 15.12.050 Connection requirements
- 15.12.060 Gas works meter deposit
- 15.12.062 Customer deposit for laundromats
- 15.12.070 Receipt of moneys deposited into separate gas utility account for repayment of bonds
- 15.12.080 Service availability
- 15.12.090 Reconnection service charge
- 15.12.100 Revisions to rates and charges
- 15.12.110 Separability
- 15.12.111 Effective Date

15.12.010 Rates and charges. There shall be and there are hereby established for the use of and the services rendered by the gas utility of the Town of Chrisney, the following rates and charges, based upon the amount of gas supplied during each monthly billing period:

CLASS I RATE SCHEDULE

For Customers who used less than 1001
Therms in a monthly billing period

<u>Consumption Per Month</u>	<u>Rate</u>
0 – 5 Therms	\$ 15.9419 (minimum bill)
6 - 30 Therms	\$ 1.7115 per Therm
31-100 Therms	\$ 1.6009 per Therm
100-200 Therms	\$ 1.4727 per Therm
200-1000 Therms	\$ 1.3887 per Therm
GCA (Gas Cost Adjustment) Factor	\$ 0.0506 per Therm

CLASS II RATE SCHEDULE

For Customers who used 1001 or more Therms in a monthly billing period

<u>Consumption Per Month</u>		<u>Rate</u>
First 200 Therms	\$	1.5912 per Therm
All over 200 Therms	\$	1.3864 per Therm
GCA (Gas Cost Adjustment) Factor	\$	0.0506 per Therm

Tap charges

3/4" Gas Tap-In \$300.00

Anything above 3/4" will be cost plus and to be paid by the party needing the tap-in.

Gas Cost Adjustment

A gas cost adjustment factor for the customer charges for natural gas service by the Chrisney Gas Utility shall be \$0.0506 per Ccf (Therm) and \$0.5059 per Mcf (10 Therms) beginning on January 5, 2009 and continuing for three (3) months, at which time the gas cost adjustment factor shall be changed for the following three (3) months and thereafter be changed each three (3) months. (Ord. 2000-18, S1, Nov. 17, 2000) (Amended by Ordinance No. 2008-13)

The above rates shall prevail so long as the rates for gas to the Town purchased from the pipeline company shall remain constant. Any increase or decrease in the cost of gas to the Town occasioned by the increase or decrease of rates of the pipeline company shall be directly and uniformly applied to the prevailing rates.

The first charges to be imposed under this Ordinance shall be based upon the first month's reading taken after the completion of the construction of the system and its connection to the premises to be charged. (Ord. 2008-13, S15.12.010, Nov. 24, 2008) (Ord. 1993-3, Oct. 4, 1993) (Ord. 1987-4, S1, Oct. 5, 1987) (Ord. 1980-1, S1, May 5, 1980) (Ord. 1976-2, S1, Dec. 20, 1976) (Ord. unnumbered, S1, Oct. 18, 1966)

15.12.020 Equitable rates to be paid by all consumers. That the rates and charges as aforesaid are hereby declared to be reasonable, just and equitable and shall be paid by the Town and by all citizens, corporations or other consumers for services and facilities furnished by and through the municipal gas works system. No free service of the gas utility shall be furnished to any person, firm, organization or corporation, public or private, and all rates and charges shall be non-discriminatory, provided that the Board of Trustees reserves the right to impose special rates and charges in cases where particular circumstances render the regular rates inadequate or unjust. If the Town shall elect to supply itself with gas for any purpose, regular rates therefor shall be charged against the Town, and payment shall be made from the general funds of the Town to the Gas Utility Fund. (Ord. 2008-13, S15.12.020, Nov. 24, 2008) (Ord. unnumbered, S2, Oct. 18, 1966)

15.12.030 Monthly meter readings. Gas shall be supplied only through meters, and the meters shall be read monthly by the Town. A separate meter shall be required for each consumer and for each dwelling unit, provided that a single industry with multiple meters shall be considered as one consumer, and no gas shall be purchased for re-sale. (Ord. 2008-13, S15.12.030, Nov. 24, 2008) (Ord. unnumbered, S3, Oct. 18, 1966)

