Elkhart Public Works and Utilities
Guide to Water Utility Policies

City of Elkhart
Public Works and Utilities
1201 S. Nappanee St.
Elkhart, IN 46516
574 293-2572
www.elkhartindiana.org

September 2010

Table of Contents

Section 1.0 Definitions

Unless otherwise defined, the following terms, as used in these procedures, have the following meaning:

1.1 Air-Gap mean the unobstructed vertical distance through the atmosphere between the discharge end of a pipeline supplied from a public water supply, and the overflow rim of the receiving portion of a water system.

1.2 Approved means accepted by the Elkhart Water Utility or Board of Public Works as meeting an applicable specification stated or cited in the regulation or as suitable for the proposed use.

1.3 Approved Testing Laboratory means a laboratory acceptable to the Elkhart Water Utility that is properly staffed and equipped with pumps, meters, measuring devices, etc., to fully test and evaluate a backflow prevention device for design, materials, construction and operation. As used herein, the term "approved testing laboratory" is one which is equivalent to the Foundation for Cross Connection Control Research of the University of Southern California. Other testing laboratories may be approved by the Utility's chief engineer when found to be properly qualified.

1.4 Approved Water Supply means any potable water supply which has been investigated and approved by the Indiana Department of Environmental Management for distribution to the general public for human consumption. The supply shall be periodically tested, as prescribed by IDEM, to ensure its continued safety and potability.

1.5 Atmospheric Vacuum Breaker Backsiphonage Prevention Assembly means an assembly containing: (1) an air inlet valve; (2) a check valve seat; and (3) an air inlet port.

1.6 Auxiliary Water Supply means any water supply on, or available to, the premises other than the Utility's approved public potable water supply. These auxiliary waters may include; water from another Utility's public potable water supply or any natural source, such as a well, spring, river, stream, harbor, etc., or "used waters" or industrial fluids". They may be polluted or contaminated, or they may be objectionable and constitute an unacceptable water source over which the Utility does not have control.

1.7 Backflow means the flow of water or contaminants into the public water supply distribution system from a source other than the public water supply.

1.8 Backflow Preventer means a device or means to prevent backflow.

1.9 Backflow Prevention Device – Approved means a device that has been approved and tested by the Foundation for Cross Connection Control Research of the University of Southern California.

1.10 Billing Cycle means the interval of time between two typical statement dates for the premises. The typical statement dates are based on the location of the premises within the area served by the Utility.

1.11 Contamination means an impairment of the quality of the water to a degree which may create a hazard to the public health through poisoning or through the spread of disease.

1.12 Cross Connection means any physical arrangement, including cross connection control devices not in working order, whereby a public water supply distribution system is directly connected, either continuously or intermittently, with any secondary source of supply, sewer, drain, conduit, pool, piping, storage reservoir fixture, or other device that contains, or may contain, and is capable of imparting to public supply, contaminants, contaminated water, sewage, or other waste liquid of unknown or unsafe quality.

1.13 Cross Connection Control Device means any device or assembly, approved by the commissioner for construction on or installation in water supply piping, which is capable of preventing contaminants from entering the public water supply distribution system.

1.14 Cross Connection Control Device Inspector means a person who has:

1.15.1 successfully completed training in testing and inspection of cross connection control devices from a training provider approved by the commissioner;

1.15.2 received a registration number from the commissioner; and

1.15.3 not been notified by the commissioner that the registration number has been revoked in accordance with this rule.

1.15 Cross Connection Hazard means any customer facility that, because of the nature and extent of activities on the premises or the materials used in connection with the activities or stored on the premises, would present an immediate or potential danger or health hazard to customers of the public water supply should backflow occur.

1.16 Curb Stop or Service Stop means a valve owned by the Customer and is installed in the service line near the curb or main for turning on and shutting off water to the premises supplied or to be supplied. Access to the curb stop is gained by way of a curb box.

1.17 Customer, Consumer, Developer or Owner means the person, firm, company, corporation, governmental unit, charitable or not-for-profit organization or association having interest, whether legal or equitable, sole or only partial, either as tenant or owner, in any property which is, or is to be, supplied with water service, either temporarily or permanently.

1.18 Customer Service Line means the pipeline from the public water supply to the:

1.17.1 first tap, fixture, receptacle, or other point of customer water use; or

1.17.2 secondary source of supply or pipeline branch in a building.

1.19 Customer's Piping System shall mean any system used by the Customer for transmission of, or to confine or store any fluid, solid or gaseous substance other than an approved water supply. Such a system would include all pipes, conduits, tanks, receptacles, fixtures, equipment and appurtenances used to produce, convey or store substances which are, or may be, polluted or contaminated.

1.20 Customer's Potable Water System means that portion of the privately owned potable water system lying between the point of delivery (corporation stop) and point of use. This system will include all pipes, conduits, tanks, receptacles, fixtures, equipment and appurtenances used to produce, convey, store or use potable water.

1.21 Customer's Water Systems(s) means any water system located on the Customer's premises, whether supplied by a public potable water system or an auxiliary water supply. The system or systems may be either a potable water system or a piping system.

1.22 Distribution Main means the pipe owned by the Utility and located in the street, easement, road, right-of-way and/or alley and which delivers water to fire hydrants, fire lines, services lines and private lines.

1.23 Double Check Valve Assembly means a device or assembly composed of two tightly closing shut-off valves surrounding two independently acting check valves, with four test cocks, one Upstream of the four valves and one between each of the four check and shut-off valves.

1.24 Degree of Hazard is derived from an evaluation of the potential risk to public health and the adverse effect upon the potable water system.

1.25 Downstream means the direction of flow when only the Public Water Supply is supplying water through the Customer water system and Backflow is not occurring.

1.26 Health Hazard means an actual or potential threat of Contamination or Pollution of a physical or toxic nature to the Public Potable Water System or the Customer's Potable Water System to such a degree or intensity that there would be a danger to health.

1.27 Homeowner means one or more persons who holds a legal interest in a single-family dwelling unit or duplex dwelling unit and is residing on the premises.

1.28 Industrial Fluids means any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollution, or plumbing hazard if introduced into an approved water supply. This may include, but is not limited to, polluted or contaminated used waters; all types of process waters and "used water" originating from the public potable water system which may deteriorate in sanitary quality; chemicals in fluid form; plating acids and alkalis; circulated cooling waters

connected to an open cooling tower and/or cooling waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerin, paraffin's, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other processes or for firefighting purposes.

1.29 Lawn Restoration means the restoration of the surface upon completion of any work done in the right of way. All restoration must meet the minimum requirements as listed in the Excavation Ordinance.

1.30 Meter means a mechanical device used to measure and record the quantity of water consumed by the Customer.

1.31 Oversizing is the term used to describe the installation of a main of larger diameter than necessary to adequately furnish water to the specific development in which it is installed.

1.32 Plumbing Hazard means a plumbing type Cross Connection in a Customer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or other device. Unprotected plumbing type Cross Connections are considered to be a health hazard. They include, but are not limited to, Cross Connections to toilets, sinks, lavatories, wash trays, domestic washing machines and lawn sprinkling systems.

1.33 Pollution means an impairment of the quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

1.34 Pollution Hazard means an actual or potential threat to the physical properties of the water system or the potability of the public or the Customer's potable water system and which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

1.35 Potable Water means water from any source which has been investigated by the health agency having jurisdiction, and which has been approved for human consumption.

1.36 Pressure Vacuum Breaker means a device or assembly containing an independently operating, internally loaded, check valve and an independently operating, loaded air inlet valve, located on the downstream side of the check valve for relieving a vacuum or partial vacuum in a pipeline.

1.37 Premises means an individual building, a single dwelling unit, or a single piece of undeveloped property. Where single building contains multiple dwelling units, each dwelling unit is considered a Premises.

1.38 Private Line means a privately owned and installed supply line leading from a tap in a distribution main to one or more Customers' premises which are lot located adjacent to the water main. Such line is not a part of the Utility's system and is maintained by the owners of the private line which it services.

1.39 Public Water System means a public water supply for the provision to the public of water for human consumption through pipes or other constructed conveyances, if the system has at least 15 service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. The term includes any collection, treatment, storage, and distribution facilities under control of the operator of the system, and used primarily in connection with such the system and any collection or pretreatment storage facilities not under the control that are used primarily in connection with the system.

1.40 Public Potable Water System means any publicly or privately owned water system operated as a public utility, under a valid health permit, to supply water for domestic purposes. This system will include all sources, facilities and appurtenances between the source and the point of delivery, such as; valves, pumps, pipes, conduits, tanks, receptacles, fixtures, equipment and appurtenances used to produce, convey, treat or store potable water for public consumption or use.

1.41 Publicly Owned Treatment Works (POTW) means a treatment works as defined by Section 212 of the Act, (33 U.S.C. 1292) owned in this instance by the City of Elkhart. This definition includes any sewers, pipes, and other conveyances conveying wastewater to the POTW treatment plant.

1.42 Public Right-of-Way is a general term signifying land, property, or interest therein, usually in a strip, acquired for or devoted to streets or alleys.

1.43 Record Drawings means a revised set of drawings submitted by a contractor upon completion of a project that reflects all changes made in the specifications and working drawings during the construction process, and show the exact dimensions, geometry, and location of all elements of the work completed under the contract.

1.44 Reduced Pressure (Principle) Backflow Preventer is a device composed of two tightly closing shut-off valves surrounding two independently acting pressure reducing check valves that, in turn, surround an automatic pressure differential relief valve, and four test cocks, one upstream of the five valves and one between each of the four check and shut off valves. The check valves effectively divide the structure into three chambers; pressure is reduced in each downstream chamber allowing the pressure differential relief valve to vent the center chamber to atmosphere, should either, or both, check valves malfunction.

1.45 Secondary Source of supply is any well, spring, cistern, lake, stream, or other water source, intake structure, pumps, piping, treatment units, tanks, and appurtenances used, either continuously or intermittently, to supply water other

than from the public water supply to the customer, including tanks used to store water to be used only for firefighting, even though the water contained therein is supplied from the public water supply.

1.46 Service Connection means the terminal end of a service connection from the public potable water system, i.e., where the Utility loses jurisdiction and sanitary control over the water at its point of delivery to the Customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There should be no unprotected take-offs from the service line ahead of any meter or backflow prevention device located at the point of delivery to the Customer's water system.

