

WATER USE ORDINANCE 2020-4

AN ORDINANCE AMENDING ORDINANCE 2018-3

WHEREAS, the Town of Redkey desires to amend and update its Water Use Ordinance 2018-3;

BE IT ORDDAINED BY THE TOWN COUNCIL OF THE TOWN OF REDKEY, INDIANA:

Section 10 of Ordinance 2018-3 is hereby amended as follows:

A reconnect fee in the sum of Fifty Dollars (\$50.00) shall be paid when service is disconnected due to non-payment. In cases where a new customer has moved out of the residence or business, the new customer shall not be required to pay the reconnection fee but shall be required to pay a deposit in the sum of One Hundred Seventy-five Dollars (\$175.00). This deposit will be refunded when the tenant moves out and the utility account is paid in full.

Section 12 of Ordinance 2018-3 is hereby amended as follows:

Should a customer have a water leak that occurs underground or under the structure, they may appeal to the Town Council for an adjustment on the water and sewage portion of their bill if they present proof of the following to the Council:

1. That the customer has installed a water shut off valve for the structure;
2. Photographic evidence of the location of the leak; and,
3. Verification of the repair by any employee of the Town's Water or Wastewater Department.

In lieu of photographic evidence of the location of the leak, the Council may consider the written statement of a contractor identifying the location of the leak.

In the event that the Council approves an adjustment, the adjusted charges will be based on the average charges for the three (3) months immediately preceding the leak. Customers shall only be permitted one (1) adjustment in a twelve (12) month period. At a time of very cold weather, customers are advised to keep water running in order to prevent freezing of water lines. Customers remain responsible for excess use during cold weather months in order to prevent freezing of water lines.

Section 17 of Ordinance 2018-3 is hereby amended as follows:

The following persons are authorized to open meter pits and turn water on and off in the event of an emergency:

- REMOVE NAMES DeLoce*
1. Donnie Knisely (765-744-7987)
 2. Charles Coons (765-717-0747)

WATER
PROTECTION
A PROGRAM FOR PROTECTING THE PUBLIC
WATER SYSTEM FROM CONTAMINATION DUE
TO BACKFLOW OF CONTAMINATES
THROUGH THE WATER SERVICE CONNECTION
IN THE
PUBLIC WATER
SYSTEM

WHEREAS, the following to provide a program for protecting the public water system from contamination due to backflow of contaminants through the water service connection in the public water system.

WHEREAS, Chapter 10 of the Uniform Plumbing Code, as adopted by the State of Indiana, requires protection of the public water supply from contaminants due to backflow contaminants through the water service connection; and,

WHEREAS, The Indiana Department of Environmental Management endorses the maintenance of a continuing program of cross connection control which will systematically and effectively prevent the contamination of all potable water systems;

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

- Section 1. That a cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Town of Redkey water systems, and the other from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.
- Section 2. That no person, firm or corporation shall establish or permit to be maintained any cross connection. Now interconnection shall be established whereby potable water from a private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Town of Redkey Water Department (hereinafter referred to as "Water Department") and by the Indiana Department of Environmental Management in accordance with 327 IAC 8-10.

- Section 3. That it shall be the duty of the Water Department cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Water Department.
- Section 4. That upon presentation of credentials, the representative of the Water Department shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the Town of Redkey for cross connections upon request by owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping systems on such property. The refusal of access or refusal of requested pertinent information shall be deemed evidence of the presence of cross connections.
- Section 5. That the Town of Redkey Water Department is hereby authorized to discontinue water service to any property wherein any connection in violation of this ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system, water service shall be discontinued only after reasonable notice is served on the owner, lessee, or occupants of the property exist. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance stated herein.
- Section 6. That, if it is deemed by the Water Department that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that fact is filed with the Clerk-Treasurer of the Town of Redkey and delivered to the consumer's premises, service may be immediately discontinued. The consumer shall have an opportunity for a hearing within ten (10) days of such emergency discontinuance with the Redkey Town Council.
- Section 7. That all customers using toxic or hazardous liquids, all hospitals, mortuaries, wastewater treatment plants, laboratories, industries, restaurants, gas/service stations, and any commercial customer identified by the wastewater department as hazardous material users install and maintain a reduced-pressure-principle backflow preventer in the main water line serving each building on the premises. The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing. Customers shall have their backflow preventer inspected annually by a licensed inspector and provide a copy of the inspector's report to the wastewater department.

