

ORDINANCE 2000-2

**AN ORDINANCE FOR WATER AND SEWER ADJUSTMENTS
CITY OF BOONVILLE, STATE OF INDIANA
(Repealing Ordinance 1998-16 & Ordinance 1999-2)**

BE IT ORDAINED:

WHEREAS, a request for abatement for a water bill will be only given if a meter is faulty. A request for abatement for a sewer bill will be given if a meter is faulty, for hidden leaks and for the first time filling of a new swimming pool.

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1: Any consumer shall have the right to demand that the meter through which water is being furnished be examined and tested by the Boonville Water Department for the purpose of ascertaining whether or not it is registering correctly the amount of water, which is being delivered through it by the Boonville Water Department to such consumer.

Upon such application being made, it shall be the duty of the Boonville Water Department to cause the meter to be examined and tested in the presence of the consumer; if possible, during normal business hours for the purpose of ascertaining whether or not it is registering correctly the water being delivered through it.

Prior to such examination, a meter testing deposit shall be collected from the consumer. The deposit based on meter size shall be established, and from time to time amended, by resolution of the City Council.

For any size meter, if the test proves the meter is not within plus or minus three percent of the American Water Works Standards, the meter testing fee will be refunded to the consumer and adjustments will be made to the water and sewer charges on the consumer's most current utilities bills.

If the consumer is not satisfied with tests performed by the Boonville Water Department, the meter shall be tested by the manufacturer. The consumer must agree to pay all costs of such further tests if the manufacturer's results verify the utility's results. If the manufacturer's results do not verify the Boonville Water Department's results, the Boonville Water Department will bear all costs of said meter testing.

SECTION 2: Sewer adjustments will be given for first time filling of new swimming pools one time only. An affidavit must be filled out stating that it is a new swimming pool. It must include the height, width, and depth to calculate water usage. A water meter can be

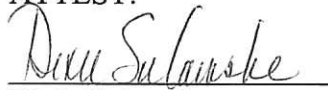
obtained from the Boonville Water Department with a deposit of fifty dollars (\$50.00). A forty dollars (\$40.00) refund will be given when the meter is returned. Pools must be filled during the period of April through June 20th.

SECTION 3: Sewer abatement for leaks will be given for underground or hidden leaks (like in walls). The consumer must file for sewer abatement in writing within fifteen (15) days of receipt of the bill in dispute. No claimant or consumer shall in any event be allowed an abatement or reduction of a bill that is less than fifty dollars (\$50.00) nor more than two (2) consecutive billing periods. There will only be one sewer abatement allowed in one calendar year. The consumer or the consumer's plumber making repairs must file an affidavit regarding the leakage with the application for adjustment. The consumer's bill in dispute will be adjusted to their average sewer usage if determined to be a hidden or underground leak. This section does not apply to instances where a leak is caused by the City or its agent.


ADOPTED this 9th day of March, 2000.


Pamela Hendrickson, Mayor

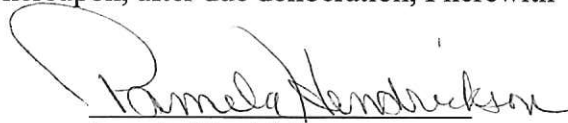
ATTEST:


Dixie Sulawske
Clerk-Treasurer

I HEREIN CERTIFY that Ordinance 2000-2 was presented to the Mayor of the City of Boonville at 6:35 o'clock p.m., on the 9th day of March, 2000 for her consideration.


Dixie Sulawske
Clerk-Treasurer

BE IT REMEMBERED that Ordinance 2000-2 was presented on the 9th day of March, 2000 for my consideration. Whereupon, after due deliberation, I herewith approved said ordinance.


Pamela Hendrickson
Mayor, City of Boonville

ORDINANCE NO. 2008-5

**AN ORDINANCE FOR WATER AND SEWER ADJUSTMENTS
CITY OF BOONVILLE, STATE OF INDIANA
(Repealing Ordinance 2004-4 and Amending 2000-2)**

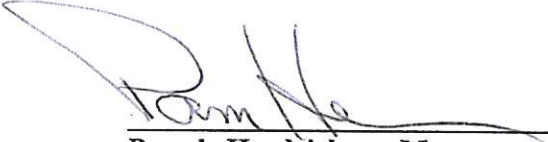
BE IT ORDAINED:

This ordinance amends Ordinance 2000-2 and rescinds Ordinance 2004-4 in its entirety.

SECTION 1: Amending Section 3 of Ordinance 2000-2: (last sentence) amended to read as follows: This section does not apply to instances where a leak is caused by the City or its agent, nor to instances of negligence of the consumer, property owner or its agent.

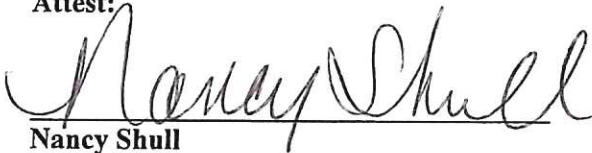
SECTION 2: The disputed bill will be adjusted to the average sewer usage of the previous six (6) months if determined to be a hidden or underground leak.

ADOPTED this 5th day of June, 2008.



Pamela Hendrickson, Mayor
Presiding Officer City Council

Attest:



Nancy Shull
Clerk-Treasurer