15.12.040 Bills for gas service rendered monthly. Bills for gas service shall be rendered monthly, and shall be delinquent ten (10) days after their rendition. Bills unpaid after ten (10) days following the due date as stated on the bill shall be subject to a collection charge of ten per cent (10%) on the first \$3.00 of unpaid billing, and three per cent (3%) on the balance of unpaid billing in excess of \$3.00. If any bill shall remain delinquent for a period of thirty (30) days or more, the gas service shall be disconnected and shall not be reconnected except upon payment of all delinquent bills, together with a reconnection charge of Forty-Five Dollars (\$45.00), provided, however, that in case of a change in occupancy of any premises, the new occupant shall not be charged with the delinquencies of the prior occupant, but the gas shall be reconnected upon the payment of the reconnection charge. (Ord. 2008-13, S15.12.040, Nov. 24, 2008) (Ord. unnumbered, S4, Oct. 18, 1966)

15.12.050 Connection requirements. All persons making application for gas service prior to the beginning of construction operations will receive a service connection with the gas system, without charge. This service connection is to include all equipment and piping and fittings required to connect to the customer's manifold piping. The service line will be located as near the customer's property line as possible. All piping from the outlet connection of the meter into the house is to be installed by the customer at his own expense.

A contract for service shall be made and all appropriate charges paid in advance of making the initial test of the customer's pipes and turning on the gas service for the customer. No service connection will be turned on unless the customer's piping and appliances pass the tests and the Certificate of the Installers has been properly filled out and signed. Additional tests, if required by customers due to defective pipe or connections, may be made at any time at \$1.00 per test. (Ord. 2008-13, S15.12.050, Nov. 24, 2008) (Ord. unnumbered, S5, Oct. 18, 1966)

15.12.060 Gas works meter deposit. A gas works meter deposit of \$100.00 shall be charged to each user. The gas works meter deposit, less the amount of any current bill owing, shall be refunded to the customer making such deposit at such time as said customer shall be disconnected from gas services. Any requests from refunds due to mistakes in billing or meter reading shall be made within five (5) days of receiving the bill. (Ord. 2008-13, S15.12.060, Nov. 24, 2008) (Ord. 2002-7, S1, June 6, 2002) (Ord. unnumbered, S6, Oct. 18, 1966)

15.12.062 Customer deposit for laundromats.

- (1) Any laundromat shall be required to make a customer deposit of \$1,000.00 prior to use of gas from the gas utility. (Ord. 2008-13, S15.12.062 part, Nov. 24, 2008) (Ord. 1987-2, S1, Sept. 14, 1987)
- (2) When the delinquency in the bill of any laundromat reaches the amount of the customer deposit of \$1,000.00, the Town shall have the right to terminate service without notice. (Ord. 2008-13, S15.12.062 part, Nov. 24, 2008) (Ord. 1987-2, S2, Sept. 14, 1987)
- (3) The Town shall give 10 days notice to any laundromat of a delinquency which is less than \$1,000.00; and, if the delinquency is not paid in full within the 10 day period, the Town shall have the right to terminate service without further notice. (Ord. 2008-13, S15.12.062 part, Nov. 24, 2008) (Ord. 1987-2, S3, Sept. 14, 1987)

15.12.070 Receipt of moneys deposited in separate gas utility account for repayment of bonds. All moneys received as charges for the services of the gas works system shall be deposited in a bank account separate and distinct from the bank accounts in which other Town funds are held. Said funds shall be administered and allocated in strict accordance with the provisions of the Ordinance of said Town, adopted October 18, 1966, authorizing the issuance of One Hundred Twenty Thousand Dollars (\$120,000) Gas System Revenue Bonds. (Ord. 2008-13, S15.12.070, Nov. 24, 2008) (Ord. unnumbered, S7, Oct. 18, 1966)

15.12.080 Service availability. Service shall be available to all prospective residential, commercial and other consumers in and near the Town of Chrisney, Indiana, provided that service is economically feasible. The Board of Trustees reserves the right to determine feasibility and to accept or reject, based on such determination, any application for service. (Ord. 2008-13, S15.12.080, Nov. 24, 2008) (Ord. unnumbered, S8, Oct. 18, 1966)

