

GENERAL ORDINANCE NO. 1, 2023

AN ORDINANCE MODIFYING THE PROCESS FOR OBTAINING LEAK ADJUSTMENTS FROM THE CITY'S SEWAGE BILLING DEPARTMENT.

WHEREAS, the City of Terre Haute, Indiana (hereinafter "City") owns and operates the local wastewater treatment facility; and

WHEREAS, the Common Council desires to offer users of the City's sanitary system a method from which an adjustment to his/her sewer bill may be obtained in the event of a water leak.

IT IS HEREBY ORDAINED by the Common Council of the City of Terre Haute that the *Terre Haute City Code* shall be modified as follows:

SECTION 1. *Terre Haute City Code* shall be modified with the insertion of the underlined text as follows:

Sec. 9-112 Leak Adjustment.

- a. Upon notification or receipt from water service provider of a water leak adjustment, City will credit sewer account in an amount equal to the total units credited by the water service provider. (Gen. Ord. NO. 6, 2015, 5-14-15)
- b. 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 written notification to the City Controller's Office within sixty (60) days of the billing date when an excessive water use is posted of the need for a leak adjustment. City Controller shall document the account to reference the leak adjustment notification. (Gen. Ord. No. 6, 2015, 5-14-15)
 2. Current account holder (or titled property owner) shall submit written documentation to the City Controller within one hundred eighty (180) days of the billing date when the excessive use was posted; (Gen. Ord. No. 3, 2015, As Amended, 2-12-15)
 3. Such written documentation must contain a detailed description of how and where the leak occurred and be accompanied by a copy of the repair invoice;
 4. No leak adjustment shall be considered until the leak has been identified and repaired;
 5. No more than one (1) leak adjustment shall be granted per meter during any twelve (12) month period;

6. ~~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 demonstrate normal/typical sewage account usage within six (6) months of the leak event at the location where the leak occurred. Normal/typical usage may be calculated using months prior to and after the leak event at the discretion of the sewage billing department and said normal/typical usage will be used to calculate an average billing statement; and~~

7. Only the highest single month of usage charge during the excess water usage shall be considered for adjustment. However, one (1) contiguous month to the highest single month may also be considered for an adjustment of up to fifty percent (50%) of the highest single month adjustment but in no case shall the contiguous month be adjusted lower than the average billing statement as determined by the sewage billing department pursuant to Section 9-112(b)(6) of the previous six (6) months usage excluding the highest single month originally sought for adjustment. (Gen. Ord. No. 3, 2015, As Amended, 2-12-15; Gen. Ord. No. 8, 2017, 8-10-17)

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

d. Upon determination that all conditions of Subsection a. above have been satisfied, the City shall determine the amount of the leak adjustment and apply a credit to the sewer account. No refunds shall be issued by the City. (Gen. Ord. No. 3, 2011, 2-10-11; Gen. Ord. No. 3, 2015, As Amended, 2-12-15; Gen. Ord. No. 6, 2015, 5-14-15)

Introduced by: Cheryl Loudermilk Cheryl Loudermilk, Councilperson

Passed in open Council this 5th day of January, 2023.

Curtis DeBaun IV Curtis DeBaun IV, President

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 6th day of January, 2023.

Michelle L. Edwards Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 6th day of JANUARY, 2023.

Duke A. Bennett Duke A. Bennett, Mayor

ATTEST: Michelle L. Edwards Michelle L. Edwards, City Clerk