

ORDINANCE NO 2015 - 4

**TOWN OF CLOVERDALE AN ORDINANCE ESTABLISHING THE PROCESS FOR  
ADJUSTING UTILITY BILLS**

An Ordinance providing the method of adjustment of utility bills based on extraordinary factors requiring adjustments from the direct reading of mechanical and electronic metering systems.

WHEREAS the Town Council of the Town of Cloverdale, Indiana operates and maintains water and sewage utilities;

WHEREAS the Town Council of the Town of Cloverdale, Indiana desires to revise and update its procedures dealing with adjustment of utility bills based on factors other than the direct reading of mechanical and electronics metering systems;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLOVERDALE, INDIANA:**

The following provision shall be added into the Town Code of the Town of Cloverdale:

**Section 9-6 ADJUSTMENT TO UTILITY CHARGES**

- A. The following shall apply to the adjustment to water and sewer charges:
  - a. Correction of errors. Any person disputing the accuracy of a particular bill must request an adjustment from the Clerk Treasurer or his/her designee (which designee may include but is not limited to the Town Manager) within 25 days of the issuance of the bill. The Clerk Treasurer or his/her designee shall have the authority to correct billing errors subject to the following provisions:
    - i. If a test of the meter involved demonstrates that there is an error in the meters functioning an adjustment shall be made to the metered water use and any sewer charge based upon a metered rate.
      - 1. The adjustment shall be based on average metered use for the three months prior to the month in which the meter is determined to be in error. Provided that the prior three months were months with an active connection and the building was subject to the same or similar occupancy.  
In the event that the building was not subject to the same or similar occupancy then the adjustment will be based upon average usage by structures that have similar occupancy as the structure in question.
    - ii. In the event that a water leak occurs in a manner that the water does not enter the sanitary sewer system, there will be no adjustment to the water bill based upon the metered rate (see subsection (b).below). Any sewer bill based upon a metered rate will be adjusted as provided below:

1. The sewer bill for the month in question will be based upon the average water consumption rate for the three months prior to the month in which the leak occurred.
  2. There must be clear evidence that the water leak did not enter the sanitary sewer system. In the event that it cannot be determined whether or not the leaked water entered the sanitary sewer system, the full sewer bill must be paid.
- b. Because any water lost in a water leak was treated and pumped at the expense of the Cloverdale Water Utility adjustments to water bills for leaks are not generally allowed.
  - c. Reductions to a utility bill as determined by the Clerk Treasurer or his/her designee are only allowed once per calendar year per connection.
  - d. Adjustments by the Clerk Treasurer or his/her designee are limited to the conditions above and in addition may not exceed \$500.00 (Five Hundred Dollars) per adjustment. Any adjustment that the Clerk Treasurer or his/her designee determines is appropriate that is in excess of this limit will be submitted directly to the Town Council for final approval before being credited to the account.
  - e. The Clerk Treasurer or his/her designee will make his/her decision within 10 (Ten) days of the receipt of the written request for an adjustment.
  - f. Any person who, having filed a request for an adjustment with the Clerk Treasurer or his/her designee and is dissatisfied with the determination made by that individual may appeal that determination by filing a written request for a hearing before the Town Council of the Town of Cloverdale. The request for a hearing must be filed within 15 days of the determination. The Town Council will consider the appeal at its next regular council meeting.

Subject to publication requirements, this Ordinance shall take effect on April 15, 2015

**PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CLOVERDALE ON THE 14 DAY OF April 2015**

TOWN COUNCIL OF THE TOWN OF CLOVERDALE, INDIANA

By Counta Pastor  
President

Attest:

Cheryl Ballouway  
Clerk Treasurer  
Town of Cloverdale, Indiana