
City of Bloomington Utilities

**RULES, REGULATIONS
AND STANDARDS OF
SERVICE**

Approved by Utilities Service Board on April 28, 2008

TABLE OF CONTENTS

PREFACE	VII
PART I GENERAL RULES AND REGULATIONS.....	1
SECTION 1 PUBLIC INSPECTION AND INFORMATION	2
1.1 INSPECTION	2
1.2 RATE SCHEDULES	2
SECTION 2 HOLD HARMLESS AND RESTRICTION OF USE OF WATER.....	3
2.1 HOLD HARMLESS.....	3
2.2 RESTRICTION OF USE OF WATER	3
SECTION 3 REQUESTS FOR WATER OR WASTEWATER SERVICE	4
3.1 EXTENSION NOT REQUIRED.....	4
3.2 EXTENSION REQUIRED.....	4
3.3 GENERAL REQUIREMENTS FOR RESIDENTIAL USERS.....	4
3.4 NEW APPLICANTS.....	4
3.4.1 Identification.....	4
3.10 BUSINESS AND COMMERCIAL APPLICANTS.....	4
3.11 TEMPORARY WATER SERVICE.....	4
3.11.1 Temporary Water Service Contract.....	4
3.12 CUSTOMER CONTRACT	5
3.13 SATISFYING OUTSTANDING BALANCES	5
3.14 WAIVER OF PROTEST OF ANNEXATION	5
3.15 TAX EXEMPT STATUS	5
SECTION 4 BILLING AND PAYMENT STANDARDS.....	6
4.1 BASIS OF BILLING.....	6
4.2 BILLING FREQUENCY.....	6
4.3 PAYMENT OF BILL	6
4.4 BILLING INFORMATION.....	6
4.5 DELINQUENCIES	6
4.6 ESTIMATED BILLINGS	7
4.7 CHARGE FOR RETURNED CHECKS.....	7
4.8 SUMMER WASTEWATER RATES	7
4.9 COLLECTION AND FORECLOSURE OF LIEN	7
4.9.1 Notice of Lien	7
4.10 LANDLORD-TENANT RELATIONSHIP.....	7
4.11 PARTIAL PAYMENT	7
4.12 WASTEWATER DEDUCTIONS EXEMPTIONS	7
4.13 WASTEWATER CHARGE FOR NON WATER CUSTOMERS.....	8
4.14 SEPTIC TANK HAULERS	8
SECTION 5 ADDITIONAL CHARGES	9
5.1 CHARGE AND BILLING FOR INSTALLATION AND CONNECTION	9
5.2 ILLEGAL CONNECTIONS	9
5.3 ILLEGAL USE OF WATER FROM FIRE HYDRANT	9
5.4 THEFT.....	9
5.5 CHARGE AND BILLING FOR TURN ON/TURN OFF.....	9

ERROR! NOT A VALID HEADING LEVEL IN TOC ENTRY ON PAGE 11

6.1 BILLING PERIOD	10
6.2 METER ERROR	10
6.2.1 Meter Error (Customer Overcharged).....	10
6.2.2 Stopped Or Slow Meters (Customer Undercharged).....	10
6.3 OTHER BILLING ADJUSTMENTS	10
SECTION 7 TERMINATION OF SERVICE.....	11
7.1 CUSTOMER REQUEST.....	11
7.2 UTILITY AUTHORIZATION	11
7.3 UTILITY DETERMINATION FOR TERMINATION OF SERVICE	11
7.4 TRANSFER OF UNPAID BILL.....	11
7.5 POSTPONEMENT OF SERVICE TERMINATION	11
7.6 TIME OF TERMINATION OF SERVICE.....	12
7.7 NOTICE REQUIRED PRIOR TO UTILITY TERMINATION OF SERVICE.....	12
7.8 PROCEDURE FOR INVOLUNTARY TERMINATION OF SERVICE.....	13
SECTION 8 RECONNECTION OF SERVICE.....	14
8.1 RECONNECT FEE	14
8.2 TIME TO RECONNECT SERVICE.....	14
8.3 DAMAGES AFTER RECONNECTION OF SERVICE	14
8.4 IMPROPER TERMINATION OF SERVICE	14
8.5 RECONNECTION OF DISCONTINUED OR UNUSED WATER SERVICE.....	14
SECTION 9 INQUIRIES AND APPEALS	15
9.1 APPEALS AND REQUEST FOR CONFERENCE	15
9.2 INVESTIGATION AND REPORT.....	15
9.3 CONTINUATION OF SERVICE.....	15
9.4 RECORD OF APPEALS	16
SECTION 10 METER TESTING AND RECORDS.....	17
10.1 TESTING AND ACCURACY	17
10.2 TESTING EQUIPMENT AND FACILITIES	17
10.3 METER TESTS UPON WRITTEN REQUEST BY CUSTOMER.....	17
10.4 METER TEST RECORD.....	17
10.5 METER RECORD.....	17
SECTION 11 MAINTENANCE OF METERS	18
11.1 METER LOCATION	18
11.2 APPLICATION FOR SERVICE	18
11.3 METER SIZE	18
11.4 METERS IN DEVELOPMENTS	18
11.5 METER VAULTS AND APPURTENANCES	18
11.6 MASTER METERS.....	18
11.7 METER PURCHASE	19
11.8 METER SETS	19
11.9 METER INSTALLATION	19
11.10 COMMERCIAL METER INSTALLATION	19
11.11 CONDOMINIUM METER INSTALLATION	19
11.12 APARTMENT METER INSTALLATIONS	20
11.13 FIRE SERVICE CONNECTION.....	20
SECTION 12 SPECIAL CONTRACTS FOR WATER OR SEWER EXTENSIONS	21
12.1 CONDITIONS FOR SPECIAL CONTRACTS	21
12.2 SPECIAL CONTRACTS.....	21
SECTION 13 EXTENSION OF WATER AND SEWER MAINS CONSTRUCTED BY THE UTILITY TO RESIDENTIAL DEVELOPMENT.....	22

