

GENERAL ORDINANCE NO. 3, 2011

AN ORDINANCE TO AMEND CHAPTER 9, ARTICLE 5, SEWER RATES AND CHARGES TO INCLUDE PROVISIONS FOR ADDITIONAL SEWER ACCOUNT ADJUSTMENTS.

SECTION 1. The *Terre Haute City Code*, Chapter 9, Article 5, is hereby amended by deleting the stricken text and inserting the underlined text as follows:

...  
**Sec. 9-112 Leak Adjustment.**

a. Any person subject to this Article may apply for a leak adjustment of the charges assessed against him if each of the following conditions is met:

1. Current account holder (or titled property owner) shall submit a written request to the City Controller within sixty (60) days of the billing date when the excessive use was posted;

2. Such written request must contain a detailed description of how and where the leak occurred and be accompanied by a copy of the repair invoice;

3. No leak adjustment shall be considered until the leak has been identified and repaired;

4. No more than one (1) leak adjustment shall be granted per meter during any twelve (12) month period;

5. Current account holder must have at least six (6) months of normal/typical sewage account usage prior to evidence of leak usage at the specified location upon which to calculate an average billing statement; and

6. Only the highest month of usage charge during the excess water usage shall be considered for adjustment.

b. If it is determined that the excess water did enter the City's sewage system, no leak adjustment may be granted

c. Upon determination that all conditions of Subsection a. above have been satisfied, the City shall determine the amount of the leak adjustment. The City shall report to Indiana American Water Company the amount to credit the account. No refunds shall be issued by the City.

**Sec. 9-113 Vacant Structure Adjustment.**

a. It is the property owner's responsibility to notify the City that a structure has been vacated and the date of termination of electrical service. Such notification shall be made within sixty (60) days of the termination of electrical service. If the electrical service is not terminated to the structure, even though the structure is vacant, no adjustment shall be considered.

b. The property owner may apply for a vacant structure adjustment of the charges assessed against him if each of the following conditions is met:

1. The property owner shall submit written notification to the City Controller within sixty (60) days of the date of termination of electrical service; and

2. City Controller shall verify with the electric provider the final date of service.

c. Such adjustment shall be made for a maximum of sixty (60) days of sewage service after the date of termination of electrical service to the structure. Property owner is responsible for any charges incurred beyond the sixty (60) days after the termination of electrical service.

d. City Controller shall notify Indiana American Water Company of the adjustment amount. No refunds shall be issued by the City.

e. Property owner forfeits the opportunity to seek adjustment if he fails to notify City of such termination of electrical service within sixty (60) days.

**Sec. 9-~~112~~114 Penalty.**

Any person violating any of the provisions of this Article shall be fined not more than Three Hundred Dollars (\$300.00). Each day's continued violation shall constitute a separate offense. (Gen. Ord. No. 16, 1997, 12-11-97)

**Sec. 9-113 — ~~through Sec. 9-119~~ Reserved for Future Use.**

**Sec. 9-115 through Sec. 9-119 Reserved for Future Use.**

SECTION 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 3. This Ordinance shall be in full force and effect on the date of its passage and any and all necessary approval by the Mayor of the City of Terre Haute.

Introduced by: \_\_\_\_\_ Richard F. Dunkin, Councilman

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_ John Mullican, President

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_ Duke A. Bennett, Mayor

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk