

RESOLUTION 2013-2  
BOARD OF PUBLIC WORKS AND SAFETY, CITY OF CLINTON, INDIANA

UTILITY RULES AND REGULATIONS

I. WATER RATES AND SEWER RATES

Water and Sewer rates have been established by the Common Council of the City of Clinton, Indiana by that Ordinance 2007-0301.

II. OTHER CHARGES AND SERVICES

A. Security Deposits

Customers who open a new utility account with the City are required to pay a security deposit of \$100.00 at the time the new account is opened. A customer must also show proof of identity and age at the time a new account is opened. If the customer is a tenant or renter, they must also provide the name and address of the owner or manager of the property.

A customer who also is the owner of the property that is connected to the utility may be entitled to receive a refund of his or her deposit five years after the account was opened. In order to receive the refund, a property owner must show (1) that there have been no delinquent utility bills on the account for the past two years; (2) documentation (such as property tax records or a deed) demonstrating ownership of the property for at least the past five years.

In the event that a customer has a delinquent utility bill, the security deposit shall be applied toward the delinquency, first towards unpaid water charges and second towards unpaid sewer charges. The customer will then be required to replenish the security deposit to the original \$100 amount of the deposit. A customer who fails to replenish a security deposit will be considered delinquent and may have their service terminated pursuant to the City's policies on delinquent accounts discussed herein.

If a customer cancels or terminates utility service, the deposit shall be applied to the customer's final bill. Any balance remaining shall be refunded to the customer if the customer provides a forwarding address. The security deposit shall be forfeited if the customer has not provided a forwarding address within 1 year of terminating service.

B. Pool Fill

Utility customers may fill a private pool using a city fire hydrant. A flat fee of \$76 (\$51 to the water department for the water and \$25 to the Clinton Fire Department for hose rental) must be paid in advance for this service. The pool fill must be supervised by employees of the water or fire departments and a 1 ½ inch hose from the fire department will be used to fill the pool. Pool fills will only be performed during regular business hours and regular duties of the departments will take precedence over pool fills.

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Pool meters are also available for use and may be picked up at the water office at City Hall. There is a \$25 charge, per 4 days, to rent a pool meter. There is a \$25.00 charge per day for each day the meter is not returned after the initial 4 day period. If a meter is damaged or lost, there is a \$135.00 charge. An adjustment will be made to a customer's utility bill based upon a reading of the pool meter once returned.

Utility customers may choose to use their own hose and spigot to fill a pool. However, no adjustments will be made to a customer's utility bill for the pool fill if they elect to use this method.

C. Late Payments and Delinquent Bills

Utility bills are due on the 15<sup>th</sup> day of each month. A late fee is assessed to all bills not paid by the due date. The late payment charge shall be 10% of the total bill before tax.

If a bill is past due for over one month, the account is considered delinquent and water service will be disconnected if the account is not brought out of delinquency. Written notice will be provided to a customer before water service is disconnected.

Once service has been disconnected, it will not be reconnected until the account has been paid in full and a reconnection fee, in the amount of \$50, has been paid. Service will be reconnected the following business day after the account has been fully paid and the reconnection fee has been paid.

If a customer has a delinquent bill, no new service will be provided in the customer's name (or in the name of another member of the household) until the delinquent bill is paid in full.

In addition, no new service will be provided in the name of a different customer to an address with an outstanding delinquent bill. All amounts owed must be paid before service to the address will be connected. However, this policy shall not be applied if the ownership of the property has changed since the delinquent bill was incurred.

D. Sewer Liens

Delinquent sewer bills may also result in a lien being placed against the property to which service has been provided.

If the property is occupied by someone other than the owner, the City may only place a lien against the property if the City has notified the owner of the delinquency within 20 days of the time the sewer bill became 60 days delinquent. However, the City is only

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required to provide notice to the owner of the property if the owner has provided the utility office with written notice of the address to which the notice is to be sent.

Accordingly, all property owners who rent or lease their property are encouraged to provide the utility office with the aforementioned written notice in order to receive warning before a sewer lien is placed against the property.