POLICIES AS TO THE TOWN OF REDKEY
INDIANA'S UTILITIES

WHEREAS, the Town of Redkey, Indiana operates water and sanitary sewer utilities which serves residences and business located in the Town;

WHEREAS, the Town Council of the Town of Redkey, Indiana has determined there is a need for set forth policies as to the operation of said utilities; and

WHEREAS, the Town Council of the Town of Redkey, Indiana sets forth the policies addressing the Town utilities.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL THAT:

- SECTION 1. All utility payments shall be done through payment with cash, check, or money order. No post-dated checks will be accepted by the Town for payments on utilities. Payments can be made by: 1. Paying in person at the Town Hall during regular business hours; 2. Dropping off payment in the 24 hour drop box located at the Town Hall: or 3. Depositing payment through the mail.
- SECTION 2. Meters shall be read form the 17th to the 21st day of each month.
- SECTION 3. Utility billing shall be mailed on the last day of each month to customers. All utility billings are due on the 15th day of each month.
- SECTION 4. A ten percent (10%) penalty shall be automatically added to the current unpaid balance if payment is not received in the 15th day of each month.
- SECTION 5. All customers who request utility service shall be required to pay a deposit. Said deposit shall be the sum of One Hundred Seventy-Five dollars (\$175.00). Deposits shall be paid in full prior to utility service being provided to the customer.
- SECTION 6. The utility account shall be in the name of the renter in rental property matters. The renter shall be responsible for the One hundred Seventy-five Dollar (\$175.00) deposit. The landlord shall sign an agreement stating that they will be responsible for paying the unpaid balance on utilities on said property in the event that the renter moves out and has an unpaid balance that is greater than the deposit. The entire amount or a portion of the

deposit shall be returned to the renter.

- SECTION 7. Water is furnished to temporary users, such as contractors, shall be charged on the basis of the metered gallon usage rate as set forth in the portion of this ordinance which established rates and charges for the use of service rendered by the Waterworks system of the Town of Redkey. Temporary users shall contact the Town Clerk-Treasurer prior to obtaining water. The Clerk-Treasurer shall then contact the Water Superintendent who shall make arrangements to furnish water to such temporary user. All such temporary use shall be recorded and/or metered. Temporary users who fail to pay for water used shall not be allowed to obtain any additional water from the Town until the prior bill for water used is paid. Temporary users shall be required to use a proper device to hold the end of a hose above the inlet to a tank.
- SETION 8. Payment made by check that is dishonored by a bank shall be treated as non-payment of the billing. A bad check charge in the sum of Forty Dollars (\$40.00) shall be charged for each dishonored check. In the event that the customer takes care of the bad check immediately upon notification by the Town, water service shall be reconnected and a Fifty Dollar (\$50.00) reconnect charge shall be paid in addition to the bad check charge of Forty Dollar (\$40.00) and unpaid balance prior to water service being restored to the customer.
- SECTION 9. Any customer who has one delinquent bill and receives the current billing shall also receive a disconnect notice. The notice shall inform the customer that both the delinquent bill and the current shall be paid in full by the 15th day of the month in which the current bill is issued. If water service is disconnected due to nonpayment; a Fifty Dollar (\$50.00) reconnect fee shall be required before water is restored. There shall be no exceptions to this rule.
- SECTION 10. A reconnect fee in the sum of Fifty Dollars (\$50.00) shall be paid when service is disconnected due to nonpayment. In cases where a new customer has moved out of the residence or business, the new customer shall not be required to pay the reconnection fee but shall be required to pay a non-refundable deposit in the sum of One Hundred Seventy-Five Dollars (\$175.00).
- SECTION 11. Customers may request one (1) disconnect and one (1) reconnect of service in a Twenty-four (24) Hour period at no charge during regular business hours. Each additional request or after hours request for disconnection or

reconnection of water service shall be at the charge of Seventy-five Dollars (\$75.00).