15.12.090 Reconnection service charge. If gas is cut off at the request of the customer and within twelve (12) months thereafter the customer requests that gas service be resumed at the same address, there will be a Forty-Five Dollars (\$45.00) service charge payable prior to turning on of the gas. (Ord. 2008-13, S15.12.090, Nov. 24, 2008) (Ord. unnumbered, S9, Oct. 18, 1966)

15.12.100 Revisions to rates and charges. The foregoing schedule of minimum rates and charges shall be revised from time to time to be sufficient at all times, after making due and reasonable allowances for contingencies and for a margin of error in the estimates, to pay the interest on and principal of the Gas System Revenue Bonds referred to in the preamble hereof from time to time outstanding, as such interest and principal become due and payable, to pay all current expenses of operation, maintenance and repair of said municipal gas works system, to comply in all respects with the terms of the ordinance pursuant to which said Gas System Revenue Bonds are being issued and to meet any other obligations of said City which are charges, liens or encumbrances upon the revenues of said municipal gas works system. (Ord. 2008-13, S15.12.100, Nov. 24, 2008) (Ord. unnumbered, S10, Oct. 18, 1966)

15.12.110 Separability. That if any section, paragraph, clause or provision of this ordinance shall be held to be invalid or ineffective for any reason, the remainder thereof shall remain in full force and effect, it being expressly hereby found and declared that the remainder of this ordinance would have been adopted despite the invalidity of such section, paragraph, clause or provision. (Ord. 2008-13, S15.12.110, Nov. 24, 2008) (Ord. unnumbered, S11, Oct. 18, 1966)

15.12.11 Effective Date. The effective date of this ordinance is November 22, 2008. (Ord. 2008-13, S15.12.111, Nov. 24, 2008)

Chapter 15.22

CONNECTION AND USE OF CHRISNEY SEWER SYSTEM

Sections:

15.22.010	Definitions
15.22.020	Disposal of wastes
15.22.030	Private disposal facilities
15.22.040	Connection with public sewer
15.22.200	Discharges prohibited in the public sewer system
15.22.300	Unlawful for any unauthorized person to tamper with sewer system structures
15.22.350	Personnel authorized to enter properties to inspect and test sewer system
15.22.400	Penalty for violation

15.22.010 Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

- (1) "Sewage works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage. (Ord. 1971-4, S1(a), Sept. 27, 1971)
- (2) "Superintendent" shall mean the Superintendent of the municipal sewage works of the Town of Chrisney, Indiana, or his authorized deputy, agent or representative. (Ord. 1971-4, S1(b), Sept. 27, 1971)
- (3) "Inspector" shall mean the person or persons duly authorized by the Town, through its Board of Trustees, to inspect and approve the installation of building sewers and their connection to the public sewer system. (Ord. 1971-4, S1(c), Sept. 27, 1971)
- (4) "Sewage" shall mean 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. (Ord. 1971-4, S1(d), Sept. 27, 1971)
- (5) "Sewer" shall mean a pipe or conduit for carrying sewage. (Ord. 1971-4, S1(e), Sept. 27, 1971)
- (6) "Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority. (Ord. 1971-4, S1(f), Sept. 27, 1971)

- (7) "Combined sewer" shall mean only a sewer receiving both surface runoff and sewage, which sewage however is later diverted to the municipal sewage treatment plant for treatment. (Ord. 1971-4, S1(g), Sept. 27, 1971)
- (8) "Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted. (Ord. 1971-4, S1(h), Sept. 27, 1971)
- (9) "Storm sewer" or "storm drain" shall mean a sewer which carries storm and surface waters and drainage, only, and excludes sewage and polluted industrial wastes. (Ord. 1971-4, S1(i), Sept. 27, 1971)
- (10) "Sewage treatment plant" shall mean any arrangement of devices and structures used for treating sewage. (Ord. 1971-4, S1(j), Sept. 27, 1971)
- (11) "Industrial wastes" shall mean the liquid wastes from industrial processes as distinguished from sanitary sewage. (Ord. 1971-4, S1(k), Sept. 27, 1971)
- (12) "Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce. (Ord. 1971-4, S1(l), Sept. 27, 1971)
- (13) "Properly shredded garbage" shall mean 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. (Ord. 1971-4, S1(m), Sept. 27, 1971)
- (14) "Building drain" shall mean 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 five feet outside the inner face of the building wall. (Ord. 1971-4, S1(n), Sept. 27, 1971)
- (15) "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal. (Ord. 1971-4, S1(o), Sept. 27, 1971)
- (16) "B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C., expressed in parts per million by weight. (Ord. 1971-4, S1(p), Sept. 27, 1971)
- (17) "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution. (Ord. 1971-4, S1(q), Sept. 27, 1971)
- (18) "Suspended solids" shall mean 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. (Ord. 1971-4, S1(r), Sept. 27, 1971)