1.47 Service Line is a privately owned supply pipe leading from the tap in the distribution main to or into the premises supplied or to be supplied. Such line is the property of the Customer and is not owned or maintained by the Utility.

1.48 Spill Resistant Vacuum Breaker means an assembly containing an independently operation, internally loaded check valve, and an independently operating, loaded air inlet valve, located on the discharge side of the check valve. The assembly is to be equipped with a properly located, resilient seated test cock, a properly located bleed or vent valve, and tightly closing, resilient seated shutoff valve, attached at each end of the assembly.

1.49 System Hazard is an actual or potential threat of severe damage to the physical properties of the public potable water system or the Customer's Potable Water System or of a Pollution or Contamination which would have a protracted effect on the quality of the Potable Water in the system.

1.50 Tap or Corporation Stop is a fitting owned by the Customer and inserted in the distribution main to which the Service Line is attached.

1.51 The Utility refers to the municipally owned utility engaged in furnishing the public water supply in the City of Elkhart, Indiana and its surrounding area.

1.52 Unapproved Water Supply means a water supply which has not been approved for human consumption by the health agency having jurisdiction.

1.53 Upstream means the direction of flow opposite to Downstream.

1.54 Used Water means any water supplied by a Utility from a public potable water system to a Customer's water system after it has passed through the point of delivery and is no longer under the control of the Utility.

1.55 Utility Easement means any rights to access land not owned or controlled by the City of Elkhart that is established, acquired, dedicated or devoted to public utility purposes, including the area above and below such easement.

Section 2.0 General

2.1 Jurisdiction

Pursuant to Ordinance No. 4105, the Common Council has granted jurisdiction to the Board of Public Works to establish reasonable rules, regulations, specifications and standards of utility service subject to conformity with the requirements of State Statute and City Ordinance.

The following rules, regulations, specifications, and standards are for the use of Elkhart Water Utility when conducting business with Customers of the Elkhart Water Utility.

2.2 Conditions of Service

Prior to use of any service offered by the Utility, the Customer shall be responsible for ensuring all past and present debt with the Water and Wastewater Utility is paid in full.

2.3 Fees for Photocopying Documents

Fees for photocopying documents shall be as outlined in City Ordinance No. 4823 as amended. All fees collected shall be forwarded to the City Controller to be deposited in the appropriate Utility fund.

2.4 Appeals

Any disputes regarding the policies herein shall be appealed to the Board of Public Works in writing.

Section 3.0 Unauthorized Use of Utility Services

Any unauthorized use of Utility services is a violation of the Utility policies and the Water Utility Administration Ordinance. Any Person that is found to be using Utility services without the authorization of the Utility may be subject to any applicable fines.

3.1 To establish new service with the Utility, the following, if applicable, shall be paid in full prior to turning on service:

3.1.1 All outstanding debt owed to the Water or Wastewater Utility, including, but not limited to:

(a) Past due balances on any previous Utility accounts

(b) Any charges owed to the Utility for the period of time that Utility services were received without authorization. If the Customer has previously had Utility service at the same location, the average monthly usage for a period of one year shall be used to calculate the amount to be charged per month. If the Customer has not had service with the Utility the minimum bill shall be used to calculate the amount to be charged per month.

3.1.2 The Customer shall be required to pay a deposit and a turn on fee as established the Schedule of Non-recurring Charge of the current Water Tariff.

3.2 In addition to any penalties and fines imposed upon the Customer as outlined in the Water Utility Administration Ordinance, the Utility reserves the right to seek criminal charges.

Section 4.0 Staff Access to Utility Property

The Utility recommends that all permanent objects including, but not limited to, landscape features, fences, and mailboxes not be located within a five foot radius of any Utility structure or appurtenance. Objects that interfere or impede Utility staff access to any Utility property or structure may need to be removed and will not be replaced by the Utility.

Section 5.0 Establishing Service

5.1 Application for Service

5.1.1 Any residential, commercial or industrial Customer applying for water service must furnish information as required by the Utility. The Customer shall be required to provide a signed lease or proof of ownership documents, a valid government issued photo ID, which includes an identification number such as a driver's license number, taxpayer identification number or alien identification number. Any proof of ownership or lease document that has been altered in any way will not be accepted. A fee for the initial turn-on of service charge shall be paid by the Customer prior to turning on the service (See the Non-recurring Charges of the Current Tariff).

5.1.2 Applications shall be signed in person at the Utility Billing Office or signed and notarized prior to submitting the application via mail, fax, or email to the Utility Billing Office.

5.1.3 An authorized representative of a corporation or a limited liability company may be allowed to establish service. An authorized representative may be the following:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations,

5.1.4 Payment of Outstanding Debt

(a) Owner-occupants and tenants that have any outstanding debt shall be required to pay all accounts in full before establishing new service or transferring service to a new location.

(b) Landlords and management companies that have outstanding debt associated with the property where service is to be established shall

be required to pay that account in full before any Person may establish new service at that property.

(c) Service may not be transferred to or from any landlord or management company that has outstanding associated with the property where service is to be transferred.

5.2 Deposit Required

The Utility requires a deposit for each water service in accordance with the schedule of Non-Recurring Charges of the Current Tariff except where the Customer has established acceptable credit with the Utility.

Such deposit shall remain with the Utility, without interest, for the time service is to be supplied or until the Customer has established acceptable credit. Acceptable credit shall mean timely payment of all charges for at least 10 out of 12 consecutive months.

The Utility may apply the Customer's deposit to payment of water bills or any other charge.

The deposit shall be applied against the final bill when service has been terminated. Any outstanding debit balance shall be billed to the Customer. Any outstanding credit balance of $3.00 or more on Customer accounts that have been finalized shall be automatically refunded via check and sent to the most current address on file. Outstanding credit balances of $2.99 or less on Customer accounts that have been finalized shall be refunded upon the request of the Customer. The Customer shall request the refund from the Water Utility within 60 days of receipt of the final bill showing a credit.

5.3 Transferring Deposit

When a customer transfers service to a new account, the deposit on the old account shall be applied to the final bill. A new water deposit will be required for the new account. Any credit balance shall be applied to the new account. Any outstanding balance shall be billed to the customer at the new address.

5.4 Temporary Service

If a Person wishes to have the water service turned on at a property for the purposes of a home inspection, they must come to the Billing Office and apply for temporary water service. Only Persons with an interest in the property (the seller, potential buyer or real estate agent) may apply for temporary water service. The

interested party must complete the application for service, provide proof of their interest in the property and a valid government issued photo ID, which includes an identification number such as a driver's license number, taxpayer identification number or alien identification number.. A $25.00 charge shall be paid at the time of application. The Utility will turn on the water service for a period of 24 hours. Notice must be given to the Utility at least two business prior to the requested turn on date.

Section 6.0 Billing

Every Customer that is connected to the Utility's water supply system shall be billed in accordance with the rates and charges as outlined in the current Schedule of Rates and Charges except as otherwise noted in this section.

6.1 Payment of Bills

6.1.1 Charges for water shall be due on the due date as shown on the utility bill. Any water charge not paid by the due date shall be considered delinquent. The delinquent charge shall be 10% of the current balance due and shall be added to the next billing statement. Delinquent water charges, together with delinquent penalties, costs and other expenses of collection, may be collected by any lawful remedy.

6.1.2 When a payment is received it is applied to the items on the bill in the following order:

(a) All NSF fees;

(b) Water service deposit - Delinquent and Current;

(c) Wastewater service deposit - Delinquent and Current;

(d) Delinquent Water usage charges;

(e) Delinquent wastewater volume charges;

(f) Delinquent miscellaneous water charges including, but not limited to trip charges;

(g) Delinquent water contracts including, but not limited to water main assessments and taps and taxes;

(h) Delinquent miscellaneous wastewater charges including, but not limited to trip charges;

(i) Delinquent wastewater contracts including, but not limited to sewer assessments and sewer insurance, but not including compact agreements;

(j) Delinquent Compact fees;

(k) Current water usage charges;

(l) Current miscellaneous water charges including, but not limited to trip charges;

(m) Current wastewater volume charges;

(n) Current miscellaneous wastewater charges including, but not limited to trip charges;

(o) Current water contracts including, but not limited to water main assessments and taps and taxes;

(p) Current wastewater contracts including, but not limited to sewer assessments and sewer insurance, but not including compact agreements; and

(q) Current Compact fees.

6.2 Basis for Computing Bills

6.2.1 How Bill is Determined

All charges for water service, other than service charges are calculated based upon the consumption registered by the meter or meters on a monthly basis for all Customers. If the customer does not have a meter, charges are billed at a flat rate as established in the current Tariff.

6.2.2 Provision for Billing When Meter Reading cannot be Obtained

If the Utility is temporarily unable to gain access to a Customer's consumption information, the Customer shall be billed an estimated charge based on previous meter readings.

6.2.3 Separate Meter and Shutoff

All new services and modifications to existing services shall require separate meters and shut-offs.

6.2.4 Water Charges

All water passing through meters, whether used, wasted or lost through leakage, shall be charged.

6.2.5 Disputed Bills

In the event there is a billing dispute, appeals must be made in writing to the Utility Billing Office within 60 calendar days of the billing date and shall be subject to approval by the Board of Public Works.

6.2.6 Special Exception for Partial Billing Cycle

If service is active for 26 days or fewer in a Billing Cycle, the Utility's current billing software is unable to calculate consumption for the period from the start of service until the end of the Billing Cycle or the period from the start of the Billing Cycle until service is terminated. The Customer shall

not be billed for consumption during these periods, consumption will not be accrued to be billed in a future billing cycle, and the Utility will generate no revenue from this consumption. The Customer shall still be billed a pro-rated amount for service charges based on the following formula:

$$Billed\ Amount = Service\ Charges\ for\ Full\ Billing\ Cycle \times \frac{Number\ of\ Days\ Service\ is\ Active}{Number\ of\ Days\ in\ the\ Billing\ Cycle}$$

Service charges will not be pro-rated if service is active for 27 days or more in the Billing Cycle.

If changes to the Utility's billing software allow the Utility to bill for consumption during partial Billing Cycles, the Utility shall, as soon as practical, begin billing for new consumption during partial Billing Cycles. The Board of Public Works shall be notified that Customers are now being billed for this consumption.