- SECTION 12. Should a customer have a water leak that occurs underground, they may appeal for an adjustment on the water and sewage portion of the bill, if they present proof of the following to the Council: (1) they have paid a water leak repair invoice; (2) that they have installed a shut-off valve; (3) photographic evidence of the location of the leak; (4) verification of the repair by any employee of the Town's water or wastewater department. In lieu of photographic evidence, the Council may consider the written statement of a contractor identifying the location of the leak. Should the Council approve the adjustment, the adjusted charges will be based on the average charges for the three (3) months immediately preceding the leak. Customers shall only be permitted one (1) adjustment in a twelve (12) month period. At time of very cold weather, it is to a water user's advantage to keep water running to avoid freezing of lines. The cost of the water will be at customer's expense.
- SECTION 13. A customer may request that their meter be tested. Said request shall be in writing and submitted to the Town Clerk-Treasurer. If a customer request their meter be replaced, the customer shall make a written request and submit the same to the Town Clerk-Treasurer. The customer who request that their meter be replaced shall pay the sum of One Hundred Dollars (\$100.00) if it is determined by the Town that the meter being replaced by the Town was in proper working order. In the event that the meter being replaced was not in proper working order, the customer shall not be required to pay the sum of One Hundred Dollars (\$100.00).
- SECTION 14. A customer may request that a meter be moved to a new location. The customer shall pay to the Town the actual costs for moving the meter to a new location.
- SECTION 15. The Town shall reserve the right to determine when a meter shall be installed in the event of cold weather. The Town Water Department shall make this determination. Meter pits will not be opened to disconnect or reconnect water service whenever the temperature is below 20°F in order to prevent freezing and damage to the water line. The customer shall remain responsible for any charges incurred due to any delay in disconnection due to weather conditions. The Water Superintendent shall determine when the temperature is sufficient to open the

meter pit without causing damage. If the Water Superintendent determines that an emergency exists, he may authorize the opening of a meter pit regardless of the temperature.

- SECTION 16. There shall be a connection charge for meter service for all sizes of meters. The connection charge shall be actual costs to the Town for labor and materials for said connection. This connection charge shall be assessed to all water meters even if more than one meter is installed in the same water pit.
- SECTION 17. Only authorized Town Personnel are allowed in the water meter pit at any given time. Any meter tampering shall not be tolerated. Meter tampering shall result in a theft charge in the sum of One Hundred Fifty Dollars (\$150.00) plus costs for labor and materials for repair of said meter, plus charges calculated at a three month average for a period of unauthorized use.
- SECTION 18. Residents may have their water shut off or turned on by a Town employee authorized to do so. Each customer shall install water shut-offs in their home.

VALVE INSPECTION PROGRAM

- SECTION 1. The Indiana Department of Environmental Management, (IDEM) *requi* red municipalities to maintain an inventory of active valves in the municipal utility system either by electronic or manual mapping of said valve location. The valve information should include size and type (gate valves, globe valve, ect.) along with the general function of said valve.
- SECTION 2. Once the valves are located and mapped, an inspection log is to be kept showing the location and date of the inspection of the valve to determine it is in good working order. Valves should be inspected every three to five years.
- SECTION 3. If a valve is found to be defective, data is to be entered into the log showing the repair or replacement of the valve. If repairs are made, a description of the repair shall be included in the log, documented with pictures and recorded on the water map.
- SECTION 4. If the valve is replaced, include in the log, the valve manufacturer along with the name of the municipal employee or company that made the replacement.