- (19) "Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water. (Ord. 1971-4, S1(s), Sept. 27, 1971)
- (20) "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently. (Ord. 1971-4, S1(t), Sept. 27, 1971)
- (21) "Person" shall mean any individual, firm, company, association, society, corporation or group. (Ord. 1971-4, S1(u), Sept. 27, 1971)
- (22) "Shall" is mandatory; "may" is permissive. (Ord. 1971-4, S1(v), Sept. 27, 1971)

15.22.020 Disposal of wastes.

- (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 said Town, any human or animal excrement, garbage, or other objectionable waste. (Ord. 1971-4, S2(a), Sept. 27, 1971)
- (2) It shall be unlawful to discharge to any natural outlet within said Town, or in any area under the jurisdiction of said Town, any sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance. (Ord. 1971-4, S2(b), Sept. 27, 1971)
- (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. (Ord. 1971-4, S2(c), Sept. 27, 1971)
- (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 expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within three hundred (300) feet of the property line. However, the Town may not require connection to its sewer system of property producing sewage or similar waste and require the discontinuance of use of privies, cesspools, septic tanks, and similar structures if the source of the waste is more than five hundred (500) feet from the point of connection to its sewer system. (Ord. 2000-13, S1, July 10, 2000) (Ord. 1971-4, S2(d), Sept. 27, 1971)

15.22.030 Private disposal facilities.

- (1) Where a public sanitary or combined sewer is not available under the provisions of Section 15.22.020(4), the building sewer, shall be connected to a private sewage disposal system complying with all recommendations of the Indiana State Board of Health. (Ord. 1971-4, S3(a), Sept. 27, 1971)
- (2) At such time as a public sewer becomes available to a property served by a private sewage disposal system as provided in Section 15.22.020(4), a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned. (Ord. 1971-4, S3(b), Sept. 27, 1971)
- (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. (Ord. 1971-4, S3(c), Sept. 27, 1971)
- (4) No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the local Health Officer. (Ord. 1971-4, S3(d), Sept. 27, 1971)

15.22.040 Connection with public sewer.

- (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. (Ord. 1971-4, S4(a), Sept. 27, 1971)
- (2) There shall be two (2) classes of building sewer permits: (1) for residential and commercial service; and (2) for service to establishments producing industrial waste. In either case, the owner or his agent shall make application on a special form furnished by the said Town. The permit applications shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Inspector. A permit and inspection fee of Five Dollars (\$5.00) for a residential or commercial building sewer permit and Fifteen Dollars (\$15.00) for an industrial building sewer permit shall be paid to the Clerk-Treasurer at the time the application is filed. (Ord. 1971-4, S4(b), Sept. 27, 1971)
- (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 said owner shall indemnify said Town from any loss or damage that may directly or indirectly be occasioned by said installation. (Ord. 1971-4, S4(c), Sept. 27, 1971)
- (4) A separate and independent building sewer shall be provided for every building; except where one 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 one building sewer. (Ord. 1971-4, S4(d), Sept. 27, 1971)
- (5) Old building sewers may be used in connection with new buildings only when they are found on examination and test by the said Inspector to meet all requirements of this Ordinance. (Ord. 1971-4, S4(e), Sept. 27, 1971)
 - (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 said Inspector. Joints shall be tight and water-proof. Any part of the building sewer that is located within ten (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 said 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 said Inspector. (Ord. 1971-4, S4(f), Sept. 27, 1971)
 - (7) The size and slope of the building sewers shall be subject to the approval of the said Inspector, but in no event shall the diameter be less than six (6) inches. The slope of such six (6) inch pipe shall not be less than one eighth (1/8) inch per foot. (Ord. 1971-4, S4(g), Sept. 27, 1971)
 - (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 three (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. (Ord. 1971-4, S4(h), Sept. 27, 1971)
 - (9) In all buildings in which any building drain is too low to permit gravity flow to the public 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. (Ord. 1971-4, S4(i), Sept. 27, 1971)
 - (10) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the said 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 representative. (Ord. 1971-4, S4(j), Sept. 27, 1971)
 - (11) 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 one (1) inch deep. Lead shall be run in one pouring and caulked tight. No paint, varnish,