6.3 Responsibility for Payment

All water charges are the responsibility of the Customer. If a Customer moves from a Premises where water service has been supplied, the Customer will be held responsible for the payment of all bills rendered for the service supplied to said Premises until notice has been given to the Billing Office that service is to be discontinued. At that time the Customer is responsible for providing a forwarding address for mailing the final bill. This attempt to collect from the Customer does not waive the City's rights to place a lien on the real estate for the outstanding wastewater portion of the Utility bill.

6.4 Property Owner shall be Billed

Utility accounts for Premises with more than one dwelling unit that have a Service Line with only one Curb-stop shall be in the property owner's name. Water charges for these Premises shall be billed to the property owner. Utility accounts for these Premises that are currently in the tenant's name shall be put into the property owner's name when the tenant moves from the Premises.

6.5 Tenants may be Billed

The Water charges shall be billed to the tenants occupying the Premises served unless the property owner submits a written request for alternative billing arrangements to the Director.

6.6 Extensions Granted Beyond Disconnection Notice

A Customer may be granted a credit extension if the Customer contacts the Utility Billing Office upon receiving notice of disconnection and makes acceptable payment arrangements. A credit extension will only be granted to Customers who have kept the terms of previous extensions.

A Customer may also request an extension if they can demonstrate, with proper documentation from a physician, that termination of water service will be a serious and immediate threat to the health or safety of a resident in the household of the Customer. All such requests must be filed with the Utility Billing Office prior to the due date of the bill and will be subject to approval by the Board of Public Works.

6.7 Delinquent Accounts

Except for the extensions described in Section 6.6 above, all delinquent Utility accounts may be subject to disconnection of the Water Utility service. If the Customer has not contacted the Utility within five days after the service disconnection, the account will be closed. Once the account is closed, the Customer must pay all charges in full with cash and reapply for service. If another Customer applies for service, proof of ownership or a copy of a lease which includes the date service was to have started must be provided along with photo identification.

6.8 Disputing Disconnection

If a Customer believes that the disconnection notice is an error, they have the right to dispute the disconnection by written appeal to the Board of Works, prior to the disconnection date.

6.9 Reconnection

When service has been turned off, a trip charge, in addition to any other charges due, shall be paid in cash after the condition resulting in the turn-off is remedied and prior to the restoration of service. (See the Non-recurring Charges of the Current Tariff).

6.9 Credit on Sewer Bills

Requests for a credit on the sewer portion of the bill must be made in writing to the Utility Billing Office within 60 calendar days of receiving notice and shall be subject to approval by the Board of Public Works.

6.9 Extended Payment Plans

A Customer may make arrangements with the Utility Billing Office to make payments on past due balances. For every increment of $25.00 past due the Customer shall have one month to make payments on the past due amount plus the current amount due each month for a maximum of 10 months. For example, if the Customer is $50 past due the Customer will have two months and if the Customer is e $250 or greater the Customer will have 10 months. A Customer will be required to pay the current amount due plus a minimum of $25 each month until the outstanding balance is paid. All payment arrangements are in addition to the current amount due. Both payment on outstanding balance and payment of current amount due in full are necessary to avoid disconnection.

If a Customer fails to uphold the agreement for extended payments, the service shall be subject to disconnection. Any Customer that has failed to meet a previous payment plan may not be eligible for future extended payment plans.

6.9 Correction of Customer Overcharges and Undercharges

When a determination is made that a Customer's active Utility account has been overcharged or undercharged for Utility services by reason of inaccurate metering, clerical errors, or other causes, the error shall be remedied as promptly as possible. An adjustment shall be made for the dollar amount of the overcharge or undercharge for the time period that the erroneous charges occurred. If no determination can be made as to the exact date of the error, the adjustment shall not exceed three years prior to the date that the Utility became aware of the error.

6.9.1 Refund for Overcharge

If the total amount of the overcharge is less than or equal to $100.00, the Customer shall be credited for the amount of the overcharge. If the amount of the overcharge is greater than $100.00, the overcharge amount may be refunded directly to the Customer.

6. 9.2 Collection of Undercharge

When a Customer has been undercharged, the Customer shall be promptly notified of the cause and amount of the adjustment. The undercharged amount may be added to the Customer's monthly Utility bill.

6.9.3 Exceptions

The previous sections shall not apply to situations in which deliberate or intentional acts of the Customer, or anyone acting on behalf

of or for the benefit of the Customer, have resulted in an undercharge to the Customer for Utility services, including but not limited to meter-tampering or illegal connection. The Utility reserves all rights to collect the full amount of the unpaid charges by any legal means.

6.13 Fire Protection Services

Fire Protection Service charges shall be billed based on the size of the tap.

6.14 Other Charges

All other charges or fees assessed by the Utility will be charged in accordance with the Non-Recurring Charges of the Current Tariff.

Section 7.0 Turning on and Turning Off Water Service

7.1 Turning on Water Service

7.1.1 Requirements

After the Customer has executed an application for service the Customer must notify the Utility during regular working hours at least two business days in advance of when the water service is to be turned on. Water shall not be turned on at any premises until an application for water service has been executed and a meter has been installed. A new application shall not be required from a property owner or management company if they already have an application on file for the property where service is to be turned on and they have acceptable credit. It is a violation of both the Water Utility Policy and the Elkhart Municipal Code for anyone except a Water Utility employee or authorized representative to turn on a water service.

7.1.2 Owner or Representative must be Present for Turn-On

In order to see that no open spigot or fault exists in the plumbing, the Customer or a representative of the Customer at least 18 years of age must be on hand at the site before water will be turned on by Utility personnel. A trip charge to turn on the water and obtain an initial meter reading will be assessed. Additional call-outs to turn on the service may be subject to additional trip charges. (See the Non-Recurring Charges of the Current Tariff.)

7.2 Turning off Water Service

Whenever a Customer desires to have service turned off, the Customer shall notify the Utility Billing Office at least two business days prior to the date in which service is to be turned off. The Customer shall provide access to the meter so the Utility may obtain the final meter reading.

There will be no abatement of charges in whole or in part by reason of the extended absence of the Customer or for any other cause unless the Utility has been notified to turn off the water service.

Section 8.0 Interruption of Service

8.1 Frozen Services

8.1.1 Customer's Responsibility

Customer's service lines which freeze between the water main and the meter are the Customer's responsibility and will not be thawed by the Water Utility. As a preventive measure, the Water Utility suggests that a trickle of water be allowed to flow through the service line, especially during those periods of time when little or no water would ordinarily be used.

8.1.2 Water Utility Assistance in Thawing Frozen Service Lines

When a Customer has a frozen service line, the City will not thaw the line, but may be of assistance. This applies to all residential, industrial, or commercial water lines that are not private lines. The Customer has two options when a water line is frozen:

(a) The City allows only one method of thawing frozen water lines, the steam method. Contact a plumber from the list provided by Elkhart Public Works. This list is comprised of reputable plumbers who use the preferred method.

(b) The Water Utility has purchased special hose adaptors that will permit the connection of the water supply from a nearby residence. The Customer must obtain permission from the neighbor prior to connecting. By connecting a garden hose to hose bibbs on each house and joining them with the special adaptor coupling, the house with the frozen service can be supplied. A stream of water the size of a pencil (1/4" dia.) should be allowed to flow continuously through the hose while the outside temperature is below freezing to prevent the temporary supply from freezing. If this method is used you must notify Elkhart Public Works by calling (574) 264.4273; they must set up the connection between the two buildings.

Section 9.0 Disconnection of Service

9.1 Utility Discretion

9.1.1 Disconnection of Service without Prior Notice

The Utility may disconnect the service of any Customer without prior notice for any of the following reasons:

(a) Repairs

(b) Restricted/limited supply

(c) Any tampering or knowingly permitting any tampering, with any service line, service stop, meter, reading device or other appurtenances

(d) Unapproved cross connections of a Customer's water pipes to any other source of water supply, or for permitting any condition to exist about the premises that causes, or might cause, pollution of the public water supply

(e) Upon order of any authority having jurisdiction of such matters

9.1.2 Disconnection of Service with Prior Notice

The Utility shall give written notice of at least five days, either mailed to such Customer at the address as shown upon the Utility's records delivered to the premises, advising the Customer of the reason for proposed disconnection of service, and stating that service will be discontinued if the condition continues uncorrected. This may be done for the following reasons:

(a) Any leak in the service line or appurtenances between the main and the meter, or in any private fire protection system or other unmetered facilities

(b) Any use of water unauthorized by the Utility

(c) Vacancy of premises

(d) Failure to provide free and non-hazardous access to the premises and meter so that representatives of the Utility may take meter readings, make all necessary inspections and maintain, replace or remove the meter

(e) Failure to maintain approved meter setting, including pits and vaults

(f) Installing a new service line and appurtenances or altering or removing existing service line and appurtenances without formal approval from the Utility

(g) Violation of any of the Utility's Rules and Regulations

9.1.3 Disconnection for Non-Payment

If a bill is not paid before the due date indicated on the bill, the Customer will be considered delinquent and the Utility may turn-off water t service. Failure to receive the bill shall not affect the right of the Utility to turn off water service for nonpayment.

Water service may be turned off for failure to pay any water bills or other charges in connection with Water or Wastewater Utility services or installation.

The Customer may appeal, in writing, to the Board of Public Works prior to disconnection if the Customer believes that there is an error with the account scheduled for disconnection.

9.2 Repairs

When water service is temporarily discontinued by the Utility at the request of a Customer, plumber or other responsible party, the Customer shall notify the Utility at least one business in advance unless it is an emergency. A trip charge (as listed in the Non-Recurring Charges of the Current Tariff) will be charged to turn the water off. When the water service is ready to be turned back on the Customer shall notify the Utility at least one business day in advance. A trip charge will be charged to turn the water on. The trip charges will be billed following the turn-on and appear on the next bill. No adjustment will be made to the charges for water as a result of temporary turn-off. The Water Utility will not be responsible for damage due to defective materials on the Customer's service.

Section 10.0 Meters

10.1 Meters and Service Connections

All water meters shall be obtained from the Water Utility Billing Office as outlined in the Water Utility Administration Ordinance. The installation of the meter setting shall conform in all aspects to standard meter installation details which may be obtained at the Utility Billing Office. The meter setting shall be inspected by the Utility prior to installation. Upon approval, the meter will be installed and water service turned on.

10.1.1 Meter Setting Requirements

(a) Meters 2” or Less

Meters that are 2” or less shall be set by the Utility. The setting for meters shall consist of a working valve above and below the meter, and a copper setter or loc-pac, whichever is applicable for the meter size. The Utility shall provide and install a double-check valve and nipple immediately downstream of the meter.