RESIDENTIAL + LIGHT COMMERCIAL SEWERS

Section 2. Water and Wastewater Discharge Regulations

1. Any home, building or other structure that is to be connected to a combined storm and sanitary sewer shall have separate laterals. At such time as separate storm and sanitary sewers become available, the sanitary lateral shall be disconnected from the combined sewer and connected to the new sanitary line.
2. No new combined storm/sanitary sewers shall be constructed in the Town of Redkey and no approval for subdivision plans shall be given if such plans call for the construction of a combined sanitary/storm sewer.
3. The Town shall make and enforce such by-laws and regulations as may be deemed necessary for the safe, economical and efficient management of the Town's wastewater treatment system, pumping stations, for the construction and use of house laterals and connections and for the regulation, and collection of wastewater rates and charges.
4. No person shall discharge or cause to be discharged to any sanitary sewer, either directly or indirectly, storm water, surface water, ground water, roof runoff, sump pumps, subsurface drainage, cooling water, unpolluted water or unpolluted industrial water.
5. Storm water, surface, water, ground water, roof runoff, subsurface drainage, cooling water, unpolluted water, or unpolluted industrial process water may be admitted to storm sewers which have adequate capacity for their accommodation with the specific approval of the Town.
6. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank cesspool or other facilities intended for the disposal of wastewater.
7. 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 a public

Sanitary or combined sewer is located, is hereby required at his/her expense to install toilet facilities therein and connect such facilities to the public sewer within 90 days after official notice to do so provided said sewer is within one hundred feet of the property line.

8. Where a public sanitary sewer or a combined sewer is not available, the building lateral shall be connected to a private wastewater system in compliance with all requirements of the Indiana State Board of Health.

9. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer in compliance with this Ordinance and any septic tanks, cesspools and any other similar private wastewater disposal systems shall be cleaned out, filled and abandoned.

10. No unauthorized person shall uncover, make any connections to, use, alter or disturb any public sewer or appurtenance without first obtaining a written approval from the Town Clerk-Treasurer.

11. There shall be two classes of building sewer permits. One permit for residential and commercial service and one for establishments producing industrial wastes. In either case, a permit application shall be obtained from the Town Clerk/Treasurer indicating the location and purpose of the sewer tap. A permit fee of \$500.00 for a residential or commercial permit and \$750.00 for an industrial permit shall be paid to the Clerk/Treasurer at the time the application is filed. An inspection fee of \$50.00 is also required.

12. The owner is responsible for construction and maintenance of the building lateral from the building to the property line. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The Town will construct the lateral from the property line to the sewer main.

13. A separate and independent building sewer shall be provided for every building except where one building is located at the rear of another with no space available to construct a separate lateral. In this case, the building sewer from the front building may be extended to the rear building and the whole lateral shall be considered as one building sewer with separate billing

accounts.

14. Old building sewers may be used in connection with new buildings only if found to be in good condition as determined by the Superintendent.

15. Materials for building sewers shall consist of SDR 35 or SDR 21 PVC, schedule 40 PVC, ductile iron or any other equivalent material approved by the Superintendent.

16. The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than ~~3~~ ^{four} Four (4) inches. The slope of the ~~3~~ ^{four} (4) inch pipe shall be not less than one eighth (1/8) inch per foot.

17. In all buildings where the building drain is too low to permit gravity flow to the public sewer, sanitary wastewater shall be conveyed to the public sewer by means of a submersible pump at the cost of the building owner.

18. Building sewers shall be laid at a uniform grade and alignment at a depth sufficient to provide protection from frost. The pipe shall be bedded in at least four (4) inches of crushed stone or equivalent material. No backfill shall be placed until the inspector has observed and approved the work.