13.1 GENERAL REQUIREMENTS	22
13.2 FREE EXTENSION	22
13.3 EXTENSIONS ABOVE FREE LIMIT	22
13.3.1 Estimated Cost	22
13.3.2 Letter to Customer	23
13.3.3 Determination Of Cost	23
13.3.4 Requirement To Pay	23
13.3.5 Credits	23
13.3.6 Construction Cost Index Factor	23
13.3.7 Payment Schedule	23
13.3.8 Project Summary	24
13.4 UTILITY OVERSIZING REIMBURSEMENTS	24
13.5 LAYOUT OF UTILITY LINES	24
13.6 WATER MAINS	24
PART II	25
WATER UTILITY RULES AND REGULATIONS	25
SECTION 14 MAINTENANCE OF FIRE LINES	26
14.1 PRIVATE OR INTERNAL FIRE PROTECTION SYSTEMS	26
14.2 FIRE LINE AND METER PIT	26
14.3 OPTIONAL DOMESTIC SERVICE	26
14.4 FIRE LINE DESIGN	26
14.5 APPLICABLE CODES	26
14.6 FEES FOR PRIVATE FIRE PROTECTION	26
SECTION 15 MAINTENANCE OF SERVICE LINES	27
15.1 UTILITY SERVICE LINES	27
15.2 CUSTOMER SERVICE LINES	27
15.3 RELOCATION OF CUSTOMER SERVICE LINE	27
SECTION 16 MAINTENANCE OF WATER SUPPLY	28
16.1 INTERFERENCE WITH UTILITY PROPERTY	28
16.2 TURN ON AND TURN OFF	28
16.3 BACK PRESSURE	28
16.4 FIRE LINES AND HYDRANTS	28
16.5 ACCESS TO PROPERTY	28
16.6 OTHER WATER SUPPLY SYSTEMS	28
16.7 PRIVATE USE OF PUBLIC WATER	28
SECTION 17 CROSS CONNECTION	29
17.1 GENERAL REQUIREMENTS	29
17.2 PROHIBITED CONNECTIONS	29
17.3 PROHIBITED PLUMBING FIXTURES	29
17.4 PROHIBITED PIPING CONNECTION	29
17.5 UTILITY DETERMINATION OF NEED FOR BACKFLOW PREVENTERS	29
17.6 CUSTOMER RESPONSIBILITY FOR BACKFLOW PREVENTION	29
17.7 INSPECTION OF POSSIBLE CROSS CONNECTIONS	30
17.8 ACCESS TO PROPERTY	30
17.9 RIGHT TO REQUEST PLUMBING INFORMATION	30
17.10 TERMINATION OF SERVICE FOR CROSS CONNECTION VIOLATION	30
17.11 TERMINATION OF SERVICE FOR CROSS CONNECTION VIOLATION WITHOUT NOTICE	30
17.12 INSTALLATION OF BACKFLOW PREVENTERS	30
17.13 STATE UNIFORM PLUMBING CODE AND CITY OF BLOOMINGTON PLUMBING ORDINANCES	30
SECTION 18 EXTENSIONS OF WATER MAINS FOR RESIDENTIAL DEVELOPMENT CONSTRUCTED BY DEVELOPER OR PROSPECTIVE CUSTOMER(S)	32

18.1 GENERAL REQUIREMENTS	32
18.2 APPLICATION	32
18.3 START OF WORK	32
18.4 UTILITY OVERSIZING REIMBURSEMENTS.....	32
18.5 EASEMENTS	32
18.6 INSPECTION.....	32
18.7 CERTIFICATION OF ACCEPTANCE	33
18.8 ADDRESSED PLAT FOR EXTENSION.....	33
18.9 OWNERSHIP OF EXTENSIONS.....	33
18.10 RIGHT TO REFUSE OWNERSHIP OF WATER SYSTEM.....	33
18.11 LAYOUT OF UTILITY LINES	33
18.12 FREE EXTENSION	33
18.13 EXTENSIONS ABOVE FREE LIMIT	33
18.14 CONTRACT FOR WATER MAIN INSTALLATION CREDIT	33
18.14.1 Eligibility For Contract	34
18.14.2 Time limit For Contract Applications.....	34
18.14.3 Reduction of Contract For Oversizing.....	34
18.14.4 Documentation required For Contract.....	34
18.15 Amount of Credit.....	34
PART III.....	35
WASTEWATER UTILITY RULES AND REGULATIONS.....	36
SECTION 19 PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGES.....	36
19.1 GENERAL PROHIBITIONS.....	36
19.2 PROHIBITIONS ON WASTEWATER DISCHARGES	36
19.2.2 Explosive Mixtures.....	36
19.2.3 Noxious Materials.....	36
19.2.4 Improperly Shredded Garbage.....	36
19.2.5 Radioactive Wastes.....	36
19.2.6 Solid Or Viscous Wastes.....	36
19.2.7 Excessive Discharge Rate.....	37
19.2.8 Toxic Substances.....	37
19.2.9 Unpolluted Waters.....	37
19.2.10 Discolored Material.....	37
19.2.11 Corrosive Material	37
19.2.12 Temperature Greater Than 150 F	37
19.2.13 Unusual B.O.D.	37
19.2.14 Slugs.....	37
19.2.15 Storm Water.....	37
19.2.16 Roof Runoff.....	38
19.2.17 Site Development	38
19.3 LIMITATIONS ON WASTEWATER DISCHARGES.....	38
19.4 MANDATORY CONNECTIONS	38
19.5 ABATEMENT OF PRIVIES OR SEPTIC SYSTEMS.....	38
19.6 SPECIAL AGREEMENTS	39
19.7 SEPTAGE.....	39
19.7.1 Permits.....	39
19.7.2 Commercial Restaurants and Food Processors	39
19.7.3 Oil Separation Tanks	39
19.7.4 Septage Outside Monroe County.....	39
19.8 PERSONAL USE OF BIOSOLIDS	39
SECTION 20 INDUSTRIAL WASTEWATER MONITORING AND REPORTING.....	40
20.1 DISCHARGE REPORTS	40
20.2 RECORDS AND MONITORING.....	40