At the Customer’s sole expense, the Customer shall install a Backflow Prevention Device(s) if required at that location under the Cross Connection Control Policy, and the Utility shall not provide or install a double-check valve.

(b) Meters Greater than 2” or for Submetering Purposes

The setting of meters greater than 2” or for submetering purposes shall be the sole responsibility and performed at the sole cost of the Customer. The setting for meters shall consist of a working valve above and below the meter, and a copper setter or loc-pac, whichever is applicable for the meter size. The setting shall also have a double-check valve and nipple or Backflow Prevention Device installed immediately downstream of the meter. The Customer shall install a Backflow Prevention Device(s) if required at that location under the Cross Connection Control Policy. Purchase and installation of an appropriate double-check valve or Backflow Prevention Device shall be the responsibility of the Customer.

10.1.2 New Meters Installation

The setting for all new meters shall meet the Meter Setting Requirements prior to meter installation. The meter setting shall be inspected by the Utility prior to installation.

10.1.3 Existing Meters

The setting for all existing meters shall meet the Meter Setting Requirements prior to having a replacement meter set.

10.1.4 Meter, Copper Setter, and Loc-Pac Purchasing

Copper Setter and loc-pac may be purchased at the Utility Billing Office. The price of meters two (2) inches and smaller, Copper Setter and loc-pac shall be the cost as determined by the Utility's annual materials bid plus a 20% handling fee. The price for meters three (3) inches and larger shall be the cost of the meter plus a 5% handling fee, plus shipping charges.

10.2 Water Meter Testing

All meters shall meet AWWA C700 accuracy limits for cold water displacement meters.

Taken from Table (5-3) from AWWA Test Requirements for New, Rebuilt and Repaired Cold Water Meters

	Maximum Rate (All Meters)			Intermediate Rate (All Meters)			Minimum Rate (New and Rebuilt)			Minimum (Repaired)
Size *in.*	Flow Rate *gpm*	Test Quantity *gal* *ft3*	Accuracy Limits *percent*	Flow Rate *gpm*	Test Quantity *gal* *ft3*	Accuracy Limits *percent*	Flow Rate *gpm*	Test Quantity *gal* *ft3*	Accuracy Limits *percent*	Accuracy Limits *percent* (min.)
5/8	15	100 10	98.5-100	2	10 1	98.5-100	1/4	10 1	95-101	90
5/8 x 3/4	15	100 10	98.5-100	2	10 1	98.5-100	1/4	10 1	95-101	90
3/4	25	100 10	98.5-100	3	10 1	98.5-100	1/2	10 1	95-101	90
1	40	100 10	98.5-100	4	10 1	98.5-100	3/4	10 1	95-101	90
1 1/2	50	100 10	98.5-100	8	100 10	98.5-100	1 1/2	100 10	95-101	90
2	100	100 10	98.5-100	15	100 10	98.5-100	2	100 10	95-101	90
3	150	500 50	98.5-100	20	100 10	98.5-100	4	100 10	95-101	90
4	200	500 50	98.5-100	40	100 10	98.5-100	7	100 10	95-101	90
6	500	500 50	98.5-100	60	100 10	98.5-100	12	100 10	95-101	90

10.2.1 Customer Request

A meter will be tested by the Utility upon request of the Customer, but not more frequently than once in 12 months. A report of the results of such a test will be made to the Customer, and a complete record of the test will be kept on file by the Utility. The Customer is required to be present or have a representative present when the meter is tested.

10.2.2 City Request

The Utility may require that a Customer's meter be tested if it suspects that the meter is not registering accurately.

10.2.3 Meter Accuracy and Costs for Testing

If the meter is registering above the limits, no charge will be made for the test and an adjustment shall be made for the difference during the time of the malfunction up to a period of one year.

If a meter is found to register below the established accuracy limits, the Utility will make a charge to the Customer for the cost of the test and may charge for the water incorrectly metered for a period equal to one-half of the time elapsed since the previous test, but not to exceed six months.

If a meter is found not to register for any period, the Utility shall estimate the charge for the water used by averaging the amounts registered over a similar period in the previous year.

If a meter is found to be reading within the accuracy limits the Utility will make a charge to the Customer for the cost of the test unless the test was requested by the City. These charges will be in accordance with the schedule of Nonrecurring Charges of the Current Tariff.

10.2.4 Mandatory Testing

All non-residential water meters greater than 2" shall be tested every four years in accordance with AWWA M6 schedule. All meter testing results must be submitted to the Utility. Any associated costs under the mandatory testing program, regardless of the results, are the responsibility of the Customer.

10.2.5 Industrial Meters

Industrial meters not of Utility specification will be subject to mandatory replacement upon failure, either by fault of meter or Utility requirements.

10.4 Pit Meters

All pit meters, excluding coil setters with approval from the Utility, when removed for any reason, will not be allowed to be put back into the pit. The responsible party must make provisions to put the meter into the building at their expense.

10.5 Meter Installed For Irrigation Only

10.6.1 Commercial and Industrial

Commercial and industrial water and sewer Customers may install irrigation meters to save the sewer charges for water used which will not enter the City‘s wastewater collection system. Irrigation meter rates are the same as regular water rates (See the Schedule of Rates and Charges of the Current Tariff). The Customer is responsible for providing the proper valving at the meter and a meter setting at a location which shall be protected from freezing and which is to be accessible for meter readings.

(a) All new commercial and industrial irrigation systems may be installed by: 1) connecting to the domestic service line before the Curb Stop and installing a separate Curb Stop or 2) by installing a separate tap to the water main.

(b) All existing commercial and industrial irrigation systems that do not have a separate Curb Stop may be allowed to stay in the system as long as the meters stay in service. If the meter is removed and the Customer wishes to re-install or install a new meter, they must make provisions to install a separate Curb Stop at their expense.

10.5.2 Residential

Residential water and sewer Customers are not eligible to install irrigation meters. In lieu of the use of irrigation meters, the City bills residential Customers summer sewer charges on the basis of water usage during the winter reading period of the year (See the Sewer Rate Ordinance). Existing residential two meter systems will be allowed to stay in the system as long as the meters stay in line and are not removed for any reason other than repair. Irrigation meter rates are the same as regular water rates (See the Schedule of Rates and Charges of the Current Tariff).

10.5.3 Temporary Shut-off

If a Customer, commercial, industrial or residential, does not wish to use their irrigation system and it has a separate Curb Stop, the Customer may request that the Utility shut-off the water service at the Curb Stop. If there is not a separate Curb Stop, the Utility will shut off the valve at the meter, if the Customer signs a waiver releasing the Utility from any liability

for any damages that may occur to the Customer's plumbing. The Customer may perform the shut-off and Utility staff will verify. A trip charge will be assessed to cover the expenses associated with this work (See Nonrecurring Charges of the Current Tariff). The Customer will not be billed for irrigation when the service is shut-off at the Curb Stop or when the meter has been removed or locked-out. If an inactive account shows that water has been used, the account will be activated. A trip charge will be assessed to confirm that the service is turned on. The Customer will be billed for water used.

Section 11.0 Meter Reading

The Utility will make a reasonable effort to obtain actual meter readings so that billings may be based upon actual water use. It is the Customer's responsibility to provide access to the meter when called on by the Utility's reader. It is the Customer's responsibility to contact the Water Utility Billing Office if their bills reflect estimated readings for more than two consecutive months and they would like the actual readings.

Section 12.0 Water Main Extension Policy

12.1 Preliminary Approval

12.1.1 Conceptual Design

A conceptual plan of all water mains to and throughout the development shall be approved by the Utility. All water mains shall extend to the farthest property line of the development. Plans must comply with the City of Elkhart Design Standards and Specifications for Public Works and Utilities, Indiana Department of Environmental Management (IDEM) and American Water Works Association (AWWA) “design criteria” and “material installation” specifications.

12.1.2 Fees

All fees shall be paid prior to acceptance of main extension.

12.1.3 Easements shall be:

(a) In the name of the City of Elkhart Board of Public Works and shall be recorded with the County Recorder before construction begins.

(b) Obtained by and paid for by the owners of the development.

(c) In a format approved by the Utility.

12.1.4 Water system model may be required at Utility’s discretion

12.2 Design

All designs include the following steps:

(a) Prepare plans and specifications

(b) Receive approval from the City Engineer

(c) Obtain permit from Indiana Department of Environmental Management (IDEM)

12.3 Agreement

All developers extending water mains shall execute a main extension contract or another applicable agreement with the Utility. All agreements shall be in place prior to beginning any construction activities that will become part of, or connect to, the City of Elkhart water distribution system. The developer shall comply with all requirements of the Utility. All agreements shall be consistent with 170 IAC 6-1.5.

12.3.1 Refunds

Refunds shall be paid for a period of ten (10) years after the completion date of the main extension to the developer in proportion to the respective deposits for subsequent connector's fees. All agreements shall specify that the developer for the main extension shall forfeit all rights to immediate revenue allowances and refunds, except subsequent connector's fees. All refunds are contingent upon the developer meeting all requirements of the main extension and reimbursement agreement.

12.3.2 Oversizing

Refunding to the developer of costs for oversizing to meet the Utility's requirements shall be made only for that portion of the oversizing specifically set forth in the main extension contract. The refund shall be limited to the increased material and installation cost difference between the actual size main installed at Utilities request and the size of the main required to meet the Utility's minimum requirements for the development as set forth in City of Elkhart Design Standards and Specifications for Public Works and Utilities. All refunds are contingent upon the developer meeting all the requirements of the main extension contract.

12.4 Payment

All construction and non-construction costs of all new mains are to be paid by the developer.

12.5 Installation

12.5.1 All construction shall meet requirements as outlined in City of Elkhart Design Standards and Specifications for Public Works and Utilities.

12.5.2 During construction of said water main extension, developer shall pay the expense of the inspector as required by the Utility. The Utility may approve in writing, a qualified person designated by the developer to serve as the inspector.

12.5.3 All testing shall be done as outlined in the City of Elkhart Design Standards and Specifications for Public Works and Utilities

12.6 Completion

All extensions to the water distribution system must be accepted by the Utility before being permanently connected to the system. Once connected, the extension shall be and remain the sole property of the City of Elkhart Water Utility.

The warranty and three-year maintenance bond on new mains, as discussed below, shall be transferred by the developer to the Utility. Once accepted, all maintenance and repairs outside of warranty work become the responsibility of the Utility.

