

ORDINANCE NO. 131

[Editor's Note: Amended by [Ordinance #133](#) and referenced by [Ordinance #305](#).]

[Editor's Note: While much of this ordinance may still be valid, please refer to the latest schedule for current rates.]

AN ORDINANCE ESTABLISHING RATES AND CHARGES
FOR THE USE AND SERVICE OF THE MUNICIPAL
SANITARY SEWER SYSTEM OF THE TOWN OF BATTLE
GROUND, TIPPECANOE COUNTY, INDIANA.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BATTLE
GROUND, TIPPECANOE COUNTY, INDIANA:

SECTION 1. THERE SHALL BE AND THERE IS HEREBY ESTABLISHED A SEWER
SERVICE CHARGE FOR THE USE OF AND FOR THE SERVICE SUPPLIED BY THE
MUNICIPALITY SANITARY SEWER SYSTEM OF THE TOWN OF BATTLE GROUND,
BASED UPON THE AMOUNT AND RATE OF WATER CONSUMED AS FOLLOWS:

	<u>RATE</u>	<u>SEWER SERVICE CHARGE</u>
FIRST	5,000 GALLONS PER MONTH ¹	\$ 3.51 PER 1000 GALLONS PER MONTH ²
NEXT	10,000 GALLONS PER MONTH	\$ 2.11 PER 1000 GALLONS
NEXT	20,000 GALLONS PER MONTH	\$ 1.76 PER 1000 GALLONS
NEXT	65,000 GALLONS PER MONTH	\$ 1.29 PER 1000 GALLONS
ALL OVER	100,000 GALLONS PER MONTH	\$.89 PER 1000 GALLONS

Note 1: OR LESSOR AMOUNT

Note 2: MINIMUM MONTHLY BILL

MINIMUM SEWER RATE

5/8 and 3/4 INCH METER PER MONTH	\$ 7.02
1 INCH METER PER MONTH	\$12.87
1¼ INCH METER PER MONTH	\$16.97
1½ INCH METER PER MONTH	\$21.06
2 INCH METER PER MONTH	\$28.08
4 INCH METER PER MONTH	\$56.16

IN NO CASE SHALL THE MINIMUM SERVICE CHARGE BE LESS THAN \$7.02 PER MONTH, WHICH IS NECESSARY TO RETIRE THE INDEBTEDNESS, OPERATING AND MAINTENANCE, AND RESERVE NECESSARY FOR MAINTAINING THE SANITARY SEWER FACILITY.

CUSTOMERS OF THE SANITARY SEWER FACILITY WHICH ARE NOT ALSO CUSTOMERS OF THE MUNICIPAL WATER SYSTEM SHALL PAY A MINIMUM CHARGE OF \$7.02 PER MONTH.

SERVICE TO INDUSTRIAL ESTABLISHMENTS MAY BE BY CONTRACT IF THE MUNICIPALITY DEEMS THIS TO BE IN ITS BEST INTEREST.

SECTION 2. BILLS FOR THE RATES AND CHARGES ARE HEREIN ESTABLISHED BY THE TOWN SHALL BE SENT MONTHLY. ALL BILLS SHALL BE PAYABLE ON THE 1ST (FIRST) DAY OF THE MONTH FOLLOWING THE PERIOD OF SERVICE AND SHALL BE PAID AT THE OFFICE OF THE TOWN CLERK. IF ANY CHARGE FOR THE SERVICES OF THE SYSTEM SHALL NOT BE PAID BY THE FIFTEENTH (15) DAY OF THE MONTH IN WHICH IT SHALL BECOME DUE AND PAYABLE, A CHARGE OF TEN PERCENT (10%) OF THE AMOUNT OF THE BILL SHALL BE ADDED THERETO AND COLLECTED THEREWITH. IF ANY BILLS FOR THE SERVICE OF THE SEWER SYSTEM SHALL REMAIN UNPAID AFTER FIFTEEN (15) DAYS FOLLOWING THE RENDITION OF THE BILL THEREFOR, THE WATER SUPPLY FOR THE LOT, PARCEL OF LAND OR PREMISE AFFECTED SHALL BE CUT OFF AND SHALL NOT BE TURNED ON AGAIN EXCEPT ON PAYMENT IN FULL OF THE DELINQUENT CHARGES THEREFOR, IN ADDITION TO THE PAYMENT OF A CHARGE OF \$5.00.

SECTION 3. THE SERVICE CHARGES FOR SANITARY SEWER SERVICE TO CUSTOMERS NOT BEING SUPPLIED WATER BY A MUNICIPAL WATER SYSTEM WILL BE DUE AND PAYABLE ON THE FIRST (1ST) DAY OF EACH MONTH. PENALTIES FOR NON-PAYMENT OF BILLS WILL BE PROVIDED FOR UNDER SECTION 2 OF SAME ORDINANCE.