or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

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 of Volume III, Plumbing Rules and Regulations of the Administrative Building Council of the State of Indiana.

Other jointing materials and methods may be used only by approval of said Inspector. (Ord. 1971-4, S4(k), Sept. 27, 1971)

- (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 twelve (12) inches in diameter or less and no properly located "Y" branch is available, the owner shall at his expense install a "Y" branch in the public sewer at the location specified by the said Inspector. (Ord. 1971-4, S4(l), Sept. 27, 1971)
- (13) The applicant for the building sewer permit shall notify the said 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 said Inspector or his representative. (Ord. 1971-4, S4(m), Sept. 27, 1971)
- (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 said Town. (Ord. 1971-4, S4(n), Sept. 27, 1971)

15.22.200 Discharges prohibited in the public sewer system.

- (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. (Ord. 1971-4, S5(a), Sept. 27, 1971)
- (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 said Superintendent. Industrial cooling water or unpolluted process waters may be discharged upon approval of the said Superintendent, to a storm sewer, combined sewer or natural outlet. (Ord. 1971-4, S5(b), Sept. 27, 1971)
- (3) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- A. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - B. Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
 - C. Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - D. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders. (Ord. 1971-4, S5(c),(1)-(4), Sept. 27, 1971)
- (4) No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:
- A. Any liquid or vapor having a temperature higher than one hundred fifty (150)° F (65°C).
 - B. Any waste or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become vicious at temperatures between thirty-two (32) and one hundred fifty (150)° F (0 and 65°C).
 - C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Superintendent.

- D. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- E. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting any excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
- F. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- H. Any waters or wastes having a pH in excess of 9.5.
- I. Materials which exert or cause:
 - 1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as but not limited to, sodium chloride and sodium sulfate).
 - 2. Excessive discoloration (such as but not limited to dye wastes and vegetable tanning solutions).
 - 3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - 4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- J. Waters or wastes containing substance which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters. (Ord. 1971-4, S5(d), (1)-(10), Sept. 27, 1971)

- (5) If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers, which water contain the substances or possess the characteristics enumerated in Section 15.22.200 (4) of this Chapter, and which in the judgment of the Superintendent may have a deleterious effect upon the sewage work processes equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:
- A. Reject the wastes,
 - B. Require pretreatment to an acceptable condition for discharge to the public sewers,
 - C. Require control over the quantities and rates of discharge, and/or
 - D. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges. If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent and subject to the requirements of all applicable codes, ordinances, and laws. (Ord. 1971-4, S(e), (1)-(4), Sept. 27, 1971)
- (6) Grease, oil, and sand interceptors shall be provided when, in the opinion of the said 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.
- 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. (Ord. 1971-4, S(f), Sept. 27, 1971)
- (7) Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. (Ord. 1971-4, S(g), Sept. 27, 1971)
- (8) The admission into the public sewers of any waters or wastes:
- A. Having a five-day Biochemical Oxygen Demand greater than 300 parts per million by weight, or
 - B. Containing more than 350 parts per million by weight of suspended solids, or

- C. Containing any quantity of substances having the characteristics described in Section 15.22.200(3) or 15.22.200(3)D having an average daily sewage flow greater than two percent (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 expense such preliminary treatment as may be necessary to:
1. reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or
 2. reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 15.22.200(3) or 15.22.200(3)(c) 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 said Superintendent and of the Indiana State Board of Health, and no construction of such facilities shall be commenced until said approval is obtained in writing. (Ord. 1971-4, S(h), Sept. 27, 1971)
- (9) 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 expense. (Ord. 1971-4, S(i), Sept. 27, 1971)
- (10) 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. Such 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 expense, and shall be maintained by him so as to be safe and accessible at all times. (Ord. 1971-4, S(j), Sept. 27, 1971)
- (11) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Section 15.22.200(3) and Section 15.22.200(8) 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 Section 15.22.200(10) or upon suitable samples taken at said 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. (Ord. 1971-4, S(k), Sept. 27, 1971)