E. Disturbing Water Meters

A City Ordinance (2000-1201) prohibits anyone except the utilities superintendent (or persons designated by the superintendent) from opening meter lids or otherwise disturbing, or adjusting a water meter. This ordinance further prohibits placing objects on meter lids or otherwise obstructing water department personnel from reading water meters. Violations of this ordinance are punishable by a fine of between \$25 to \$500 and a person who causes damage to a meter lid, meter or meter pit is responsible for all replacement and repair costs.

F. Turning on or shutting off water service

Normally, a request to turn on or shut off water service will be honored within 24 business hours of the request being made to the utility office. Additional time may, however, be required depending on the work schedules and responsibilities of utility personnel.

**IV. BILL ADJUSTMENTS AND VARIANCES FROM DEPARTMENT POLICIES**

Customers who believe that their bill is in error or should otherwise be adjusted (i.e. leak adjustment) may request that the Board of Public Works and Safety review their bill. Similarly, Customers who wish to request a variance from the department's rule and regulations must submit the request to the Board. All adjustments and variances must be approved by the Board of Public Works and Safety.

If you believe that your bill is misstated, you should first contact the utility office. The utility office will then schedule to have your water meter reread to determine if an error has been made in the reading of your meter. If the meter reading appears correct, water department personnel may then conduct a leak check to attempt to establish if there is a leak in the water line leading to your home/business or within the water pipes or fixtures within your home/business. Customers requesting leak checks will be charged \$25.00, which fee is payable at the time of the service. This fee does not apply if the customer has been tagged by the Utility Office for a leak check.

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A. Leak Adjustments

A customer may request an adjustment if they suffer a water leak. Typically such an adjustment consists of a reduction in the customer's sewer bill by reducing the consumption from the actual meter reading to the customer's average of the prior three month period. A customer is limited to one adjustment per 12 month period.

In limited circumstances, the Board may also consider making an adjustment to a customer's water bill. Pursuant to I.C. 8-1.5-3.5, the City may make an adjustment to a sewer bill if the following criteria are satisfied:

1. The customer is a residential customer;
2. The customer has an "unusually large bill" which is defined as a bill that is at least 2 times the customer's average monthly usage at the premises;
3. The excessive use reflected in a monthly bill is the result of damage to any facility or equipment supplying water to the customer's premises;
4. The damage was not visible or detectable on the customer's premises except on excavation or some other disturbance of the property; and
5. The damage was not the result of the act of the customer (or any agent or contractor hired by the customer).

If a customer presents adequate evidence to the Board that the above conditions are satisfied, the Board may consider adjusting the customer's water and sewer bills by reducing them to the average for the prior three month period.

B. Procedure for requesting an adjustment or variance from department rules

All bill adjustments or variances from utility department rules or regulations must be approved by the Board of Public Works. Customers who wish to request an adjustment or variance from department policies may submit their request in writing to the Board of Public Works on the proper form which is available at the utility office.

The Board of Public Works usually meets every second Tuesday of the month at 6:30 p.m. and will consider all requests for adjustments or variances that have been submitted prior to the beginning of the Board's meeting. Customers requesting an adjustment or variance are required to attend the Board's meeting.

C. Emergency Relief

The City recognizes that in some, emergency circumstances (meaning threatening or endangering life, health or property), a customer's request for a variance from department policies must be acted upon before the Board of Public Works' next regularly

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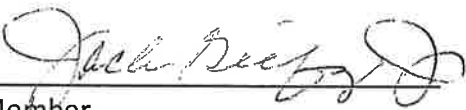
scheduled meeting. Accordingly, the Office Manager may conditionally grant a variance from department rules, subject to approval by the Board of Public Works at its next meeting.


A customer requesting such emergency relief still must complete the appropriate form requesting the variance in writing. The Office Manager may then grant emergency relief by signing the form and indicating the relief granted. At the next regular meeting of the Board of Public Works, the full Board will then decide whether to affirm, rescind or modify the relief granted.

If a customer's request for emergency relief is denied by the Office Manager the customer's request will still be considered by the Board of Public Works at its next meeting.

Accepted and Approved by the Board of Public Works and Safety this 12th day of March, 2013.

Passed in an open meeting this 18th day of March, 2013.

  
Member

  
Member

  
Member

ATTEST:

  
Clerk-Treasurer

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