20.3 INSPECTION, SAMPLING AND ANALYSIS	41
20.3.1 Compliance Determination.....	41
20.3.2 Sampling Frequency.....	41
SECTION 21 CONTROL OF PROHIBITED WASTES	42
21.1 REGULATORY ACTIONS	42
21.2 SUBMISSION OF PLANS	42
21.3 PRETREATMENT FACILITIES OPERATIONS.....	42
21.4 ADMISSION TO PROPERTY.....	42
21.5 PROTECTION FROM ACCIDENTAL DISCHARGE.....	42
21.6 REPORTING OF ACCIDENTAL DISCHARGE.....	43
SECTION 22 ENFORCEMENT PROCEDURES FOR INDUSTRIAL WASTES	44
22.1 MAJOR VIOLATIONS	44
22.1.1 Notification of Violation	44
22.1.2 Show Cause Hearing	44
22.1.3 Legal Action.....	45
22.2 OTHER VIOLATIONS.....	45
22.2.1 Notification of Violation	45
22.2.2 Legal Action.....	45
22.3 PENALTIES	45
SECTION 23 SEWER MAIN CONNECTIONS AND CONSTRUCTION.....	46
23.1 GENERAL CONSTRUCTION REGULATIONS.....	46
23.2 EASEMENTS	46
23.3 INSPECTION	46
23.4 COMMERCIAL OR RESIDENTIAL DEVELOPMENT	46
SECTION 24 GROWTH POLICIES PLAN	47
24.1. GROWTH POLICIES PLAN	47
24.2 AREA A — SERVICE AREA	47
24.3 TIME FOR PROCESSING AREA A REQUESTS	47
24.4 PROCEDURE FOR APPEAL.....	47
24.5 AREA B — EXCLUSIONARY AREA	47
24.6 TIME FOR PROCESSING AREA B REQUESTS.....	48
24.7 APPLICANT’S OBLIGATION FOR COSTS	48
24.8 WAIVER OF RIGHT TO PROTEST ANNEXATION.....	48
SECTION 25 EXTENSIONS OF WASTEWATER MAINS FOR RESIDENTIAL DEVELOPMENT CONSTRUCTED BY DEVELOPER OR PROSPECTIVE CUSTOMER(S)	49
25.1 GENERAL REQUIREMENTS	49
25.2 APPLICATION FOR SEWER EXTENSION	49
25.3 UTILITY OVERSIZING REIMBURSEMENTS.....	49
25.4 EASEMENTS	49
25.5 INSPECTION	49
25.6 CERTIFICATION.....	50
25.7 ADDRESSED PLAT FOR EXTENSION	50
25.8 OWNERSHIP OF EXTENSIONS.....	50
25.9 RIGHT TO REFUSE OWNERSHIP OF SEWER SYSTEM.....	50
25.10 LAYOUT OF UTILITY LINES.....	50
25.11 SEWER EXTENSION CONTRACTS.....	50
SECTION 26 STORMWATER	51
26.1 DISCHARGES.....	51
26.2 CONSTRUCTION/CONNECTION	51
26.3 EASEMENTS	51
26.4 INSPECTIONS.....	52

26.5 CERTIFICATION	52
26.6 EXTENSION OF SERVICES.....	52
SECTION 27 SEVERABILITY	54
27.1 SEVERABILITY	54
DEFINITIONS.....	55

PREFACE

The City of Bloomington Utilities Department provides water, wastewater and stormwater services to the City of Bloomington and surrounding area. It is a municipally owned utility and is controlled by its Utilities Service Board which was created pursuant to and operates under the authority of Indiana Code Sections 8-1.5-3-3(e) (water) and 36-9-23-3 (wastewater and stormwater). The water utility is regulated by the Indiana Utilities Regulatory Commission under the provisions of Article I of Title 8 of the Indiana Code. The wastewater utility is operated under the authority of Article 9 of Title 36 of the Indiana Code as a municipal sewage works. Since the definition of "sewage works" in Indiana Code Section 36-9-1-8 includes structures such as storm sewers as well as efforts to collect and dispose of storm drainage, the stormwater utility is included within the wastewater utility. Each of these three utility functions (water, wastewater and stormwater) is treated as separate and self-supporting entities for budgeting and financial planning purposes.