- (12) No statement contained in this article 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. (Ord. 1971-4, S(1), Sept. 27, 1971)

15.22.300 Unlawful for any unauthorized person to tamper with sewer system structures. 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. Any person violating this provisions shall be subject to immediate arrest under charge of disorderly conduct. (Ord. 1971-4, S6, Sept. 27, 1971)

15.22.350 Personnel authorized to enter properties to inspect and test sewer system. 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 Ordinance. (Ord. 1971-4, S7, Sept. 27, 1971)

15.22.400 Penalty for violation.

- (1) Any person found to be violating any provision of this Ordinance except Section 15.22.300 shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. (Ord. 1971-4, S8(a), Sept. 27, 1971)
- (2) Any person who shall continue any violation beyond the time limit provided for in Section 15.22.400(1) shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding Ten Dollars (\$10.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. (Ord. 1971-4, S8(b), Sept. 27, 1971)
- (3) Any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation. (Ord. 1971-4, S8(c), Sept. 27, 1971)

Chapter 15.26

SEWER UTILITY RATES AND CHARGES

Sections:

15.26.005	Definitions
15.26.010	Connection charge
15.26.015	Sewage meter deposit
15.26.020	Collection of rates and charges from customers
15.26.030	Rates based on quantity of water used
15.26.040	Rates and charges
15.26.050	Water obtained from sources other than the water utility serving said Town
15.26.060	Meter installation for measuring sewage discharge when not on Town water utility
15.26.070	Water use from multiple sources
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15.26.090	Multiple residential lots on a single meter
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15.26.130	Strength and content of sewage as basis for adjustment of charge
15.26.140	Billing rendered monthly
15.26.150	Enforcement of regulations
15.26.160	Rates effective when
15.26.170	Harmful wastes

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

- (1) "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. (Ord. 1971-3, S4(a), no date)
- (2) "Industrial wastes" are defined as being the liquid waste or liquid-borne waste resulting from any commercial manufacturing or industrial operation or process. (Ord. 1971-3, S4(b), no date)

15.26.010 Connection charge. In the event that a sewer connection is made from any lot, parcel of real estate or building directly to a sewer suitable for use as a local or lateral sewer by said lot, parcel of real estate or building, the construction of which sewer is financed by the issuance of sewage works revenue bonds, thus precluding any assessment therefor under the assessment laws of the state (sometimes called the "Barrett Law") against such lot, parcel of real estate or building for a local or lateral sewer, then and in such case a connection charge in the amount of Three Hundred Dollars (\$300.00) shall be charged for each connection to a person applying for service.

- (1) Said sewer connection shall be paid in full to the Town at the time such application for service is made.
- (2) Where sewers may hereafter be constructed by and at the sole cost of a sub-division proprietor, who has platted such sub-division into building lots, and who desires to connect his said sewer to the Town's municipal sewer system, a connection charge in the amount of Two Hundred Dollars (\$200.00) per lot, parcel of real estate or building in said sub-division, shall be charged such proprietor for the privilege of making such connection. (Ord. 2001-7, S1, Apr. 18, 2001) (Ord. 1993-3, Oct. 4, 1993) (Ord. 1980-3, S1(A),(B),(C), May 5, 1980) (Ord. 1971-3, S1(A),(B), no date)

15.26.015 Sewage meter deposit. A sewage meter deposit of \$100.00 shall be charged to each user. The sewage meter deposit, less the amount of any current bill owing, shall be refunded to the customer making such deposit at such time as said customer shall be disconnected from sewage services. Any requests for refunds due to mistakes in billing or meter reading shall be made within five (5) days of receiving the bill. (Ord. 2002-8, S1, June 6, 2002)

15.26.020 Collection of rates and charges from customers. 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 sewerage system or otherwise discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewerage system of the Town of Chrisney, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows. (Ord. 1971-3, S2, no date)