12.6.1 Record Drawings

Upon completion of construction, contractors acting on behalf of the Utility or developers must provide certified as-built construction record drawings. Accurate record drawings must be provided to the Utility prior to main activation. Mandatory bacteria testing will not be conducted until record drawings are submitted. At the Utility's sole discretion, the Utility may allow bacteria testing if contractors acting on behalf of the Utility submit field notes or global positioning system (GPS) shots of all main line valves and hydrants. Field notes must show actual length, sizes, and locations of pipes, valves, and hydrants. However, if either contractors or developers do not provided record drawings within one month after completion of construction, the Utility may prepare drawings at the contractor's or developer's expense.

12.6.2 Dedication

The developer shall dedicate the water main and appurtenances to the Utility by use of a standard dedication form meeting the requirements of the City of Elkhart Legal Department.

12.6.3 Bonds

A maintenance bond in an amount equivalent to one-third the value of the improvements must be submitted by the developer. Bonds must remain in effect for a period of three years from the date of project completion.

Section 13.0 Water Main Assessments

A main assessment is required from all Customers requesting new service unless the current or previous owner or developer of the property has paid a main assessment. If an additional larger size tap is needed (i.e. a tap for fire protection) after an assessment has already been paid, the Customer shall pay the difference in the assessment for the larger size tap at the present cost. Each Customer shall pay the Utility for the present cost of the size main required to provide service including fire protection, if necessary, to suit the needs for the lot. This will be calculated on the total front footage of the lot. For corner lots the front footage shall be determined by the portion of the property adjacent to the water main the customer is connecting to unless otherwise approved by the Utility. Payments for use of existing mains shall be deposited in the Utility's "Watermain Extension Fund".

For a residential property, the assessment is based on a 6" main at $6.90 per lineal foot with a minimum of 50 feet. Nonprofit entities shall pay main assessments at the residential rate.

For commercial or industrial property, the assessment is based on the size main to provide the Customer's required flow.

Flow up to	Main size
600 gpm	6" main
1000 gpm	8" main
1400 gpm	10" main
2500 gpm	12" main
5000 gpm	16" main

Size of Tap	Cost*
6" or less	$13.80 per ft.
8" Tap	$17.00 per ft.
10" Tap	$21.00 per ft.
12" Tap	$24.00 per ft.
16" Tap	$31.50 per ft.
20" Tap	$38.50 per ft.
24" Tap	$45.00 per ft.

*Minimum of 50 feet

When an existing main is smaller than the required size, the assessment will be based on the existing main size. In this case, the Customer may not be able to obtain the maximum flow desired.

Section 14.0 Tap Charges

Charges for taps up to and including 1” are a flat rate. Charges for taps larger than 1” are based on time and materials. Each Customer shall pay the present cost as outlined in the Non-Recurring Charges of the Current Tariff.

The costs for standard taps include excavation permit, excavation, backfill, street repair, equipment, labor, engineering and typical materials include, but are not limited to tapping sleeve, tapping valve, valve box, corporation stop, type K copper from main to curb stop, and curb box.

Section 15.0 Service Lines

All Service Lines, including the connection to the water main and the portion installed in the Public Right-of-Way, are the property of the Customer. It is the responsibility of the Customer to maintain and repair the Service Line except as outlined in this section. For information on the Water Utility's policies on Lead Service Lines see Section 27.0 Lead Service Lines.

15.1 Repair

The Water Utility assumes the responsibility for repairing all residential Service Line leaks on services 2" or smaller in diameter from the City water main up to and including the curb stop valve provided the curb stop valve is in the Public Right-of-Way. This includes any repairs to concrete or asphalt driveway approaches within the Public Right-of-Way. This does not include the replacement of bushes, fences or other landscape that may be removed or damaged while making the repair. The disturbed area will receive a final grade and be seeded. All work will be done only during regular working hours as scheduled. The repair will be scheduled at the discretion of the Utility.

The Customer is responsible for the repair of Service Line leaks immediately following the curb stop valve and continuing to the meter. The Customer will be granted a period of five days to have repairs made prior to disconnection of service. Residential Customers may be able to utilize the Residential Water Service Line Repair Program to have the leak repaired (See Section 26.0). In emergencies, or where large volumes of water are being lost, the Water Utility may shut-off the Customer's service without notice. Service will be restored when the leak is repaired.

When it cannot be determined if the leak is on the Customer side of the curb stop valve, the Water Utility may be contracted to make repairs provided the Customer signs a Repair Agreement. If the leak is found to be on the main side or at the curb stop, the repair will be made at no charge. If the leak is found to be on the Customer's side of the curb stop, the Customer will be billed time and materials for work performed.

This policy does not apply to isolated situations when the curb-stop is beyond the Public Right-of-Way. In those remote circumstances when the curb-stop is on private property, the Utility will furnish the curb stop and curb box, but

will not be responsible for conducting any of the work. Work done on private property is the responsibility of the Customer.

15.2 Maintenance

The Customer is responsible for the maintenance of the Service Line from the point it connects with the water main all the way to the meter setting. However, at the Customer's request the Utility may clean the Service Line from the water main to the curb box. The Customer will be charged for actual cost of the cleaning which includes time and materials. At no time will any guarantees be given that cleaning the Service Line will increase the Customer's water pressure within his premise.

Additionally, the Customer may request that the Utility replace the portion of the Service Line from the water main up to and including the curb stop valve and curb box. The Customer will be charged according to the Nonrecurring Charges of the Current Tariff.

15.3 Separation of Shared Service Lines

Customers on a shared Service Line may choose to separate the shared Service Line and run an independent service line. The new Service Line shall have its own Curb Stop. The Customer shall be responsible for severing from the shared Service Line and the plans for the work must be approved by the Water Utility. The Customer shall not be charged a water main assessment. The Customer may be charged a tap fee. Any easements or access agreements needed for the work are the responsibility of the Customer.

15.4 Identification of Existing Service Line

Information, including, but not limited to data, plans, approvals, markings within or outside the Public Right of Way, maps, records, or employee statements, provided by the Utility related to the location or existence of a Service Line are based on record information and are not guaranteed to match field conditions. Any Person who relies on said information for any purpose whatsoever does so solely at their own risk. Neither the City, Utility, Board, commissions, officials, or employees guaranty the accuracy, reliability, or timeliness of any of the information provided. The information is provided "as is" without warranty of any kind, and all warranties of merchantability and fitness for a particular purpose are hereby disclaimed. The Utility reserves the right to alter,

amend or terminate at any time any and all information related to the location or existence of Service Lines.

15.5 Service Line Locating

The Utility shall attempt to locate Service Lines from the water main up to the curb stop valve.

Section 16.0 Payment Options and Finance Charges

This Section does not apply to residential Service Line repairs where a portion of the work was done under the public roadway. Payment options for under the public roadway repairs are outline in Ordinance No. 5151 “An Ordinance Establishing a Voluntary Water Service Line Repair Program for Residential Properties to Help Offset a Portion of the Cost for Water Line Repairs Done under the Public Right of Way”. Only Homeowners can utilize the payment options in this section.

16.1 Down Payment

The Homeowner must make a down payment of a minimum of 20% of the project’s estimated cost prior to the initiation of the project for residential main assessments and taps. The down payment for residential Service Line repairs, replacement of a Service Line, and separation of shared Service Lines shall be $100.

16.2 Payment Plan

The balance for any project undertaken pursuant to Section 16.0 Payment Options and Finance Charges will be due upon completion unless a payment plan is established. The Homeowner may choose to make payments on residential main assessments, taps, replacement of a Service Line, separation of shared Service Lines, Service Line repairs, and backflow prevention device installation or replacement. A Homeowner shall not be allowed to finance the repair of a lead Service Line. The replacement of a lead Service Line may be financed. The Homeowner may contract to pay in monthly installments the remaining principal and interest according to the following:

Total Fees Less Down Payment	Maximum Pay Back Period
Under $2,000	36 months
$2,000 and over	60 months

The minimum monthly payment shall not be less than $25. There shall be no penalty for early payoff of all fees or for making payments to principle that are in addition to the required monthly fee.

16.2.1 Establishment of Interest Rate

During December of each calendar year, the Board shall establish the interest rate for the following year as the prime rate published on the first day of December of the current year plus one percentage point (prime rate + 1%).

16.2.2 Application of Interest Rate

During any calendar year, the interest rate set by the Board for that year shall apply to all installment contracts entered into that year by Homeowners and the City. The initial interest rate shall continue for the life of each contract initiated in that year.

16.3 Backflow Prevention Device Loan Program for Homeowners

16.3.1 Homeowners that need to install or replace an approved backflow prevention device (device) on existing irrigation systems may apply for a loan up to $1000 from the Water Utility. Each property is eligible for assistance to install an approved device under the Backflow Prevention Device Loan Program (Program) only one time. The use of the Program for installation of a device is on a first-come first-serve basis. To be eligible to utilize the Program, the Homeowner shall not have any past due outstanding water or wastewater debt related to this property.

16.3.2 The Homeowner shall hire a contractor to complete the work and then the Water Utility shall reimburse up to $1000 of the cost. The Homeowner is responsible for any amount over $1000.

16.3.3 The Homeowner shall execute a payment agreement with the Utility to repay the charges in accordance with Section 16.2 of this Policy.

16.3.4 The Program shall cover installation of the device and any related plumbing modification needed to accommodate the device within 5 feet of the device or as approved by the Director. All work completed under this Program shall be verified by the Utility.

16.3.5 All work inside the building at the property shall be completed by a licensed plumber.

16.3.6 The Homeowner shall be responsible for maintenance and inspection of the backflow device after installation.

16.3.7 Device inspection fees shall not be covered under this program.

Section 17.0 Permanent Disconnection before Demolition

In order to obtain a Demolition Permit from the City Building Department, the contractor must first obtain a Permanent Disconnection Permit from Public Works. This permit shall attest that arrangements have been made with the Public Works and Utilities Department to abandon the service line to the structure being demolished or that there is no existing water service line to the structure. This permit can be obtained from the Public Works and Utilities, Billing Office. The permittee must have the Permit onsite and available if requested.

17.1 If it is necessary to abandon a service line, the Public Works and Utilities Department will either:

(a) Excavate the service line a the curb stop, physically disconnect the service line on the property side of the valve, and plug the curb valve or

(b) Excavate the service line at the water main, shut off the service at the curb stop, remove the line, and plug the corporation stop at the main.