The Utilities Service Board is authorized to promulgate rules for the operation of the water and wastewater/stormwater utilities pursuant to Indiana Code Sections 8-1.5-3.4 (for water) and 36-9-23-7 (for wastewater/stormwater). Numerous other federal, state and local statutes, rules, ordinances, etc., impact the operation of the City of Bloomington Utilities such as the Federal Clean Water Act and Safe Drinking Water Act, rules and regulations of the State of Indiana Department of Environmental Management and Department of Natural Resources, and ordinances enacted by the City of Bloomington and Monroe County regarding health issues, drainage, construction, etc. The rules and regulations which follow are meant to ensure that the City of Bloomington Utilities is operated in accordance with these and other legal authorities and are meant to be consistent with the best practice standards of the field.

PART I - GENERAL RULES AND REGULATIONS

SECTION 1 PUBLIC INSPECTION AND INFORMATION.

1.1 Inspection. Copies of all rates, rules, regulations, and policies under which Utility service will be supplied by the Utility are available in the Customer Service Office of the Utilities Department of the City of Bloomington, Indiana, and/or with the Indiana Utilities Regulatory Commission. Said rates, rules, regulations and policies shall be open for examination by the public during the regular business hours of the Customer Service Department.

1.2 Rate Schedules. Upon request of the applicant or Customer, the Utility shall supply the applicant or Customer a copy of the most recent rate schedules applicable to the types of service available.

SECTION 2 HOLD HARMLESS AND RESTRICTION OF USE OF WATER

2.1 Hold Harmless. As a condition precedent to the use of water by any Customer and to the permission to tap any water main, sewer, or the connection of service pipes with any branch main, any Person shall hold the Utility and the City of Bloomington, Indiana, harmless for any damages related to any interruption of the supply of water or sewer service, for any damages caused by accident to any part of the water works, or for repairs of machinery, fire hydrants or mains, or for damages caused by defective piping and appliances on the Customer's premises.

2.2 Restriction of Use of Water. The Municipal Utility reserves the right to restrict the use of water for any and all purposes, except domestic household use and fire purpose, in the event of conflagration, flood, or other emergencies.

SECTION 3 REQUESTS FOR WATER, WASTEWATER, OR STORMWATER SERVICE

3.1 Extension Not Required. Persons desiring water, wastewater, or stormwater service that does not require extension to the distribution or collection system of the Utility shall make application for such service on forms prescribed by the Board and available in the Customer Service Office. Deposits may be required.

3.2 Extension Required. Persons desiring water, wastewater, or stormwater service that requires an extension to the distribution or collection system of the Utility shall petition the Utility for such service by filing an application in the Utilities Engineering Office. The Utility shall take action on such application in accordance with these Rules and notify the petitioner of the action taken.

3.3 General Requirements for Residential Users. The Utility may determine the creditworthiness of an applicant or Customer. If the determination is made, it will be in an equitable and non-discriminatory method.

3.4 New Applicants.

3.4.1 Identification. All applicants will be required to present one piece of I.D. containing a picture of the individual requesting water, wastewater, or stormwater service; other appropriate identification may be accepted if the picture identification is not available.

3.4.1.1 Service may be denied to any individual who is under eighteen years of age. Any individual who will turn eighteen within one year of the date he/she is requesting service and who has met all other criteria for obtaining service will be allowed to sign up and receive water and/or wastewater services.

3.4.1.2 Upon request and prior to service being granted, the person(s) requesting residential class service must provide the Utility with a list of all persons living at the residence.

3.5 Business and Commercial Applicants. The Utility shall determine creditworthiness of an applicant pursuant to good business procedures.

3.6 Temporary Hydrant Meter Service. In cases where a water service has not been installed, the Utility, at the discretion of the Utility staff, may allow a temporary hydrant meter service.

3.6.1 Temporary Hydrant Meter Service Contract. The Person requesting temporary hydrant meter service shall complete, and agree to the terms of, a temporary hydrant meter service contract and shall make a meter deposit as required. This deposit, less repairs and/or replacement costs, will be refunded when the Meter is returned and all fees are paid. The Utility shall provide the Customer with an appropriate sized Hydrant Meter and hydrant wrench. The Customer shall phone in the Meter reading on a monthly basis and bring the Meter in for verification in April and November of each year.

3.7 Customer Contract. Prior to commencement of service, an applicant shall sign a contract with the Utility unless a Special Read Agreement is in effect.

3.8 Satisfying Outstanding Balances. A previous customer of the Utility applying for service must satisfy any outstanding balance before service will be granted.

3.9 Waiver of Protest of Annexation. All applicants for water or wastewater service who reside outside the current city limits must sign a waiver of protest of annexation before service will be granted.

3.10 Tax Exempt Status. Any person applying for service and requesting a sales tax exempt status must provide the proper paperwork from the State of Indiana proving the tax-exempt status. This information must be provided before tax exempt service will be granted.

SECTION 4 BILLING AND PAYMENT STANDARDS

4.1 Basis of Billing. Water and Wastewater user charges shall be based on the quantity of water used subject to applicable rates or charges.

4.2 Billing Frequency. The Utility shall, after service is established, send a bill once a month to each Customer. Fire lines will be based on an annual charge and may be billed monthly or annually.

4.3 Payment of Bill. The Utility shall allow the Customer at least twenty (20) calendar days, without penalty, from the date of the bill for payment in full.

4.3.1 Any single payment that is to be applied to multiple accounts must include a summary of what accounts and amounts the payment is intended for. If this summary is not included, the Utility will apply the payment in any manner it chooses.

