

ORDINANCE NO. 2008-03
AN ORDINANCE ALLOWING AN ORDERLY PROCEDURE FOR THE
ADJUSTMENT OF EXCESSIVE WATER BILLS CAUSED BY LEAKAGE

WHEREAS, the Town Council of the Town of Nashville, Indiana, has determined that the existing water leak adjustment is inadequate to accommodate the high customer service standard that the Town of Nashville Utilities wishes to maintain for its customers; and

WHEREAS, the Town Council desires to have a fair, consistent and equitable procedure to adjust excessive bills;

Section 51.20 of the Nashville Code of Ordinances is hereby amended to include the following:

Section D.

(a.) The billing department may approve a water leak adjustment if the following conditions exist:

1. The customer's water usage was two (2) times greater than their previous six (6) month average usage.
2. The customer submits a written request for a water leak adjustment.
3. The request describes the nature of the leak in detail.
4. The leak was a result of an unintentional water facilities failure that caused the loss of water.
5. The request is accompanied by a receipt for the water leak repair or an affidavit signed by the person who made the repair and describing what was repaired with a receipt for the materials used to make the repair.
6. The number of adjustments that the customer receives does not exceed two (2) adjustments in a two (2) year period.
7. The length of the adjustment cannot exceed a span of two (2) billing periods.
8. The request must be received within sixty (60) days of the end of the billing period for which the adjustment is being requested.
9. Water leak adjustments that exceed 11,160 gallons per billing period must be reviewed and signed by the Town Superintendent or the Water Operator.

(b.) The Town Council may, at its discretion, approve appeals if the following exist:

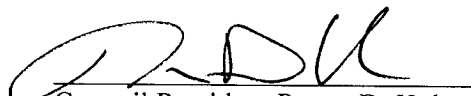
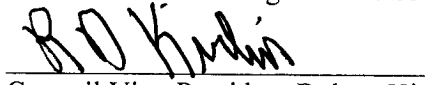
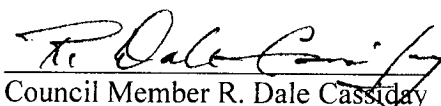

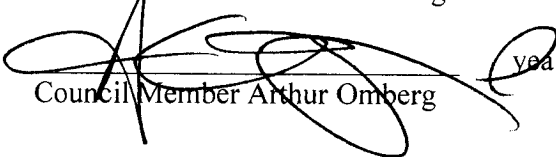
1. The customer has filed a written appeal to the Council.
2. The customer, or a representative of the customer, attends the Council meeting at which the appeal will be discussed and voted on.

(c.) The water leak adjustment rate for water usage that exceeds the customer's previous six (6) month average usage will be calculate by multiplying the metered rate per thousand gallons (first tier) for that customer by three tenths (.3)

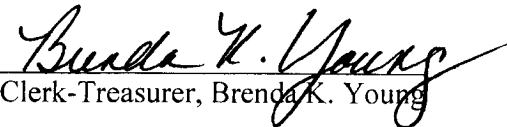
All Ordinances and parts of Ordinances in conflict herewith are hereby repealed. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

The adjustments as herein set forth shall become effective on the 1st day of January, 2008.

IT IS SO ORDAINED this 17 day of APR, 2008.

 Council President Roger D. Kelso	<input checked="" type="radio"/> yea	<input type="radio"/> nay	<input type="radio"/> abstain
 Council Vice-President Robert Kirlin	<input checked="" type="radio"/> yea	<input type="radio"/> nay	<input type="radio"/> abstain
 Council Member R. Dale Cassidy	<input checked="" type="radio"/> yea	<input type="radio"/> nay	<input type="radio"/> abstain
 Council Member Charles B. King	<input checked="" type="radio"/> yea	<input type="radio"/> nay	<input type="radio"/> abstain
 Council Member Arthur Omberg	<input checked="" type="radio"/> yea	<input type="radio"/> nay	<input type="radio"/> abstain

ATTEST:


Clerk-Treasurer, Brenda K. Young