

ORDINANCE NO. 2019- 06

ORDINANCE AMENDING CHAPTER 10.08, ALLOWING ADJUSTMENT TO SEWER CHARGES

WHEREAS, The Town Council understands and appreciates that there are occasions when a utility customer has extraordinary water usage and non-sewered water is used, voluntarily or otherwise, thereby creating a situation where the amount of sewer charges should not be directly related to the amount of water usage; and

WHEREAS, the Town Council does not want to penalize its users of sewer service in those situations or should those circumstances arise but wants some accountability for the extent of adjusted charges;

NOW THEREFORE, BE IT ORDAINED BY THE FERDINAND TOWN COUNCIL:

Chapter 10.08, Section 10.08.040 (6) is deleted.

Chapter 10.08, Section 10.08.110 "Adjustment to Sewer Charges Allowed" is hereby amended as follows:

1. The Town of Ferdinand reserves the right to adjust a utility customer's sewer billing and gives the Utility Clerk of the Town of Ferdinand, upon approval by the Wastewater Superintendent, the authority to adjust the sewer charges on a utility customer's bill whenever the utility customer has extraordinary water usage and non-sewered water has been used that will not be entering the sewer system at that same rate of usage. Those occasions include, but are not limited to, the following, provided however, that reasonable verification in the manner herein provided is first given in those instances where the extraordinary water usage is voluntary:

Garden hose busted outside or washing machine hose busted
Water heater leaking
Broken yard hydrant
Fill pool or goldfish pond
Water lawn and landscaping
Wash down or pressure wash house, porch or driveway and sidewalk
Error was made by Town employee and it was proven to be an error.

2. Any reason not included in or sufficiently similar to one of the reasons listed in the foregoing paragraph shall require the prior approval of the Town Council before a billing adjustment will be made.

3. For the purpose of this Ordinance, "extraordinary" shall mean usage that is at least 2,500 gallons more than the average usage over the previous three months ("the Norm").

4. For the purpose of the Ordinance, "reasonable verification" shall mean a fully completed and substantiated Rebate Application and Approval Form as is attached hereto and labelled as "Exhibit A" and, if available, documented information on extraordinary water usage determined by an accurate and acceptable deduct meter box device. No verbal requests will be honored. Deduct meter boxes must be purchased by the customer. Deduct meters are no longer available for loan out to customers. If a customer intends to request a rebate for filling a pool, if at least 48 hours advance notice and a read/re-read fee of \$25.00 is provided, the water

department will read the customer's meter both before and after the fill to determine extraordinary usage.

5. Rebates will only be allowed one time per customer per calendar year. Rebates will not be based on the total amount of extraordinary water usage. Rebates will not be allowed on the first 2,500 gallons over the Norm, which the Town will retain to cover administrative costs associated with the rebate process.

6. The Wastewater Superintendent shall have authority in his discretion to adjust, no more often than one time a year, a user's sewage rates and charges on a case-by-case basis when there has been an extraordinary usage of metered water as a result of a toilet running, an accident, or an Act of God, and such usage of water has not benefitted the user or any other person, and where such extraordinary usage is stopped within a reasonable time considering the nature and amount of the problem and the amount of usage.

7. This Ordinance shall be effective upon passage.

ADOPTED this 16th day of APRIL, 2019.

TOWN COUNCIL OF THE
TOWN OF FERDINAND, INDIANA

Kenneth J. Sicard
KENNETH J. SICARD, President

Ron Weyer
RON WEYER, Member

Debra Johnson
DEBRA JOHNSON, Member

ATTEST:

Tamara M. Miller
TAMARA M. MILLER, Clerk-Treasurer



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EXTRAORDINARY WATER USAGE
WASTEWATER REBATE APPLICATION & APPROVAL FORM

"Extraordinary" means that the usage is equal to or greater than 2,500 gallons as compared to the previous three month's average usage (the "Norm").

Rebates will not be allowed on the first 2,500 gallons over the "Norm" in order to cover the Administrative Costs.

Request for a sewer charge adjustment per the Town of Ferdinand Ordinance #11-12, as amended.

Applicant Name: Phone No:

Address: Acct No:

Date(s) of Extraordinary Water Usage:

Reason/Cause of Extraordinary Water Usage: Swimming Pool Landscaping Lawn

Other:

* If toilet or faucet running, I would like to use my one time per calendar year sewer adjustment.

Water Meter Readings (if known): Before: After:

Comments:

Utility personnel will visit your facility for verification purposes

Applicant Signature: Date:

For Office Use Only

Was the Usage Extraordinary as defined above? Yes No - Sewer Adjustment Not Granted

Is the Situation Non-Recurring? Yes No - Sewer Adjustment Not Granted

Could you Verify the Situation? Yes No - Sewer Adjustment Not Granted

Did the Water enter the Sanitary Sewer System? No Yes - Sewer Adjustment Not Granted

*One-time credit requested above. Yes

Rebate Amount: \$

Request Approved: Date:

(Wastewater Superintendent)