4.4 Billing Information. Each bill for service rendered by the Utility shall be in writing and shall show at least the following information:

4.4.1 The dates and Meter readings at the beginning and end of the period for which the bill is rendered;

4.4.2 The billing date;

4.4.3 The number and kind of units of service supplied;

4.4.4 The billing class code, if any;

4.4.5 The previous balance, if any;

4.4.6 The amount of the bill;

4.4.7 The sum of the amount of the bill and the late payment charge, if any;

4.4.8 The date on which the bill becomes delinquent and on which a late payment charge will be added to the bill;

4.4.9 If the bill is an estimated bill, a clear and conspicuous coding or other indication identifying the bill as an estimated bill;

4.4.10 A readily understandable explanation of all codes and/or symbols.

4.4.11 Exceptions to these rules may be made by the Utility as it deems necessary.

4.5 Delinquencies. Each bill shall be sent as a net bill. If the net bill is not paid within twenty (20) days after the bill is dated, it shall become a delinquent bill. A late charge shall be added to each Customer's bill in an amount as shown in the current rate schedule.

4.6 Estimated Billing. The Utility may for good cause estimate the amount to be billed any customer. “Good Cause” shall include, but not be limited to, the request of the customer; inclement weather; labor union disputes; inaccessibility of a Customer’s meter, provided the Utility has made a reasonable attempt to read it; and other circumstances beyond the control of the Utility, its agents and its employees.

4.7 Charge for Returned Payments. A charge will be made for payments returned from a Financial Institution for any reason. This charge will be in the amount allowed by the Indiana Code.

4.8 Summer Wastewater Rates. Residential wastewater rates for the months of June, July, August, and September shall be based on the average month's billing for April and May. All other Customer classes will pay according to actual water usage.

4.9 Collection and Foreclosure of Lien. In addition to the methods of collection of such rates or charges, including the penalty thereon, when the bill becomes delinquent as provided above, the Utility shall have the right to file a lien for non-payment. The Utility shall recover all charges, together with a reasonable attorney's fee, pursuant to the provisions of the Indiana Code.

4.9.1 Notice of Lien. When an account is in arrears, and has been disconnected, the owner, as listed in the Assessor's Plat Book in the Auditor's Office, will be sent a certified letter of notice prior to filing a lien. If the property owner does not pay the outstanding balance, a lien will be filed on the property.

4.9.2 No lien will be filed when the amount to be recovered is considerably less than the amount spent to file the lien.

4.9.3 All liens will be filed at the convenience of the Utility.

4.10 Landlord-Tenant Relationship. The Utility shall not involve itself in the landlord-tenant relationship. The Utility shall have the right to foreclose the lien, as above described, against rental property regardless of whether the delinquency in payment was created by the tenant or owner.

4.11 Partial Payments. Partial payments on accounts will go first to pay off the water portions of the bill, beginning with the most delinquent charges. All water, wastewater, and stormwater delinquent charges will be paid off before payment is applied to the current bill.

4.12 Wastewater Deductions Exemptions. Water that is used in the process of manufacture or for any other purpose that does not discharge into the sanitary sewers shall be exempted from the wastewater bill under the following conditions:

4.12.1 The property owner shall install, under the supervision of the Utility, the necessary Meters to indicate the amount of water used which does not discharge into the sanitary sewers.

- 4.12.2 All such Meter installation and maintenance costs shall be paid by the Customer. A monthly service charge for each such Meter shall be made pursuant to the Rate Schedule. A monthly charge shall also be made for reading the Meter so installed.
- 4.12.3 Drawings must be submitted to the Utility Engineer showing where the water, if any, enters the nearest watercourse.
- 4.12.4 All discharges must comply with all Federal, State and Local regulations.
- 4.12.5 In situations where a Customer(s) has a need for water that will be used for purposes that does not necessitate it being returned to the sanitary sewer system for treatment, the Customer may make application to the Utility for water only service. The Utility Department will review the request and, if appropriate, approve such a connection. The Utility Department will not issue credits for situations where water is used for, but not limited to, watering, filling of swimming pools, or other such uses.

4.13 Wastewater Charge for Non Water Customers. In the event that a Wastewater Customer is not a Water Utility Customer, and the water used is not measured by a Water Meter or by a Meter acceptable to the Utility, then the amount of water used shall be determined by the Utility and set to applicable rates and charges. The Wastewater Customer may, at his expense, install and maintain a Meter acceptable to the Utility for this purpose.

4.14 Septic Tank Haulers. In order to dispose of hauled liquid waste at the Utility's wastewater treatment plants, septic tank haulers must have written permission from the Utility and must also possess a current Wastewater Management Permit and Vehicle License from the Indiana Department of Environmental Management (IDEM).

Septic tank haulers, or the generators of the waste, must purchase coupons from the Customer Service Office. These coupons authorize the hauler to dispose of one load of septic waste at a price found in the rate schedule. The liquid waste disposal coupons can be purchased by either paying at the time of purchase or charging the cost to an established Utility account. Any outstanding balance must be paid before the purchase of additional coupons is permitted.

The Utility recognizes four categories of liquid waste, which may be accepted for treatment and disposal at the Utility's facilities. The four categories are domestic septage, grease waste, wastewater treatment plant waste, and commercial/industrial waste. All non-domestic waste generators must request authorization to dispose of these wastes and may be required to have a valid contract with the Utility before they or their state-licensed hauler may purchase coupons. At the time of delivery of septic waste to one of the wastewater treatment plants, as designated by the Director, the hauler will relinquish coupons for the volume and type of waste delivered. Further details regarding the acceptance of hauled liquid waste can be found in the Utility document "Summary of Guidelines Pertaining to the Delivery of Domestic Septage and Other Liquid Wastes."