A fee is payable prior to issuance of the Permanent Disconnect Permit (See Schedule of Non-Recurring Charges of the Current Tariff). Public Works Utilities Department will issue the Permanent Disconnect Permit at no charge if it is determined that there is no service to be abandoned.

City of Elkhart
Public Works and Utilities

PERMANENT DISCONNECTION PERMIT

Permit No. _____

This Certifies that_____
on _____ 20____, applied to have the water service at
_____removed from the water system.

A fee has been received, to partially reimburse the Utility for the cost to physically discontinue service at the water main. This includes excavation at the curb valve to cut the line on the property side of the valve and may also include installation of a cap or excavation at the water main and removing the service line from the corporation stop in the main. Removal of the service line shall be completed by the Utility on or before _____, 20_____.

Contractor agrees to reimburse the Utility for any damage caused to the curb valve or box as a result of work at the above premises. The Contractor must have this permit on site and present it when requested.

_____
Contractor's Authorized Representative

_____
Contractor

_____
Elkhart Public Utility Representative

_____
Date

Section 18.0 Fire Hydrants

18.1 Use of City Fire Hydrants

No person except an authorized employee of the Water Utility, Fire Department, or any other person authorized by the Utility shall open, operate or remove the nozzle cap from any fire hydrant to which water is supplied by the Utility.

18.1.1 City Fire Hydrant Use Permit

Contractors and other City Departments that wish to use City fire hydrants must obtain a hydrant use permit at the Public Works and Utilities Department. Special consideration will be given others only when extreme hardship requires hydrant use. The permittee must have the permit on site and present it upon request when using a hydrant.

a) A deposit is required for the use of a hydrant wrench, a hydrant connection and a meter which shall be obtained from the Public Works and Utilities Department. The deposit will be refunded upon return of the above equipment.

b) The Water Utility does not supply hoses.

c) The water fee shall be determined by the actual amount used according to the current Schedule of Rates, or if unmetered, a flat fee will be charged.

18.1.2 Procedure for Using City Fire Hydrant (See Diagrams Below)

a) Remove hydrant cap and install valved hydrant connection.

b) Shut off valve on hydrant connection.

c) *Never use a pipe wrench on a hydrant*. Fire Hydrants, when in use, must be fully open at all times. Otherwise, the drains are open and the hydrant may be damaged by washing out of soil caused by the water escaping from the drain. This makes the soil soggy and removes the soil support that is necessary to keep the hydrant from separating from the pipeline.

d) Turn on hydrant. Open hydrant valve fully using approved hydrant wrench.

e) Regulate flow of water with hydrant connection valve.

f) When finished and ready to shut hydrant off, slowly close connection valve, close hydrant, then open hydrant connection valve and check to see if hydrant is shut off.

g) Remove connection-check to see that water drains from hydrant barrel, replace hydrant cap.

h) Return meter, connection and wrench to Public Works & Utilities.

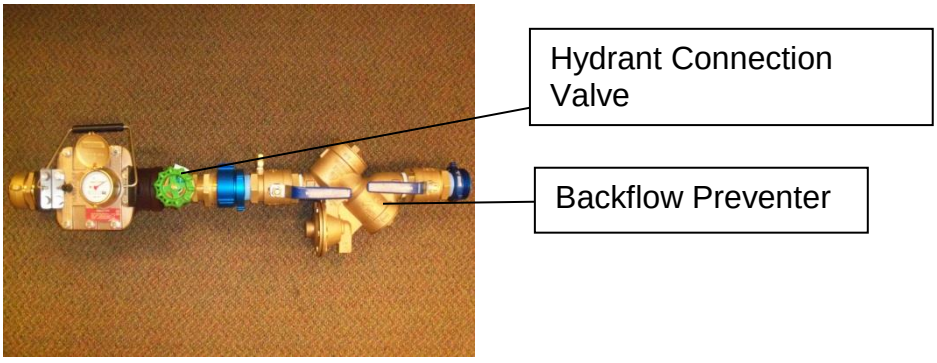
i) After hydrant inspection, Public Works & Utilities will return the deposit, less any costs due to misuse of hydrant, hydrant connection, meter, or wrench.

ILLEGAL USE OF A HYDRANT: A fine per day or occurrence plus actual cost to repair any damage will be charged (See Non-Recurring Charges of the Current Tariff.)

Fire Hydrant Diagrams

1. Hydrant wrench

2. Clow Medaillion Hydrant with 5 ½" stortz (nozzle) and 2-2 ½" (nozzle)



3. Hydrant meter with control valve to connects 2 ½ " nozzle

18.2 Private Fire Hydrants

Private fire service mains and hydrants that are connected to the City of Elkhart water system shall only be used for the purpose of fire protection. Any routine maintenance and testing of the system shall be considered part of the fire protection use. If the owner of the private system wishes to use it for any other purpose, they must first contact the Water Utility.

Private fire service mains and hydrants must be maintained, tested, and inspected as required by International Fire Code. Any repairs to the Customer's system must be done in a timely manner. If a private fire service main develops a leak, the property owner will be granted a period of five days to conducted repairs. Failure to have repairs performed in this time frame may result in discontinuation of service. Service will be restored when the leak is repaired.

Any use other than outlined above, including but not limited to cleaning building, pavement, or sidewalk and filling street sweepers is considered illegal use and is subject to penalty as outlined in the water tariff.

Elkhart Public Works & Utilities
Permit to Use Fire Hydrant

Permission is hereby granted to: _____

To use hydrant located at: _____

For the purpose of: _____

This permit valid only_____ through _____

This permit is non-transferable. Hydrant shall be fitted with an approved control valve assembly by permittee. When opening hydrant, the operating nut shall be operated using a standard hydrant wrench to fully open the hydrant, and standard operating procedure shall be followed. Hydrant is to remain fully open and flow shall be regulated using the control valve assembly. The Water Utility has the right to require reduced flow if it causes discoloration complaints. At end of use, hydrant is to be fully closed and caps replaced. Notify Elkhart Public Works & Utilities office when use of hydrant is complete.

I hereby assume responsibility for correct operation of the above hydrant and will personally attach the hydrant control valve assembly and close the hydrant if usage is not metered by personnel. I also accept full responsibility for payment of all damage from water issuing from the hydrant which is caused by my use of the hydrant (i.e., washout, etc.) _____ _____ _____

Application Date **Applicant's Signature** **PWU Representative**

USE OF CITY HYDRANTS

- Obtain permit at Public Works & Utilities Collections & Distribution office. Public Works & Utilities will charge for water used and an inspection fee for checking hydrant after each use. A refundable deposit of $900.00 is required to guarantee proper use of hydrant, hydrant connection and wrench.
- If you do not have an approved hydrant connection and hydrant wrench, make necessary deposit for same and rent at Public Works and Utilities. Hydrant connection and wrench fee is $10.00 per day.
- Pick up connection and wrench at Elkhart Public Utilities Collections & Distribution office.
- Water Utility does not supply hose.

PROCEDURE IN USING HYDRANT CONNECTION (NO DEVIATION PERMITTED)

1. Remove hydrant cap and install valved hydrant connection
2. Shut off valve on hydrant connection.
3. *Positively, never use a pipe wrench on a hydrant*. Fire Hydrants, when in use, must be wide open at all times. Otherwise, the drains are open and the hydrant may be damaged by washing out of soil by the water escaping from the drain. This makes the soil soggy and removes the soil support that is necessary to keep the hydrant from separating from the pipeline.
4. Turn on hydrant. Open hydrant valve fully using approved-type wrench.
5. Regulate flow of water with hydrant connection valve.
6. When finished and ready to shut hydrant off, close connection valve, close hydrant, then open hydrant connection valve and check to see if hydrant is shut off.
7. Remove connection-check to see that water drains from hydrant barrel, replace hydrant cap.
8. Return connection and wrench to Public Works & Utilities.
9. After hydrant inspection, Public Works & Utilities will return the deposit, less any maintenance costs due to mis-use of hydrant, hydrant connection, or wrench.

CHARGES

Rent of Connection and Wrench $_____

Please ☑ With Wrench: ☐
Without Wrench ☐

Hydrant Inspection Fee $_____
(1 HOUR PAY + 1 HOUR TRUCK EXPENSE)

Meter Number: _____

Meter Reading Start: _____

Meter Reading Finish: _____

Consumption: _____

Return Date: _____

Fee for Water Used: $_____

Tax: $_____

***AMOUNT DUE*: _____**

Billing Information

_____
Name

_____
Address

_____
City, State, Zip

_____
Phone #

Basis of Water Fee:
Metered usage: Actual number of gallons used to be charged according to the current Schedule of Rates.
Unmetered usage: $76.65 per hour according to our current Schedule of Rates.

Where the amount of water to be used is known, actual cost of water at $1.98/1000 gallons will be charged.
Where the amount of water to be used is unknown, a flat fee of $15.00 per day will be charged.
Illegal use of hydrant will be charged at $200.00 per day or occurrence, plus cost to repair any damage.

Section 19.0 Cross Connection Control Policy

19.1 Responsibility

19.1.1 The Elkhart Water Utility has the responsibility to supply safe, potable water from the source to the point of delivery defined as the downstream end of the meter setting. The Customer is responsible for maintaining the service line from the point where it connects to the watermain (See Repair of Service Lines).

19.1.2 The Utility has the right to prevent, by appropriate means, the backflow of contaminated or polluted water or any other foreign substance from entering the public water distribution system.

19.1.3 Water Customers have the legal responsibility to maintain their respective potable water piping systems, free of cross connections, and to comply with all Federal, State and City laws, ordinances and regulations pertaining to cross connections.

19.2 Containment

The policy of the Utility is to control by "containment" all Cross Connections which shall be found to exist, or which may be installed in the future, on the Utility Customer's Piping Systems. Containment shall be achieved by:

19.2.1 Assurance that the Customer's system, or any portion thereof, which may create or is creating a backflow problem, is physically disconnected from the Utility's distribution system;

19.2.2 At the Customer’s expense, an approved Backflow Prevention Device must be installed at location approved by the Utility.

19.3 Booster Pumps

No Customer shall cause or allow the installation or maintenance of a booster pump in the public water system unless it is installed downstream of the meter and a device is installed to control operation of the booster pump when pressure to pump suction drops as follows:

19.3.1 Wherever a fire suppression system has a booster pump installed only for fire suppression, it shall have an audible or visual alarm to provide warning when flow occurs and a control valve shall be installed on the booster pump discharge to automatically throttle the flow as necessary to maintain a minimum of 10 pounds per square inch, gauge, pump suction pressure.

