

ORDINANCE NO. 2015-6

AN ORDINANCE AMENDING TITLE 6, ARTICLE 11, CHAPTER 1 OF THE TOWN CODE OF THE TOWN OF MILFORD, INDIANA REGARDING THE RATES AND CHARGES FOR THE USE OF AND SERVICES RENDERED BY THE WATER WORKS SYSTEM OF THE TOWN

WHEREAS, the Common Council of the Town of Milford, Indiana (the "Town") has authorized a financial study of the operational requirements of the Milford Municipal Water Works System of the Town (the "System"); and

WHEREAS, the Town has heretofore, pursuant to Ordinance No. 2001-6 adopted by the Common Council of the Town on August 13, 2001, established rates and charges for the use of and the services rendered by the System which rates and charges are set forth in Title 6, Article 11, Chapter 1 of the Town Code of the Town; and

WHEREAS, the Common Council now finds that the existing rates and charges for the use of and the services rendered by the System are too low and are insufficient to enable the Town to pay all expenses incidental to the operation of the System, provide adequate money to be used as working capital and provide adequate money for improving or replacing the System; that the proposed improvements will improve the service rendered by the System and make the same of greater value to the Town and its inhabitants, and that the existing rates and charges should be increased.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF MILFORD, INDIANA:

SECTION 1. Rates and Charges. The water rates and charges set forth in § 6-11-1 of the Town Code are hereby amended, commencing with the first billing period practically possible following the adoption of this Ordinance, to read as set forth on Exhibit A attached hereto.


SECTION 2. Amendment and Restatement of 6-11-1 of the Town Code. Title 6, Article 11, Chapter 1 of the Town Code is hereby amended and restated in its entirety as set forth on Exhibit A.

SECTION 3. Prior Ordinances. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

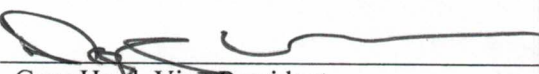
SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage.

Passed and adopted this 14 day of December, 2015.

Common Council of the Town of Milford, Indiana

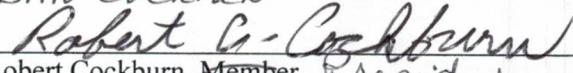


Douglas Ruch, ~~President~~ *Vice President* NAY



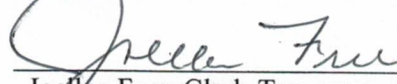
Gary Hurd, ~~Vice President~~

Dan Cochran - member



Robert Cockburn, ~~Member~~ *President*

ATTEST:



Joellen Free, Clerk-Treasurer

EXHIBIT A

Title 6
Public Works and Facilities
Article 11
Water Rates and Charges
Chapter 1

6-11-1-1 Water Rates and Charges Established

That there shall be and there is hereby established for the use of and the services rendered by the Water Works System of the Town of Milford, Indiana (the "Town") the following rates and charges (fees), based on the amount of water used on the affected property supplied by said Water Works System:

a.

Water Billing

Rates Based on Water Usage

<u>Quantity of Water Used Monthly</u>	<u>Rate per Thousand Gallons</u>
First 3,000 gallons	\$6.54
Next 8,700 gallons	5.23
Next 10,000 gallons	4.67
Next 16,700 gallons	3.92
Over 38,400 gallons	2.61

Minimum Monthly Bill

3/4" meter	<u>Amount Per Bill</u> \$19.62
Hydrant Rental: Per Hydrant	<u>Per Annum</u> \$420.00
<u>Sprinklers</u>	<u>Per Annum</u>
2"	\$ 47.00
4"	258.00
6"	420.00
8"	747.00
10"	1,167.00

- b. Bills shall be sent to all customers of the Town on a monthly basis. All bills unpaid more than 15 days following the date of the billing shall include a collection charge of 10% on the first \$3.00 of the unpaid billing and 3% on the balance of the unpaid billing in excess of \$3.00.
- c. A water security deposit of \$40.00 shall be required of every residence connected to the Town Water Works System. A water security deposit of \$50.00 shall be required of every business connected to the Town Water Works System. If a business has two or more locations connected to the Town Water Works System, that business shall be billed for each separate tap-in as if each location was a separate business. The provisions of this article shall apply even if the meter used by the customer is privately purchased and not purchased from or owned by the Town.

