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ORDINANCE NO. 5 - 1963

An Ordinance fixing the schedule of rates and charges to be collected by the Town of Cloverdale, Indiana, from the owners of property served by the sewage works of said Town, and other matters connected therewith

WHEREAS, the Town of Cloverdale has heretofore constructed and has in operation a partial sewer system for the purpose of collecting sewage and conveying the same away from the premises where produced; and

WHEREAS, the Town has heretofore authorized the construction, maintenance and operation of works for the collection, treatment and disposal of sewage, under the provisions of Chapter 61 of the Acts of the General Assembly of the State of Indiana for the year 1932, and the acts amendatory thereof and supplemental thereto; and

WHEREAS, the cost of such works and the amount of revenue bonds to finance the same has been determined, and tentative contracts for the construction of said works have been awarded, subject to sale of the said revenue bonds; and

WHEREAS, said Chapter 61 of the Acts of 1932, and the acts amendatory thereof and supplemental thereto, requires that the rates and charges to be collected for the use of and the service rendered by such sewage works be fixed by ordinance, finally adopted after due notice and public hearing, and authorizes the collection of rates and charges when the construction of such works has been commenced; now therefore,

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CLOVERDALE, INDIANA:

Section 1. 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 Cloverdale, which rates and charges shall be payable as hereinafter provided and shall be in an amount determinable as follows:

(a) 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.

(b) The water usage schedule on which the amount of said sewage rates and charges shall be determined shall be as follows:

<u>Quantity of Water Used per Month</u>	<u>Charge Per 1,000 Gallons</u>
First 1,500 gallons	\$2.00
Next 8,500 gallons	1.50
Next 10,000 gallons	1.35
Over 20,000 gallons	1.00

The minimum charge for any user, where the user is a metered water consumer, shall be based upon meter sizes as follows:

	<u>Per Month</u>
5/8 - 3/4 inch meter	\$ 3.00
1 inch meter	6.00
1-1/2 inch meter	12.00
2 inch meter	24.00
3 inch meter	48.00

The minimum charge for sewage services where the user is not a metered water customer shall be based on the size of the sewage service connection, but in no event shall such charge be less than the corresponding minimum monthly water meter charge as hereinbefore set forth.

Section 2.

(a) The quantity of water obtained from sources other than the municipal waterworks 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.

(b) 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 sewerage system, either directly or indirectly, is not a user of the water supplied by the Town's waterworks 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.

(c) 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 sewerage system, either directly or indirectly, is a user of water supplied by the Town's waterworks, 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 or 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.

(d) 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 sewerage system, either directly or indirectly, and uses water in excess of 20,000 gallons per month, 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 sewerage 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.

(e) 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 sewerage 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.

(f) 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 sewerage 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 billing shall be for a single service in the manner set out elsewhere herein, except that an additional charge shall be added thereto in the amount of \$1.50 per month for each dwelling unit over one 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.

(g) In order that domestic and residential users of sewage services shall not be penalized for the sprinkling of lawns during the months of July, August and September, the billing for sewage service for residences and/or domestic users for said months of July, August and September shall be based upon the water usage for the previous months of January, February and March. In the event the water usage for said previous months of January, February and March is greater than the water usage of said months of July, August and September, then the billing for sewage service shall be computed on the actual water used in the month for which the sewage service bill is being rendered. Domestic and/or residential sewage service, as applicable to the sprinkling rate, shall apply to each lot, parcel of real estate or building which is occupied and used as a residence. Said

sprinkling rate shall not apply to any premises which are partially or wholly used for industrial or commercial purposes. In the event a portion of such premises shall be used for commercial or industrial purposes, the owner shall have the privilege of separating the water service so that the residential portion of the premises is served through a separate meter, and in such case, the water usage as registered by the water meter serving such portion of the premises used for residential purposes would qualify under the sprinkling rate.

(h) 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.

(i) For the service rendered to the Town of Cloverdale, the Town shall be subject to the same rates and charges hereinabove provided or to rates and charges established in harmony therewith.

Section 3. 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 sewerage 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. Any and all commercial and industrial installations shall be so controlled and/or treated as to the sewage strength that their effluent discharged to the Town's sewers shall have a B. O. D. (biochemical

oxygen demand) not to exceed 300 parts per million and suspended solids not to exceed 350 parts per million at any time, which provisions are in general agreement with the recommendations contained in Manual No. 3 of the Federation of Sewage Works Association, entitled "Municipal Sewer Ordinances - 1949." The Town is authorized to prohibit the dumping of wastes into the Town's sewerage 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.

Section 4. The terms "sanitary sewage" and "industrial wastes" shall be defined as follows:

(a) "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.

(b) "Industrial wastes" are defined as being the liquid waste or liquid-borne waste resulting from any commercial manufacturing or industrial operation or process.

Section 5. The rates and charges fixed herein shall apply to lots, parcels of real estate and/or buildings located within the limits of the Town of Cloverdale. For services rendered by the sewage treatment works to lots, parcels of real estate or buildings located outside the limits of the Town of Cloverdale, the rates and charges shall be 200% of those rates and charges established herein, but in no event shall the monthly bill be less than \$150.00 and all other provisions herein set forth shall be applicable outside the Town limits of Cloverdale.

Section 6. The rates and charges shall be prepared and billed by the Town of Cloverdale 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.

Section 7. 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.

Section 8. 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 August 1, 1964, with the first monthly billing for sewage rates and charges being rendered not later than September 1, 1964.

Section 9. The Town of Cloverdale 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.

Section 10. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 11. This ordinance shall be in full force and effect from and after its passage.

Approved and adopted by the Board of Trustees of the Town of Cloverdale on the 3 day of October, 1963.

W. J. Foster
Charles D. Davis
Charles Williams
Board of Trustees

Attest:

E. M. Stewart
Clerk - Treasurer