15.26.030 Rates based on quantity of water used. 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, and shown by the consumption records of the water utility serving the Town of Chrisney and its inhabitants. (Ord. 1971-3, S2(a), no date)

15.26.040 Rates and charges. The charge for any sewer user shall be determined as follows:

Metered Water Usage Schedule	Minimum charge based on size of Meter excluding school(s) Sewage Rate
First 2,000 gallons per month :	
5/8 inch meter	\$ 35.75 minimum charge
3/4 inch meter	35.75 minimum charge
1 inch meter	41.15 minimum charge
1 1/2 inch meter	80.90 minimum charge
2 inch meter	101.10 minimum charge
Over 2,000 gallons per month (per 100 gallons)	\$0.65 per 100 gallons
<hr/>	
Non-Metered Schedule	Sewage Rate
Schools	\$640.30 per month
Town Hall	\$29.00 minimum charge
Fire Station	\$29.00 minimum charge

A penalty of 10% of the sewer bill shall be added to the bill if payment is not received within fifteen (15) days of the 5th day of the month in which the bill is rendered. The minimum charge for sewage service where the user is not a metered water customer of the utility serving the Town of Chrisney, shall not be less than the corresponding minimum sewer charge as hereinabove set forth and shall be estimated and determined by means and methods satisfactory to the Town. (Ord. 2001-7, S2, Apr. 18, 2001) (Ord. 2000-1, S1,2, Jan. 17, 2000) (Ord. 1999-2, S2, April 5, 1999) (Ord. 1998-6, S2, Aug. 3, 1998) (Ord. 1989-5, S1, Oct. 2, 1989) (Ord. 1985-1, S1, Feb. 19, 1985) (Ord. 1971-3, S2(b), no date)

15.26.050 Water obtained from sources other than the water utility serving said Town.

The quantity of water obtained from sources other than the water utility serving said Town 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. (Ord. 1971-3, S2(c), no date)

15.26.060 Meter installation for measuring sewage discharge when not on Town water utility.

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 sewage system, either directly or indirectly, is not a user of the water supplied by the water utility serving said Town 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, weirs, volumetric measuring devices or any adequate and approved method of measurement acceptable to the Town for the determination of the sewage discharge. (Ord. 1971-3, S2(d), no date)

15.26.070 Water use from multiple sources. 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 sewage system, either directly or indirectly, is a user of water supplied by the water utility serving said Town, 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. (Ord. 1971-3, S2(e), no date)

15.26.080 Water not entering the sanitary sewer system. 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 sewage system, either directly, or indirectly, 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 sewage 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. (Ord. 1971-3, S2(f), no date)

15.26.090 Multiple residential lots on a single meter. In the event two or more residential lots, parcels of real estate or buildings discharging sanitary sewage, water or other liquids into the Town's sanitary sewage 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. (Ord. 1971-3, S2(g), no date)

15.26.100 Multiple units such as trailers, apartments on a single meter. In the event two or more dwelling units such as trailers, apartments or housekeeping rooms discharging sanitary sewage, water or other liquids into the Town's sanitary sewage 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 for billing purposes, the quantity of water used shall be averaged for each dwelling unit and the minimum charge and the sewage rates and charges shall apply to each of the number of dwelling units served through the single water meter. 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 other living space or spaces in which cooking facilities are provided. (Ord. 1971-3, S2(h), no date)

15.26.110 Adjusting charge for fire protection. 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. (Ord. 1971-3, S2(i), no date)

15.26.120 Town subject to same rates. For the service rendered to the Town of Chrisney, the Town shall be subject to the same rates and charges hereinabove provided or to rates and charges established in harmony therewith. (Ord. 1971-3, S2(j), no date)

15.26.130 Strength and content of sewage as basis for adjustment of charge. In order that the rates and charges may be justly and equitably adjusted to the service 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 treat and 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 sewage 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. The Town is authorized to prohibit the dumping of wastes into the Town's sewage system which, in its discretion, are deemed harmful to the operation of the sewage treatment works of said Town, or to require methods of pretreatment of said wastes to reduce the characteristics of the waste satisfactory to the Town. (Ord. 1971-3, S3, no date)