SECTION 4. Sewage tap-on fees for all new construction of single family residential units shall be assessed at the rate of \$1,500.00 for each single family residential unit. Should the actual installation costs of any connection exceed \$1,500.00, the owner shall reimburse the Town any amount in excess of \$1,500.00.

(Originally replaced by [Ordinance #285](#), 10/1/1990. Section 4 *and* the appropriate section of Ordinance #285 were later replaced by [Ordinance #305](#), 1/4/1993, resulting in the text as above.)

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SECTION 4, before replacement:

SECTION 4. APPLICATIONS FOR SEWER SERVICE SHALL BE FILED WITH THE TOWN CLERK-TREASURER UPON A FORM TO BE SUPPLIED BY THE TOWN. THE APPLICATION SHALL STATE THE NAME OF THE APPLICANT AND THE PREMISES TO BE SERVED. ALL APPLICATIONS FILED AFTER THE COMMENCEMENT OF THE OPERATION OF THE SYSTEM SHALL BE ACCOMPANIED BY A FEE OF FIVE HUNDRED DOLLARS (\$500.00), PAYABLE TO THE CLERK-TREASURER OF THE TOWN, FOR THE CONNECTION CHARGE.

SECTION 5. THE OWNER OF THE PREMISES SERVED AND THE OCCUPANT THEREOF AND THE USER OF THE SANITARY SEWER SERVICE SHALL BE JOINTLY AND SEVERALLY LIABLE FOR THE SEWER SERVICE PROVIDED SAID PREMISES. A DEPOSIT OF TWENTY DOLLARS (\$20.00) SHALL BE REQUIRED FROM ALL TENANTS. THE DEPOSIT SHALL BE APPLIED TO ANY BILL FOR SEWER SERVICE DELINQUENT MORE THAN FIFTEEN (15) DAYS. UPON THE DISCONNECTION OF THE SEWER SERVICE, ANY BALANCE OF SUCH DEPOSIT SHALL BE RETURNED TO THE APPLICANT WITHOUT INTEREST.

SECTION 6. IT IS HEREBY MADE THE DUTY OF TOWN CLERK- TREASURER TO RENDER BILLS FOR SEWER SERVICE AND ALL OTHER CHARGES IN CONNECTION THEREWITH AND TO COLLECT ALL MONIES DUE THEREFROM.

SECTION 7. ALL REVENUES AND MONIES DERIVED FROM THE OPERATION OF THE SEWER SYSTEM SHALL BE PAID TO AND HELD BY THE CLERK-TREASURER SEPARATE AND APART FROM ALL OTHER FUNDS OF THE TOWN AND ALL OF SAID SUMS AND ALL OTHER FUNDS AND MONIES INCIDENT TO THE OPERATION OF SAID SYSTEM, AS MAY BE DELIVERED TO THE CLERK-TREASURER, SHALL BE DEPOSITED IN A SEPARATE FUND DESIGNATED THE "SANITARY SEWER FUND ACCOUNT" AND SAID CLERK- TREASURER SHALL ADMINISTER SAID FUND IN EVERY RESPECT IN A MANNER PROVIDED BY THE STATUTES OF INDIANA PERTAINING THERETO.

SECTION 8. THE TOWN CLERK SHALL ESTABLISH A PROPER SYSTEM OF ACCOUNTS AND SHALL KEEP PROPER RECORDS, BOOKS AND ACCOUNTS IN WHICH COMPLETE AND CORRECT ENTRIES SHALL BE MADE OF ALL TRANSACTIONS RELATIVE TO THE SEWER SYSTEM AND AT REGULAR INTERVALS THE TOWN BOARD OF TRUSTEES SHALL CAUSE TO BE MADE AN AUDIT BY AN INDEPENDENT AUDITING CONCERN OF THE BOOKS TO SHOW THE RECEIPTS AND DISBURSEMENTS OF THE SEWER SYSTEM.

SECTION 9. ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED INsofar AS THE CONFLICTING PORTIONS THEREOF ARE CONCERNED.

SECTION 10. THIS ORDINANCE SHALL BE IN FULL FORCE FROM AND AFTER ITS PASSAGE.

PASSED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF BATTLE GROUND, TIPPECANOE COUNTY, INDIANA, ON THIS 13TH DAY OF SEPTEMBER, 1971.

Robert E. Smith

BOARD PRESIDENT

Floyd G. Mitchell

TRUSTEE

Fred Glossic

TRUSTEE

Arthur P. Pellam

TRUSTEE

Anne Herr

TRUSTEE

Laurlene Lewis

CLERK-TREASURER