- d. Hydrant Tapping Fee. Any person or organization tapping into a hydrant for water shall be required to pay \$25.00 per tap up to \$100.00 maximum per year for maintenance of the hydrant. The person or organization shall also be responsible for reporting the amount of gallons used to a Utility employee or to the Clerk-Treasurer's office. The person or organization shall be billed for the amount of water based on the Water Utility billing rate chart.
- e. Turn Off and Turn On Fees: The fee for turning off or turning on water service to a property shall be \$10.00 per incident. This amount shall be charged to customers whether such incident is voluntary or involuntary due to delinquency of payment.
- f. Water Tap on Fees (Standard). The standard tap-on fee of a business or residence to the Town Water Works System is \$530.00. As part of the water tap-on fee, the Town agrees to provide a tap in location from 3/4-inch to 1-inch in diameter from the Town water main to the customer. The Town will also be responsible for installation of a valve box at a convenient location near the property for turn on and turn off service, and a meter yoke with a shut-off valve. The Town will further provide a 3/4-inch water meter with a remote box for the customer.

Water tap-on (Greater than 1-inch). For every inch over 1-inch tap required by the customer, there shall be an additional charge of \$500.00 per inch in addition to the standard fee of \$530.00. Any fraction of an inch over a whole amount of an inch shall be considered an additional whole inch for the purposes of this charge. Any customer using or requiring a water tap greater than 1-inch shall notify the Town. The Utility Commissioner shall approve the meter and the tap before the installation of the same.

Royalty Fees. From time to time, the Town may agree to provide services to customers outside the Town limits. Any such customer outside the Town limits shall be charged one and one-half times the tap-on fees and regular billing rates.

- g. Any customer of the Water Works System of the Town of Milford may request that the Town test their water meter for accuracy. Such a request may be made no more frequently than every four months. A meter shall be considered accurate if it falls between an A.W.W.A. rating of 97%-103% accuracy. If a meter is found to be reading accurately, the customer shall be charged \$5.00 for the test. If the meter is found to be reading inaccurately, the Town shall provide a new meter free of charge, providing that the old meter was one that was provided to the customer by the Town. A letter of verification of accuracy of the test will be signed by the property owner and the Utility Commissioner. The Town shall have the right to test meters owned by the Town or by the customer hooked into the Town Water Works System upon 24 hours notice to the customer.
- h. All residents with private wells who are connected to the Town's Sanitary Wastewater System shall have a water usage meter hooked up to their well in order to establish a more accurate wastewater rate for billing. A metering device shall be provided by the Town at the expense of the property owner.
- i. All meters are to be registered-remote compound type. A meter of any other type may be approved for use by the Utility Commissioner on a case-by-case basis.
- j. All meters shall register in gallons.
- k. The Utility Commissioner shall have the right to test any well meters for accuracy upon 24 hours notice to the property owner.
- l. All meters under this chapter shall be inspected and approved for use by the Utility Commissioner.

- m. All residential property owners who have both a private well and Town water are still subject to the provisions of this chapter. All such property owners will need to have a check valve, back flow preventer or other mechanism necessary to prevent any crossover between the private well and the Town Water Works System.
- n. All meter pits shall be approved by the Utility Commissioner and shall require cast iron lids.
- o. It is a civil infraction not to have an appropriate meter as required under this chapter, which each day that the customer is not in compliance constituting a separate offense and a separate fine.
- p. The provisions of this chapter shall not apply if the Town of Milford does not maintain a water main within 300 feet of the residential property owner's property.
- q. Private residential wells serving more than one dwelling shall be hooked up to water usage meters that measure the water usage for each individual dwelling or user. The owner of such a private residential well may be granted a variance by the Common Council from the requirements of this section only after a public hearing and determination by the Common Council that the cost of installing water usage meters for each individual dwelling or user is such that it exceeds practical or reasonable investment. If such a variance should be granted, a flat rate will be charged per dwelling or user and all sewage or water bills will be the responsibility of the owner or private residence. Said rates to be determined in accordance with the general provisions of the sewer rate ordinance or the water rate ordinance used by the Town of Milford and amended from time to time.
- r. As a matter of police. The customer of the Water Works System owns and is responsible for maintaining water service from the valve box to the dwelling or business. This includes a responsibility for use of and maintenance of the water meter.
- s. If a water leak shall occur in the area which is the property owner's responsibility, the customer shall have ten (10) business days to make appropriate reports. After the ten (10) business days have expired, and a leak still exists, the Town has the right to disconnect the water to the customer until appropriate replacement or repairs have been made. This provision shall apply regardless of what caused the leak.