

Ordinance No. 06-____

Utilities

**An ordinance of the Town Council of the Town of Hudson, Indiana,
Amending Chapter 9, Article 1, Section 9-3 the Hudson Town Code.**

Comes now the Town Council of the Town of Hudson, and amends the Hudson Town Code by Ordinance for the purpose of establishing a complete source for all fees and regulations concerning the utilities and utility service rendered by the Town of Hudson.

Whereas, the original ordinances is not clear and concise on the application of hydrant fees and has been amended and revised many times, and

Whereas, a public hearing on the application of hydrant fees was held on March 30, 2006, and

Whereas, the provision for hydrant fees in the revision of Town Utilities ordinance in 2004 was unnecessarily complicated.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HUDSON, INDIANA, AS FOLLOWS:

Chapter 9, Articles 1, Section 9-3 Minimum Water Charge and Section 9-4 Fire Protection are hereby amended to read as per the attached revision of Chapter 9 of the Hudson Town Code, a copy of which is attached hereto as Exhibit "A".

Section II. All prior Ordinances or parts thereof inconsistent with any provisions of this Ordinance are hereby repealed.

Section III. This Ordinance is hereby passed and adopted at a regular meeting of the Town Council of the Town of Hudson, Indiana, this ____day of _____, 2006.

Sean Walker
President, Town Council

Brian Hayes
Town Council Member

Gene Hamm
Town Council Member

ATTEST:

Atta Hayes, Clerk - Treasurer

CHAPTER 9

UTILITIES

ARTICLE 1. WATER DEPARTMENT.

Sec. 9-1 Waterworks System.

There is established for the use of and the service rendered by the waterworks system of the Town of Hudson the following rates and charges, based on the use of water supplied by said waterworks system.

Sec. 9-2 Residential Metered Water Rates.

<i>Metered Rates per Gallon</i>	<i>Per 1,000 Gallons</i>
First 2,500 Gallons	\$ 5.07
Next 17,500 Gallons	5.07
Next 40,000 Gallons	3.55
Next 90,000 Gallons	2.78

Sec. 9-3 Minimum Water Charge.

a. The minimum charge for residential users in the Town of Hudson for metered water service is the sum of twelve dollars and seventy-one cents. (\$ 12.71).

b. Each user shall pay a minimum charge in accordance with the following applicable size of meter installed, for which the user shall be entitled to the quantity of water set out in the schedule of rates.

<i>Size of Meter</i>	<i>Minimum Monthly Rate</i>
¾ inch meter or less	\$ 12.71
1 inch meter	22.80
1 ¼ inch meter	33.20
1 ½ inch meter	43.60
2 inch meter	68.60
3 inch meter	126.80
4 inch meter	210.00
6 inch meter	418.00

Sec.9-4 Fire Protection.

a. The charge for each private hydrant, per hydrant per annum, shall be the sum of five hundred and forty dollars (\$ 540.00).

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b. Private sprinklers shall be charged as set forth in the schedule below.

<i>Private Sprinkler</i>	<i>Per Year</i>
2 inch	\$ 60.00

3 inch	135.00
4 inch	240.00
6 inch	540.00
8 inch	945.00
10 inch	1485.00
12 inch	2025.00

Sec. 9-5 Water Tap Charge.

A service charge will be collected in an amount sufficient to reimburse the Town for the labor and materials necessary for tapping the main and installation of service from the main to the curb stop and the costs of furnishing and installing a suitable water meter. The minimum charge for such installation shall be three hundred dollars (\$300.00) and said charge shall increase for meters larger than three-quarter (3/4) inch at the same proportional increase as the minimum water charge ratios, Section 9-3.

Sec. 9-6 Collection or Deferred Payment Charge and Other Fees.

a. All bills shall be due and payable monthly and bills unpaid more than fifteen (15) days following the date of billing shall include a collection charge of ten percent (10%) on the first three dollars (\$3.00) of unpaid billing and three percent (3%) on the balance of unpaid billing in excess of three dollars (\$3.00). An additional service charge of twenty-five dollars (\$25.00) during normal business hours or fifty dollars (\$50.00) after normal business hours of the Utility Department of the Town of Hudson shall be collected for turning off or turning on thereafter any water service that is delinquent in payment.

b. User's water shall be turned off by the Town 10 days after the due date of any water, sewer, or garbage bill and shall not be turned on until the user has paid his delinquent bill and paid the reconnection charges as above. The Clerk-Treasurer of the Town of Hudson shall have the authority to delay water shut offs so long as the delinquent user makes satisfactory arrangements for payment of the delinquent amount due.