19.3.2 For all booster pumps other than those described in 19.3.1, a control device shall be installed to either prevent operation of the booster pump, or else to automatically throttle flow to or from the booster pump as necessary to maintain a minimum of 20 pounds per square inch, gauge, pump suction pressure. The Utility may require that the control device be calibrated to maintain a higher than 20 pounds per square inch, gauge, pump suction pressure, where necessary to provide a minimum pressure of 20 pounds per square inch, gauge, throughout the pressure zone of the public water system distribution system to which the customer is connected.

19.4 Cross Connection Hazards

19.4.1 Wherever a Cross Connection Hazard as specified by subsection 19.4.3 below is designated, an Air gap or a Reduced Pressure Principle Backflow Preventer shall be installed:

a) at any new facility;

b) any modified Customer Service Line; or

c) when a higher capacity meter is installed.

19.4.2 Neither an Air Gap nor a Reduced Pressure Principle Backflow Preventer shall be required on a Customer Service Line that is used solely for fire suppression provided the line is fitted with an audible alarm that will activate when water is flowing through the line.

19.4.3 The following types of facilities are designated as Cross Connection Hazards:

a) Aircraft and missile manufacturers;

b) Automotive plants including those that manufacture motorcycles, automobiles, trucks, recreation vehicles and construction and agricultural equipment;

c) Beverage bottling plants including dairies, breweries;

d) Canneries, packing houses and reduction plants;

e) Car washes;

f) Chemical, biological and radiological laboratories including those in high schools, trade schools, colleges, universities and research institutions;

g) Hospitals, clinics, medical buildings, autopsy facilities, morgues, other medical facilities and mortuaries;

h) Metal and Plastic manufacturing, fabricating, cleaning, plating and processing facilities;

i) Plants manufacturing paper and paper products;

j) Plants manufacturing, refining, compounding or processing fertilizer, film, herbicides, natural or synthetic rubber, pesticides, petroleum or petroleum products, pharmaceuticals, radiological materials or any chemical that could be a contaminant to the water supply;

k) Commercial facilities that use herbicides, pesticides, fertilizer or any chemical that could be a contaminant to the public water supply;

l) Plants processing, blending or refining animal, vegetable or mineral oils;

m) Commercial laundries and dye works, excluding coin operated laundromats;

n) Sewage, stormwater and industrial waste treatment plants and pumping stations;

o) Waterfront facilities including piers, docks marinas and shipyards;

p) Industrial facilities that recycle water; and

q) Restricted or classified facilities (federal government defense or military installations or other facilities closed to the supplier of water or the commissioner.

19.4.4 Other facilities may be designated as Cross Connection Hazards and must comply with the cross connection control requirements.

19.4.5 Exemptions from these requirements may be granted by the Indiana Department of Environmental Management (IDEM).

19.5 <u>High Rise Structures</u>

All high rise structures (buildings over four stories or 40 feet tall) are required as a condition of providing service, to have an approved Backflow Prevention Device.

19.6 <u>Secondary Sources of Supply</u>

19.6.1 An Air Gap, Reduced Pressure Principle Backflow Preventer or Double Check Valve Assembly shall be constructed on Secondary Sources that:

a) use wells as secondary source;

b) are constructed to maintain bacteriological quality of water; and

c) produce without treatment, water meeting the drinking water quality standards.

19.6.2 No other Secondary Sources other than tanks used for fire suppression may be connected to the Customer's Service Line to or into the facility. This includes but is not limited to, wells that are known or suspected to be contaminated, ponds, and river water.

19.7 Fire Suppression

A Backflow Prevention Device shall be installed on all fire suppression systems as follows:

19.7.1 Tanks used to store water for fire suppression shall have an Air Gap, Reduced Pressure Principle Backflow Preventer or Double Check Valve Assembly.

19.7.2 Fire suppression systems shall have an Air Gap, Reduced Pressure Principle Backflow Preventer or Double Check Valve Assembly to prevent stagnant water from back flowing into the Public Water System.

19.7.3 Fire suppression systems with chemical additives shall install a Reduced Pressure Principle Backflow Preventer to prevent stagnant water from back flowing into the Public Water System.

19.7.4 Fire suppression systems that use potable piping and have a flow through condition where water is continually flowing through the system and on to other uses are not required to install a Backflow Prevention Device.

19.8 Irrigation

Customers shall construct an Air Gap or install a Reduced Pressure Principle Backflow Preventer or a Pressure Vacuum Breaker on a line supplying water to any irrigation facility that has a sprinkler located less than 6 inches above grade and is constructed after July 19, 1985.

19.9 Backflow Device Construction and Installation Requirements

Only those models listed by the "List of Approved Backflow Prevention Assemblies", by the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California, February 7, 2012, or those acceptable under the Indiana Plumbing Code under the fire prevention and

building safety commission shall be installed. Piping installed to bypass a Cross Connection Control Device shall not be allowed unless the bypass piping is also fitted with a similar Cross Connection Control Device.

19.9.1 Air Gap

a) two pipe diameters of the discharge pipe or six inches, whichever is less, above the maximum recorded level of the rim of the receiving vessel, whichever is higher; or

b) three pipe diameters of the discharge pipe or six inches, whichever is less, above the maximum recorded level of the rim of the receiving vessel, whichever is higher, where:

1. a side wall, rib or similar obstruction is spaced closer than three diameters from the piping affecting the air gap; or
2. two intersecting walls are located closer than four pipe diameters from the piping affecting the air gap.

19.9.2 Reduced Pressure Principle Backflow Preventers

Shall be installed vertically or horizontally as provided by the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California, February 7, 2012, with:

a) no plug or additional piping affixed to the pressure differential valve port;

b) the pressure differential valve port a minimum of 12 inches above floor level, not be below ground grade level and not subject to flooding, excessive heat of freezing;

c) location allows for access to the pressure differential valve port, maintenance and testing from floor level without the use of a ladder or other similar device; and

d) installed at a location where any leakage from the pressure differential valve port will be noticed.

19.9.3 Double Check Valve Assembly

Shall be installed at a location that allows access to the device for maintenance and testing from floor level, without the use of a ladder or other similar device and that will not subject the device to flooding, excessive heat or freezing.

19.9.4 Pressure and Spill Resistant Vacuum Breakers

Shall be installed as close as possible to the irrigation facility and at a location that allows access to the device for maintenance and testing from floor level, without the use of a ladder or other similar device and that will not subject the device to flooding, excessive heat or freezing. Additionally the device must be installed between two tightly closing shut-off valves with its center point a minimum of 12 inches above:

a) floor level;

b) the highest downstream piping or shutoff valve; and

c) the highest downstream overflow rim or discharge point.

19.9.5 Atmospheric Vacuum Breaker Back-siphonage Prevention Assemblies

Shall be installed at a location that allows access to the device for maintenance and testing from floor level, without the use of a ladder or other similar device and that will not subject the device to flooding, excessive heat or freezing. Additionally the device must be installed as follows:

a) a minimum of six inches clearance above the overflow rim or downstream piping;

b) no means of shutoff on the discharge vacuum breaker; and

c) must not be under continuous pressure for more than 12 hours in a 24 hour period.

19.10 Inspection

19.10.1 Testing Requirements

The Customer shall have each Backflow Prevention Device inspected or tested by a certified Cross Connection Control Device inspector at the time of construction or installation, and at the following intervals, in the following manner:

a) Air Gaps shall be inspected at intervals not exceeding one year;

b) Reduced Pressure Principle Backflow Preventer shall be tested at intervals not exceeding one year to ensure that:

1. Both check valves are drip-tight under all pressure differentials; and

2. The pressure differential relief valve will maintain pressure in the center chamber at least two pounds per square inch below that of the inlet chamber.

c) Double Check Valve Assemblies shall be tested at intervals not exceeding one year to ensure that both check valves are drip-tight under all pressure differentials;

d) Pressure Vacuum Breakers and Spill Resistant Vacuum Breakers shall be tested at intervals not exceeding one year to ensure that the air inlet opens fully when water pressure is at or below atmospheric pressure; and

e) Atmospheric Vacuum Breaker Backsiphonage Prevention Assemblies must be inspected at intervals not exceeding one year to ensure proper operation of the air inlet valve. Removal of canopy may be necessary to determine free movement of air inlet valve.

19.10.3 Registration of Inspectors

Inspection of Backflow Prevention Devices is not performed by the Utility. It is the responsibility of the customer to ensure inspection is conducted by an individual that is approved by and is registered with the IDEM at the time of inspection.

19.10.4 Backflow Training

Backflow inspection training is not provided by the Utility.

19.10.5 Inspection Tags

All Cross Connection Control Device inspectors shall install an inspection tag upon completion of testing, calibration, or repair, of any Cross Connection Control Device. The inspection tag must be waterproof and protected against tampering and must have at least the following information:

a) The name of the inspector;

b) The date of the inspection; and

c) The registration number, model number, serial number, and size of the Cross Connection Control Device.

19.10.6 Reports

a) All Cross Connection Control Device reports shall be submitted to the Water Utility and to the Customer within 30 days of the inspection or test.

b) The Utility shall retain the three most recent reports of tests conducted on all Backflow Prevention Devices and shall permit access to these files at reasonable times and upon presentation of identification by IDEM.

c) If requested, the Utility shall submit to IDEM copes of any reports required to be retained by subsection b above.

19.11 Access to Premises

Authorized representatives of the Utility shall have the right to enter the premises of the Customer at all reasonable times for the purpose of inspecting Cross Connection Control Devices, atmospheric tank installations, and general plumbing for the purpose of determining compliance with this regulation.

19.12 Noncompliance

If the Utility, either through inspection or any other means, determines a Customer is in violation of any part of this regulation, the Utility reserves the right to discontinue supplying water to the Customer until the Customer has corrected or eliminated the violations.

Section 20.0 Use of Booster Pumps

No booster pump shall be installed upstream of the meter setting.

Section 21.0 Groundwires

The Utility is aware that sometimes telephone and electric companies ground wires to water lines. The Utility does not install such connections, derives no benefit from them and tolerates them only because of their reputed importance to safe and effective telephone and electric service. When and if they are found to appear to be the cause of damage, the Utility may inform the City of Elkhart Electrical Inspector. The Customer assumes all risk from allowing groundwires to be attached to the water service piping.