19. The connection of the building sewer shall be made at a "Y" connection if available. If a "Y" connection, is not available, the owner at his/her expense shall install a "Y" connection. In sewers larger than 10" in diameter, the pipe shall be bored for the proper size connection and a sleeve installed to support the pipe.

20. The applicant for a building sewer installation 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 designated representative. *24 HOUR NOTICE*

21. All excavations for building sewer installations shall be adequately guarded by barricades and lights to protect the public from hazards. Streets, sidewalks, parkways and other public property shall be restored in a manner satisfactory to the Town.

(e) Any waters or waste having a pH greater than nine point five (9.5).

(f) Any waters or wastes containing substances which are not amenable to treatment or adequate reduction by the treatment process employed are prohibited. No waste introduced to the treatment plant shall pass through or interfere with the operation or performance of the treatment works.

Section 4. Authority to Inspect.

(a) The Superintendent, Inspector and any other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The Superintendent shall have no authority to inquire into any process including metallurgical, chemical, oil, refining ceramic, paper or other industries beyond that point of having a direct bearing on the source and kind of discharge to the public sewer or waterways or facilities for wastewater treatment.

(b) While performing the necessary work on private properties referred to in Section 4 (a) above, the Superintendent or duly authorized employees of the Town shall observe all safety rules applicable to the premises and the company or individual shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company or individual against loss to their property by the Town employees and against liability claims and demands for personal injury or property damage asserted against the company or individual as a result of the observations, flow measurement and sampling operations, except as may be caused by negligence or failure of the company or individual to maintain safe conditions.

(c) The Superintendent and other duly authorized employees of the Town bearing proper credentials shall be permitted to enter all private properties through which the Town holds a valid easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater works lying within the said easement. All entry and subsequent work, if any shall be done in full accordance with the terms of the duly negotiated easement pertaining to the property involved.

Section 5. Violations and Penalties

(a) Any person found to be violating any provisions of this Ordinance shall be served by the Town Board with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender within the specified period of time shall permanently cease all violations.

(b) Any person, company or other entity who shall continue any violation beyond the time limit provided for in the notice of violation shall be guilty of an infraction and upon conviction shall be fined in an amount not to exceed \$2500.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. Any person violating any provision of this ordinance shall become liable to the Town for any expense, loss or damage occasioned by the Town by reason of such violation.

Section 6. Pretreatment of Industrial Wastes

(a) Pretreatment of Industrial wastes from major contributing industries prior to discharge to the treatment works is required and subject to the rules and regulations adopted by the United States Environmental Protection Agency (USEPA). And published in the Federal Register August 25, 1978 40 CFR (Part 403) and Federal Guidelines Establishing Test Procedures For Lab Analysis of Pollutants published in the Federal Register October 16, 1973 (40 CFR Part 136) and subject to any more stringent requirements established by the Indiana Department of Environmental Management. The Town or any subsequent State or Federal Rules and Regulations.

(b) If any waters or wastes are discharged or proposed to be discharged to the public sewers which contain substances which in the judgment of the Superintendent may have an adverse effect on the public sewers, treatment process, equipment or receiving waters or which otherwise may create a hazard to life or create a public nuisance, the Superintendent may:

Require the industry to submit detailed information on the wastewater characteristics and obtain prior approval for discharge.

Section 5. Sometimes during the first month of each year a report is to be provided to the appropriate department of the Indiana Department of Environmental Management in Letter for describing a brief history of the previous year's valve inspections, including any repair or replacement of valves during the previous year.

Section 6. The Municipal Council is responsible for providing this annual report to the Indiana Department of Environmental Management.

Passed and adopted by the Town Council of the Town of Redkey, Indiana, on the 15th day of November, 2018.

Doug Stanley, President
Charles Coons, Vice President
David Dudelston, Council Member
Ted Fiddle, Council Member
Mike Wright, Council Member

Attest: Debbie James, Clerk Treasurer