

ORDINANCE 11-01-06

WATER BILL ADJUSTMENTS FOR UNDETECTED LEAKS

WHEREAS, the Town of Silver Lake desires to establish a water bill adjustment procedure;

NOW, THEREFORE, be it ordained by the Town Council of the Town of Silver Lake, Indiana, as follows:


In accordance to IC8-1.5-3.5, the Town of Silver Lake may adjust an "unusually large" residential water bill. "Unusually large" means a residential water bill that reflects monthly water usage, in whatever units measured, that is at least three (3) times more than the customer's average monthly usage on the premises.

A utility may adjust an unusually large bill if the excess usage reflected in the bill is caused by physical damage to any facility or equipment supplying water to the premises and the damage:

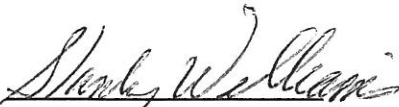
- (1) is not visible or detectable on the customer's premises except upon excavation or some other disturbance of the property; and
- (2) is not the result of an act of the customer, or of any agent or contractor hired by the customer.

The customer must request the adjustment in writing and have proof that the leak has been fixed. The leak must have occurred after December 12, 2006. When these requests have been fulfilled, the Town Council will determine whether or not to adjust an unusually large water bill on a case by case basis.

PASSED AND ADOPTED by the Town Council of the Town of Silver Lake, Indiana on the 12th day of December, 2006.

  
Aye, Ron Jones  
Council President

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Nay, Ron Jones  
Council President

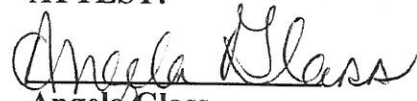
  
Aye, Stanley Williams  
Council Member

\_\_\_\_\_  
Nay, Stanley Williams  
Council Member

  
Aye, Gary Kneller  
Council Member

\_\_\_\_\_  
Nay, Gary Kneller  
Council Member

ATTEST:

  
Angela Glass  
Clerk-Treasurer

**IC 8-1.5-3.5**

**Chapter 3.5. Water Bill Adjustments for Undetected Leaks**

**IC 8-1.5-3.5-1**

**"Unusually large bill"**

Sec. 1. As used in this chapter, "unusually large bill" means a residential water bill that reflects monthly water usage, in whatever units measured, that is at least two (2) times the customer's average monthly usage at the premises.

*As added by P.L.53-2004, SEC.1. Amended by P.L.2-2005, SEC.26.*

**IC 8-1.5-3.5-2**

**"Utility"**

Sec. 2. As used in this chapter, "utility" refers to a water utility owned or operated by a municipality.

*As added by P.L.53-2004, SEC.1. Amended by P.L.2-2005, SEC.27.*

**IC 8-1.5-3.5-3**

**Utility's discretion to adjust unusually large bill when excess usage caused by undetectable damage to equipment**

Sec. 3. Notwithstanding IC 8-1-2-103(a), a utility may adjust an unusually large bill if the excess usage reflected in the bill is caused by physical damage to any facility or equipment supplying water to the premises and the damage:

- (1) is not visible or detectable on the customer's premises except upon excavation or some other disturbance of the property; and
- (2) is not the result of an act of the customer, or of any agent or contractor hired by the customer.

*As added by P.L.53-2004, SEC.1.*

**IC 8-1.5-3.5-4**

**Adjustments to be in accordance with policies adopted by utility**

Sec. 4. A utility that elects to adjust unusually large bills must do so in accordance with policies adopted by the utility. The utility's policies must specify the procedures by which a customer may request an adjustment and prove the damage described in section 3 of this chapter.

*As added by P.L.53-2004, SEC.1.*