Section 22.0 Fire Protection

22.1 Approval Required

Prior to connection to the Utility's distribution mains final plans must be approved by the State Fire Marshall for:

22.1.1 Any modifications that are made to any existing private fire protection system; or

22.1.2 Before service is furnished to any new fire protection system

22.2 Installation Requirements

All projects including newly constructed buildings and modifications to existing structures that will require water service for fire protection and domestic water uses must install a separate service line for each. Each line shall have their respective shut-off in the public right-of-way. Any exceptions to this must be approved by the Water Utility in advance.

All fire protection lines within buildings shall be installed in such manner that all pipes, meters, and backflow preventers will be easily accessible for inspection at any time. Underground pipes outside of buildings must be placed and maintained at a minimum depth of five and one-half feet. No connections with a fire protection system will be permitted to supply water service for commercial or industrial use unless the connection has been approved by the Customer's fire underwriter and Utility or the commercial or industrial use is metered.

A private fire protection system shall be equipped with an alarm valve and a double check valve assembly or other backflow prevention device required by the Utility (Refer to Cross Connection Policy).

22.3 Charges for Fire Protection Flows Designed to Use Over 500 GPM

Because of the large flow requirements necessary for fire protection, the Water Utility has adopted a plan to continue to reinforce the entire distribution system during the coming years to assure reliable and adequate volume of water to meet fire demands.

22.3.1 When applicable the Customer shall pay a main assessment charge (See Water Main Extension Section and Water Main Assessment and Installation section).

22.3.2 The Customer shall pay for actual cost of making the valved fire protection connection to the main and shall install the fire line at this expense in accordance with Water Utility Specifications (See Tap Charges Section).

22.4 Disconnection of Service to Fire Protection Systems

According to International Fire Code Sec. 311.2.2 Fire protection, fire alarm, sprinkler, and standpipe systems shall be maintained in an operable condition at all times. The only exception is if a variance has been granted by the fire code official.

Therefore, service to a fire protection system shall not be shut off unless the Customer has obtained an approved variance stating that the system may be shut off.

Section 23.0 Filling of Swimming Pools

The Water Utility will fill swimming pools for residential customers only during weekday evenings and on weekends. The fee for this service includes a basic charge plus labor fees and water for a maximum volume of 25,000 gallons. (See the Non-recurring Charges of the Current Tariff). For more information, please contact the Public Works and Utilities Department.

Section 24.0 Procedures Addressing Shutoffs involving Backflow Prevention and Fire Suppression Systems

24.1 Backflow Prevention Devices

Backflow prevention devices are required to be inspected in accordance with IDEM regulations. The following outlines what should happen in the event a Customer does not maintain compliance with the test or inspection schedule as applicable.

24.1.1 As a courtesy, a first reminder is sent to the Customer via regular mail, one month prior to the inspection due date.

24.1.2 A second notice is sent not more than 5 days after the due date that they have 15 additional days or they will be subject to disconnection and if applicable, the Fire Department will be notified. Once disconnection occurs, the Customer will be in non-compliance with Fire Code and will be subject to any applicable penalties.

24.2 Fire Suppression Systems – Abandoned Buildings

Regardless of whether or not an account is current or past due, if a building is found abandoned and is (a) not heated but there is no immediate risk of lines freezing, or (b) not heated and there is an immediate risk of lines freezing due to the time of year it is discovered, then:

24.2.1 Billing Office will contact Fire Department who will attempt to locate an owner

24.2.2 If no owner is located the next course of action will be determined on a case by case basis.

24.3 Fire Suppression Systems - Occupied Buildings

If an account is past due and subject to disconnection the Billing Office shall notify the Fire Department. At this point the Customer will be in non-compliance with Fire Code and will be subject to any applicable penalties.

When at any point service is terminated after going through proper steps, Fire Department, Communication and Building and Code shall to be notified.

If a property is located outside of the City, the Utility shall work with the appropriate Township Fire Department.

Section 25.0 Charges for Equipment Use and Supplies

All charges and fees shall be approved by the Board of Public Works. The current list of all equipment and supplies along with the current charges and costs shall be maintained by the Utility.

25.1 Equipment Use

All charges for use of equipment are based upon average local industry costs. This shall include, but is not limited to the following:

a. Dump truck
b. Pickup truck
c. Air compressor
d. Piercing tool
e. Backhoe
f. Sewer cleaning truck

25.2 Miscellaneous Supplies

The annual materials bid shall be used to determine all costs for supplies which shall include, but is not limited to repair lids and flanges.

Section 26.0 Residential Water Service Line Repair Program

This program is in place to aid Homeowners in the cost of repair to, or replacement of, their Service Line where the repair is not covered under Ordinance No. 5151 or Section 15.0. The Utility reserves the right to fully troubleshoot the problem to confirm that repair to, or replacement of, the Service Line will produce the desired results. This program shall not apply to commercial, industrial, or residential users not meeting the definition of a Homeowner. This program shall not apply to frozen Service Lines. This program shall not apply to the repair of lead Service Lines. It shall apply to the replacement of lead Service Lines. This program also applies to Private Lines that provide service to one or more Homeowners. Where one or more Homeowners share a Private Line with non-Homeowners, this program shall only apply to the portion of the costs owed by each Homeowner if the method used to divide the costs is acceptable to the Utility.

26.1 Payment

All Homeowners shall be responsible for the entire cost of the work completed under this program; however, they may utilize the payment options defined in Policy Section 16.0 Payment Options and Finance Charges.

26.2 Expenses allowed under this Program:

(a) Repair or replacement of the existing Service Line up to the foundation of the building and

(b) The removal and replacement of public streets, curbs and walks located in the Public Right of Way or Easement.

26.3 Expenses not allowed under this Program:

(a) Repair or replacement of any internal plumbing;

(b) Replacement of any trees, shrubbery, plants or other landscaping features on public or private property removed as part of the repair or replacement of the Service Line;

(c) Any expenses incurred in tunneling under or replacing any surface improvements located on private property such as bituminous, concrete, sidewalks, brick driveways, patios or fences;

(d) Replacement or repair to sprinkler systems, gas grills, foundations, connections and any other surface or sub-surface improvements found on public or private property; and

(e) Replacement of topsoil and reseeding or sodding disturbed lawn areas.

26.4 Application for Utilization

All Homeowners who wish to use the Residential Water Service Line Repair Program shall complete an application which shall include a signed release authorizing right of entry for the Utility to inspect the Service Line and conduct repairs or replacement to the Service Line in accordance with this Section.

26.5 Eligibility

To be eligible to utilize the Residential Water Service Line Repair Program, the Homeowner shall not have any outstanding water or wastewater debt with the Utility related to this property.

26.6 Construction Requirements

All work performed under this program shall be in accordance with the provisions in the City's Plumbing Ordinance, as amended, the Standard Construction Specifications for the City of Elkhart, as adopted by the Board, and any other applicable regulations. Only qualified, bonded contractors that are registered with the City of Elkhart may perform work under this program.

Section 27.0 Lead Service Lines

A Lead Service Line is a supply pipe leading from the tap in the distribution main to or into a premise supplied or to be supplied that is constructed of lead materials. This policy outlines how the Water Utility addresses Lead Service Lines.

27.1 Connecting to an Existing Lead Service Line NOT Allowed

A new Customer may not connect to an existing Lead Service Line. The Customer must have a new tap installed in order to connect to the Water Utility's distribution system. The current rates for time and materials applies.

27.2 Repair of Lead Service Line NOT Allowed

The Water Utility will not repair Lead Service Lines and shall not allow the Customer to repair a Lead Service Line. The Customer shall not use the Residential Service Line Repair Program to finance the repair of a Lead Service Line (See Section 26.0).

If a Lead Service Line is leaking it must be replaced. The Customer shall be able to use the Residential Service Line Repair Program to finance the replacement of a Lead Service Line.

27.3 Replacement of Lead Service Lines

When the Water Utility finds a Lead Service Line, the portion of the line from the water main to the Curb Stop is replaced as resources allow. The Customer may replace the section of line that runs from the Curb Stop to the premises. The Residential Service Line Repair Program may be utilized to finance the replacement of that portion of the Lead Service Line.

27.4 Testing of Customer's Water for Lead

A Customer may have their water tested for lead at no charge by making their request at the Public Works and Utilities Office, located at 1201 S. Nappanee St., Elkhart, Indiana.

Section 28.0 Disconnection of Private Wells

A Property Owner that has a private well serving their property and wishes to connect to the Elkhart public water system must disconnect the private well prior to connecting to the public water system. The City water line and well line shall not be connected in any way.

28.1 The Property Owner shall choose one of the following options when converting from a well to City water (More detail may be found in the City of Elkhart Standard Specifications for Construction):

(a) Wholly abandon and concrete the existing well;

(b) Remove all plumbing/piping from the well within the building, cut the piping flush to the building wall and seal with it concrete; or

(c) Cut the piping off the pump and between the holding tank and service line and install a backflow preventer before the meter – this method MUST be approved by the City Engineer.

28.2 Private wells in a U.S. Environmental Protection Agency Designated Superfund Area shall be wholly abandoned and shall not be used for any purpose if connecting to the Elkhart public water system.

Section 29.0 Autodialed Phone Calls and Automatic Text Messages to Customers

The Utility may make autodialed phone calls and send automatic text messages to Customers. The phone number will be obtained when the Customer initially signs up for service, subsequently supplies the phone number, or updates their contact information. The Utility shall only use these phone numbers to communicate with Customers about matters closely related to their water service including, but not limited to:

- Calls or text messages that are necessary in any situation affecting health and safety;
- Warnings about planned or unplanned water service interruptions;
- Updates about water service interruptions or service restoration;
- Requests for confirmation of service restoration or information about lack of service;
- Notifications of work that directly affects the Customer's water service;
- Notifications to Customers informing them that they may be eligible for subsidized or low-cost water services due to certain qualifiers such as, e.g., age, low income or disability; and
- Warnings about the likelihood that failure to make payment will result in water service curtailment.

Matters closely related to Customers' water service does not include routine debt collection calls or text messages by the Utility to Customers after Utility service has been terminated.

Each call or text message will include information on how the Customer can opt out of future messages. The Utility shall not make calls or send text messages not closely related to Utility service. The Utility shall not transfer or provide Customer phone numbers to any group, organization, or person except where required by local, state, or federal law.