SECTION 5 ADDITIONAL CHARGES

5.1 Charge and Billing For Installation and Connection. Any Person applying to the Utility for service that shall require a tap or connection to the distribution or collection mains, shall be charged the amount(s) as shown in the Rate Schedule and any other applicable fee. All fees must be paid before service will be furnished by the Utility. The charge is based on the Utility tapping the main and installing only the Service Line, Meter and Meter Setup Hardware. The Customer or agent is responsible for performing all trenching, cutting and replacing pavement, installing Meter Vault, and the backfilling of the trench. These repairs must conform to all federal, state, local and CBU regulations where applicable.

5.2 Illegal Connections. Services that have been illegally connected will be immediately disconnected, where allowable, and a charge to recover losses together with a service charge up to the maximum allowed by law will be made in cases where a user has not been a bill paying Customer.

5.3 Illegal Use of Water from Fire Hydrant. Persons using water from a fire hydrant without authorization shall be billed for up to eight hours usage at the maximum flow rate of the hydrant for each day that the hydrant was used.

5.4 Theft. Suspicion of theft of Utility services or suspicion of tampering with Utility Meters will be reported to the Monroe County Prosecutor for investigation and potential prosecution, as provided by the Indiana Criminal Code.

5.5 Charge and Billing For Turn On/Turn Off. A service charge according to the current Rate Schedule may be assessed for each trip if the Utility must make multiple trips in order to establish or re-establish service due to the fault of the customer. No Customer shall be required to pay a turn on/turn off fee or other charge for restoration of service if the service was discontinued by the Utility, and was not due to customer error or violation of any provision of these Rules.

SECTION 6 ADJUSTMENT OF BILLS

6.1 Billing Period. The Utility attempts to read Meters on a monthly basis; however, the Utility reserves the right to read the Meter on any basis deemed appropriate by the Utility. If a leak should occur during those times that Meters are not read, the Customer is responsible for payment of the Water and Wastewater charges based on the amount of water used subject to applicable rates or charges.

6.2 Meter Error. If any Meter shall be found to have a percentage of error greater than that allowed by AWWA and IURC standards, the bill shall be adjusted as follows:

6.2.1 Meter Error (Customer Overcharged). In cases of Meter error where the Customer has been overcharged, the amount of the refund or credit to the Customer's account shall be the amount in excess of the average charge since the previous test, or one (1) year, whichever period is shorter.

6.2.2 Stopped or Slow Meters (Customer Undercharged). When the Meter is stopped or slowed, the amount of the charge to the Customer shall be an amount estimated to be an average charge since the previous test or one (1) year, whichever period is shorter. The average charge shall be calculated on the basis of units registered on the Meter over corresponding periods either prior to or subsequent to the period for which the Meter is determined to be slow or stopped. If this method is inconclusive or unjustifiable, the Utility may use another method to determine the appropriate charge.

6.3 Other Billing Adjustments. All other billing errors may be adjusted to the known date of error or for a period of one (1) year, whichever period is shorter.

6.3.1 In order to claim an adjustment to a wastewater bill the customer must apply in writing for the adjustment. The claim must include the exact or estimated date that the leak began, the date it was fixed, the account number, the service address, and a copy of the repair bill, or copies of receipts for parts used to fix the leak. If this information is not provided, the claim will not be processed. Adjustments will only be made when the leak does not enter the Wastewater system.

SECTION 7 TERMINATION OF SERVICE

7.1 Customer Request. The Customer shall notify the Utility at least three (3) business days in advance of the day termination is desired. The Customer shall remain responsible for all Water, Wastewater, and Stormwater Charges until the Service is terminated. Following the Customer's request, the Utility will, if possible, disconnect the service within three (3) business days of the requested termination date. The Customer shall not be liable for any service rendered to such address or location after three (3) business days from the requested termination date.

7.2 Utility Authorization Only the Utility is authorized or may give authorization to turn service on or off. If Utility property has been tampered with in any way, the Person responsible for the tampering will be charged a fee to recover losses together with a service charge up to the maximum allowed by law. Tampering may also result in prosecution.

7.3 Utility Determination for Termination of Service. In all instances the Utility, upon providing the Customer with proper notice, may terminate Water or Wastewater Service. The Utility may terminate service to a Customer for any one or more of the following reasons:

7.3.1 Existence of a condition dangerous or hazardous to life, physical safety, or property;
or

7.3.2 In accordance with an order by any court or other duly authorized public authority; or

7.3.3 Detection of a fraudulent or unauthorized use of water for which the Utility has reasonable grounds to believe the affected Customer is responsible; or

7.3.4 Where the affected Customer's lines do not comply with Indiana or local plumbing codes; or

7.3.5 Non-payment of bill; or

7.3.6 Failure to pay for other materials, fees, services, or any other outstanding balance owed to or rendered by the Utility; or

7.3.7 Failure to pay total due for all water and/or sewer installments.

7.4 Transfer of Unpaid Bill. The Utility reserves the right to transfer any unpaid bill to any other account a Customer may have and to disconnect service at any other location because of delinquencies.

7.5 Postponement of Service Termination. The Utility, at its discretion, may postpone the termination of service:

7.5.1 If, prior to the termination date specified in the termination notice, the Customer provides the Utility with a written medical statement from a licensed physician or public health official that states termination of service would be a serious and

immediate threat to the health or safety of a designated person in the Customer's household.