15.26.140 Billing rendered monthly. The rates and charges shall be prepared and billed by the Town of Chrisney, Indiana, monthly and shall be collected in the manner provided by law and ordinance. Said rates and charges will be billed to the tenant or tenants occupying the property served, unless otherwise requested in writing by the owners, but such billing shall in nowise relieve the owner from liability in the event payment is not made as herein required. The owners of the property served, which are occupied by tenants, shall have the right to examine the collection records of the Town for the purpose of determining whether such rates and charges have been paid by such tenants, provided that such examination shall be made in the office in which said records are kept and during the hours that such office is open for business. (Ord. 1971-3, S5, no date)

15.26.150 Enforcement of regulations. 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's sewage works, including the sewer system and the treatment plant 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. (Ord. 1971-3, S6, no date)

15.26.160 Rates effective when. Except as otherwise provided, the rates and charges as herein set forth shall become effective on the date sewage is directed to the sewage plant for treatment, but in any event said rates and charges shall become effective not later than September 1, 1972, with the first billing for sewage rates and charges being rendered not later than October 1, 1972. (Ord. 1971-3, S7, no date)

15.26.170 Harmful wastes. The Town of Chrisney is hereby authorized to prohibit dumping of wastes into the Town's sewerage system which, in its discretion, are deemed harmful to the operation of the sewage works of said Town, or to require methods effecting pretreatment of said wastes to reduce the characteristics of the waste satisfactory to the Town. (Ord. 1971-3, S8, no date)

Chapter 15.29

SEPTIC HAULERS

Sections:

- 15.29.010 Septic load fees
- 15.29.020 Acceptance of residential septic sewage only originating in Spencer County
- 15.29.030 Unacceptable materials
- 15.29.040 Operating hours
- 15.29.050 Appropriate authority must be present for sewage acceptance
- 15.29.060 Prior to unloading, each septic load must have a separate manifest
- 15.29.070 Load origination listed on manifest
- 15.29.080 Manifest signature
- 15.26.090 Unloading upon designated sites only

15.29.010 Septic load fees. Septic haulers shall pay to the Town of Chrisney the sum of Thirty Dollars (\$30.00) for each septic load containing one thousand (1000) gallons or less. An additional sum of Three Dollars (\$3.00) per one hundred (100) gallons shall be paid to the Town for any septic load containing more than one thousand (1000) gallons per load. (Ord. 2001-1, S1, Feb. 5, 2001)

15.29.020 Acceptance of residential septic sewage only originating in Spencer County. Only residential septic sewage shall be accepted and said residential septic sewage must originate in Spencer County, Indiana. (Ord. 2001-1, S2, Feb. 5, 2001)

15.29.030 Unacceptable materials. The Town will not accept any hazardous materials, grease trap collections or any other loads deemed not acceptable by the plant operator of the Chrisney Waste Water Treatment Plant. (Ord. 2001-1, S3, Feb. 5, 2001)

15.29.040 Operating hours. Septic loads will be accepted only during normal plant operating hours. (Ord. 2001-1, S4, Feb. 5, 2001)

15.29.050 Appropriate authority must be present for sewage acceptance. The plant operator or his designated representative must be present for sewage acceptance. (Ord. 2001-1, S5, Feb. 5, 2001)

15.29.060 Prior to unloading, each septic load must have a separate manifest. Each septic load shall have a separate manifest brought to the Chrisney Waste Water Treatment Plant immediately prior to any unloading. (Ord. 2001-1, S6, Feb. 5, 2001)

15.29.070 Load origination listed on manifest. Each septic load shall have the origin of the load listed on the manifest, giving the owner or renter from whom the septic load

originated, the address and telephone number of such owner or renter and shall be signed by such owner or renter. (Ord. 2001-1, S7, Feb. 5, 2001)

15.29.080 Manifest signature. Each manifest shall be signed by the septic hauler, giving his identification number and the Plant Operator. (Ord. 2001-1, S8, Feb. 5, 2001)

15.26.090 Unloading upon designated sites only. Unloading of septic loads shall be performed only at the Chrisney Waste Water Treatment Plant or such other site designated by the Operator of the Treatment Plant. (Ord. 2001-1, S9, Feb. 5, 2001)