c. Unpaid and due water, waste water, and garbage fees must be settled before service can be resumed at that property and become the responsibility of the property owner. Further, all rental property charges are ultimately the property owner's responsibility. Moving from one location to another does not absolve the user from any unpaid charges. Further, the owner of the property shall be responsible for the notification to remove any water meter which will be exposed to possible freezing. Failure to provide notification and the resulting freezing of a water meter will result in a meter charge of two hundred dollars (\$ 200.00).

d. There shall be a charge of twenty dollars (\$20.00) for processing a check of insufficient funds. Duplicate bills will be charged at the rate of two dollars (\$2.00) for each bill reprinted. Emergency shut off of water or waste water will be charged at the rate of twenty-five dollars (\$25.00) during normal business hours or fifty dollars (\$50.00) after normal business hours of the Utility Department of the Town of Hudson.

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Sec. 9-7 Monthly Billing Frequency.

For the purpose of billing and collecting the charges for water, the meters shall be read monthly and the users shall be billed monthly.

Sec. 9-8 Water Limits for Single Businesses and Industrial Users.

It has been resolved that the Town of Hudson shall provide no more than one hundred thousand (100,000) gallons of water per month to any single business or industrial user, said provision by Resolution being made in order to insure adequate water supply for the reasonable residential, business and industrial expansion of the Town of Hudson.

Sec. 9-9 Customer Deposit for Water Service.

a. The customer deposit for any water service to an owner occupied dwelling or business place or to a tenant occupied premise shall be the sum of fifty dollars (\$50.00).

b. Upon the termination of water service to any customer, the Town of Hudson shall refund the customer deposit within sixty (60) days less any water bill due from customer to the Town of Hudson.

Sec. 9-10 Cross Connection Control.

a. A cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Town of Hudson water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

b. No person, firm, or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary, or emergency water supply other than the regular public water supply of Hudson may enter the supply or distribution system of said municipality, unless such private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the Hudson Water Board and by the Indiana Department of Environmental Management in accordance with 327 AC 8-10.

c. It shall be the duty of the Water Board of the Town of Hudson to cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Hudson Water Board.

d. Upon presentation of credentials, the representative of the Hudson Water Board shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of Hudson for cross connections. On request, the owner,

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information regarding the piping system or systems on such property. The refusal of access or refusal of requested pertinent information shall be deemed evidence of the presence of cross connections.

e. The Hudson Water Board is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice is served on the owner, lessee, or Occupants of the property or premises where a violation is found or suspected to exist. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

f. If it is deemed by the Hudson Water Board that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the clerk of the Town of Hudson and delivered to the consumer's premises, service may be immediately discontinued. The consumer shall have an opportunity for hearing within 10 days of such emergency discontinuance.

g. All consumers using toxic or hazardous liquids, all hospitals, mortuaries, wastewater treatment plants, laboratories, and all other hazardous users install and maintain a reduced-pressure-principle backflow preventer (check valve) in the main water line serving the premises. The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing.

h. This ordinance does not supersede the State Uniform Plumbing Code or any current or future plumbing ordinances of the Town of Hudson, but is supplementary to them.

Sec. 9-11 through Sec. 9-19 Reserved for Future Use.

ARTICLE 2. SEPTIC TANK REGULATIONS.

Sec. 9-20 Annual Septic Tank Pumping Required for industries.

a. For each industry in the Town of Hudson, the Town will pay for one (1) septic tank pumping on an annual basis and the industry shall be required to pay for any additional pumping required.

b. The Town of Hudson will notify any industry owner of the necessity of tank pumping and unless the pumping occurs within ten (10) days of the date of the Notice, the Town will cause the tank to be pumped and the cost thereof shall be billed to the industry on the next regular waste water billing.

Sec. 9-21 through Sec. 9-24 Reserved for Future Use.

ARTICLE 3. WASTE WATER REGULATIONS.

Sec. 9-25 Waste Water Fees

The provisions of Sec. 9-6, Collection or Deferred Payment Charge for water fees apply equally to waste water fees.

Sec. 9-25 Waste Water Tap Fees.

The waste water tap in fee for new residential taps shall be the sum of four hundred dollars (\$400.00) per tap. The waste water tap in fee for users other than single family residential shall be the sum of seven hundred and fifty dollars (\$750.00) per tap. Said tap in rates shall be effective immediately.

Sec. 9-26 Minimum Waste water Rate for Residential Users.

The minimum waste water rate for residential users in the Town of Hudson is the sum of thirty dollars (\$ 30.00) per month. Minimum usage includes up to 2,500 gallons of waste water flow as metered through water service. The rate for each additional one hundred (100) gallons shall be \$.781.

Sec. 9-27 through Sec. 9-34 Reserved for Future Use.

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