7.5.2 If, prior to termination of service, the Customer shows cause for the inability to pay the full amount due because of financial hardship, incorrect reading of the Meter, incorrect application of the Rate Schedule, incorrect connection or functioning of the Meter, prior estimates where no actual reading was taken for over two months, stopped or slow Meter, or any human or mechanical error of the Utility and said Customer:

7.5.2.1 Pays a reasonable portion of the bill; and

7.5.2.2 Agrees to pay the correct remainder of the outstanding bill within the time period determined by the Utility, not to exceed twelve (12) months; and

7.5.2.3 Agrees to pay all undisputed future bills for service as they become due; and

7.5.2.4 Has not breached any similar agreement with the Utility made pursuant to this section within the past twelve (12) months.

7.5.3 The above terms of agreement shall be put in writing by the Utility and signed by the Customer and a representative of the Utility.

7.5.4 The Utility will not add to the outstanding bill any additional late fee, unless payment on balances is not made by the agreed upon dates.

7.6 Time Of Termination of Service.

7.6.1 The Utility will terminate service for non-payment of bill only between the hours of 8:00 a.m. and 3:00 p.m. Bloomington time.

7.6.2 The Utility may not terminate service for non-payment on any day on which the Customer Service Office is closed to the public or after twelve noon (12:00 noon) of the day immediately preceding the day on which the Customer Service Office is closed.

7.6.3 The Utility may terminate service outside regular work hours at a Customer's request or for emergency conditions. The Utility may charge a fee if the Customer requests termination of service outside regular work hours.

7.7 Notice Required Prior To Utility Termination of Service. Except as otherwise provided herein, service to any residential Customer shall not be terminated for a violation of any rule or regulation of the Utility, or for the non-payment of a bill, except after written notice to such Customer by either:

- 7.7.1 Mailing the notice to such residential Customer at the address shown on the records of the Utility, or
- 7.7.2 Personal delivery of the notice to the residential Customer or a responsible member of his household at the address shown on the records of the Utility.
- 7.7.3 No termination of service notice for non-payment may be rendered prior to the date on which the account becomes delinquent.
- 7.7.4 The notice must be in language that is clear, concise, and easily understood and shall state:
 - 7.7.4.1 The date of the proposed termination of service;
 - 7.7.4.2 The reason for the proposed termination of service;
 - 7.7.4.3 The telephone number of the Customer Service office at which the Customer may call during regular business hours in order to question the proposed termination of service or seek information concerning Customer rights.
- 7.8 Procedure for Involuntary Termination of Service.
 - 7.8.1 The Utility employee designated to terminate the service shall have sufficient information to inform the Customer or other responsible person of the reason for the termination of service, including amount of any delinquent bill of the Customer.
 - 7.8.2 The employee shall not accept payment from the Customer or other responsible person in order to prevent the service from being terminated.
 - 7.8.3 When the employee has terminated the service, he/she shall leave at a conspicuous place on the premises, a notice stating that service has been terminated and stating the address and telephone number of the Utility so the Customer may arrange to have service reconnected.

SECTION 8 RECONNECTION OF SERVICE

- 8.1 Reconnect Fee. The Utility will charge a reconnection fee as shown in the Rate Schedule.
- 8.2 Time To Reconnect Service. The Utility will reconnect the service to the Customer when reasonably possible within one working day after the Utility has been requested to do so; provided, however, that the Utility shall not be required to reconnect the service until:
- 8.2.1 The conditions, circumstances or practices which caused the disconnection have been corrected;
 - 8.2.2 Payment of all outstanding charges, including but not limited to any reconnect or returned check fees, owed the Utility by the Customer, and any deposit has been made.
- 8.3 Damages after Reconnection of Service. The Utility is not responsible for any damages once service is reconnected.
- 8.4 Improper Termination of Service. If the Utility terminates service in violation of these rules, the service shall be restored as soon as possible at no charge to the Customer.
- 8.5 Reconnection of Discontinued or Unused Water Service. Any Water Service that has been discontinued or unused for a period of one (1) year or more will be required to apply for a new Water Service. If, in the opinion of the Utility, a new Service Line and/or a new Meter Setup are required, these costs will be the responsibility of the Customer.

SECTION 9 INQUIRIES AND APPEALS

9.1 Appeals and Request for Conference. Any Customer may question the Utility about any bill, security deposit, termination of service notice, or any other matter relating to Utility service. The Customer should try to come to a resolution with the appropriate Utilities personnel. Upon failure to reach a satisfactory resolution, the Customer may appeal to the Utilities Service Board. Such appeal must be made in writing by the individual and addressed to the Board, Attention: The Director's Office. An appeal shall be considered filed upon receipt by the Utility. In making an appeal and/or request for conference, the Customer shall state, at a minimum, the Customer's name, service address and the general nature of the complaint.

9.2 Investigation and Report.

9.2.1 Upon receiving each appeal or request for conference, the Utilities Service Board, through its designated representative(s), shall promptly, thoroughly and completely investigate such complaint, confer with the Customer when requested and notify the Customer in writing of the proposed disposition. The written notification shall advise the Customer that the proposed disposition may be reviewed by the Board, provided that a request for such review is filed in writing with the Board within ten days from the mailing of the written notification of the proposed disposition.

9.2.2 Upon receiving such request, the Board shall provide a formal review. The Board may require the parties to meet and confer. The review shall consist of a prompt and thorough investigation of the dispute. The results shall be decided in a public meeting, and the written decision will be mailed to the Customer. The records of the Board relating to such reviews shall be available for public review.

9.2.3 If the customer is dissatisfied with Utility's proposed disposition of the complaint, a written request may be made to the Commission within seven (7) days following the date on which such notification is made, to informally review the issue and Utility's proposed disposition thereof. Such request shall certify that the customer also has sent a copy of the request to the Utility.

9.3 Continuation of Service.

9.3.1 A Customer's service shall not be terminated until at least ten (10) days after the Board has mailed a notification of its official disposition of the complaint. Notwithstanding this provision, all undisputed bills shall be subject to the rules and regulations of the Utility, including termination of service for non-payment.

9.3.2 In those instances when the Customer and the Utility cannot agree on a disputed bill, it shall be sufficient that the Customer pay an average monthly bill until a decision is made by the USB. The Customer must make a request for review to the USB within the time allotted by the Utility.

9.3.2.1 In those cases where a Customer has not established an average monthly bill, the Customer will pay an average bill for that Customer class as established by the Utility until a decision is made by the Board

9.4 Record Of Appeals. The Utility shall keep a written record of appeals and requests for conferences. Such records shall be retained in the Customer Service office of the Utility.

SECTION 10 METER TESTING AND RECORDS

- 10.1 Testing and Accuracy. Testing and accuracy will comply with AWWA and IURC standards.
- 10.2 Testing Equipment and Facilities. The Utility may provide and maintain suitable equipment and facilities for testing and adjusting its Meters. Where portable test Meters are used to determine the accuracy of Meters in service, they shall be re-calibrated by suitable testing apparatus at sufficiently frequent intervals to insure correct registration at the specified rates of flow.
- 10.3 Meter Tests Upon Written Request By Customer. Upon written request by a Customer the Utility shall make one free test per calendar year of the accuracy of registration of a Meter. The Customer may be required to bear the full cost of any subsequent test of their Meter made during that calendar year if the Meter is found to be in compliance with the test limits set forth in AWWA standards C 700, Determination of Accuracy. A report giving the results of such tests shall be made to the Customer within ten (10) days after the test is complete, and a complete record of the test will be kept on file in the Office of the Utility. Where the Meter is found out of compliance with the test limits, the Customer will not be charged for the test.
- 10.4 Meter Test Record. Whenever any Meter in service is tested, a record will be preserved containing the information necessary for identifying the Meter, the reason for making the test, the reading of the Meter before the test and the result of the test, together with all data taken at the time of the test in sufficiently complete form to permit the convenient checking of the methods employed.
- 10.5 Meter Record. Permanent records will also be kept for each Meter owned or used by the Utility, listing the year of purchase, its identification, the record of the last test date and general results of the test.

SECTION 11 MAINTENANCE OF METERS

11.1 Meter Location. The Meter will be located at a point as determined by the Utility and will be as close to the water main as possible, and where practical shall be set just inside the Customer's property line. In general, Utility Service Lines shall be limited to 60 feet between the water main and the Meter. Existing Meters which are located inside a building or premises of the Customer may remain in the current location subject to approval of the Utility. Meter pits shall be located underground, outside, in areas that are free of obstructions, elaborate landscaping and other structural obstacles.

All work related to Meter installations and taps off water mains shall be done in accordance with Utility specifications and standard details.

11.1.1 All Meter set-up hardware shall be installed according to the requirements and instructions of the Utility. The Meter shall be installed in a location within the pit and shall be fully accessible to the Meter technicians using ordinary maintenance tools. In the event of inaccessibility of a meter, Utility's employees first will notify the customer by means of a notice card left at or on the front door. Such notice will state that the customer has fourteen days to move obscuring items, or trim the growth sufficiently to allow access to the meter. If appropriate action is not taken within fourteen days, the Utility employees may, at the Customer's expense, trim the vegetation or move items so that the meter may be accessed.

11.2 Application for Service. Application for service shall be made at the Utility Customer Service Office prior to construction of any work related to the Meter. Preliminary application can be made by phone to the Utility.

11.3 Meter Size. Meters shall be sized by the Utility Engineering Department based on the number of plumbing fixtures as submitted by the owner or the owner's representative.

11.4 Meters in Developments. Developments shall have Meter locations incorporated into design plans and reviewed by the Utility Engineering Department as part of the design review process.

11.5 Meter Vaults and Appurtenances. Meter vaults and appurtenances for larger than 2" Meters will be installed according to specifications of the Utility Engineering Department and paid for and maintained by the Customer. If repair to the Meter vault and appurtenances is required, the Utility will notify the Customer by mail. This notice will include the repairs required, and the time in which the repairs shall be completed. If repairs satisfactory to the Utility are not completed, the Utility may, upon notice to the Customer, complete the necessary repairs and add these costs to the Customer's water bill.

11.6 Master Meters. The Utility, at its discretion, may allow a master Meter to be set to serve a development. The water lines and appurtenances in the development will be owned and maintained by the developer until such time as the Utility accepts the line.

11.7 Meter Purchase. All Meters, including fire line detectors and large master Meters, shall be purchased from Utility.

11.8 Meter Sets. No Meter shall be set prior to successfully passing hydrostatic and bacteria testing of the water mains.

11.9 Meter Installations. Meter installations shall be in compliance with AWWA C700 standards.

11.10 Commercial Meter Installations.

11.10.1 The minimum size Service Line and Meter Setup Hardware for commercial properties shall be one and one-half (1.5) inches.

11.10.2 The minimum size Meter for commercial properties shall be established by the Utility.

11.10.3. Meter installations in commercial developments shall be evaluated by the Utility Engineering Department on a case by case basis.

11.11 Condominium Meter Installations.

11.11.1 Prior to installation of any water Meters within a given condominium development, the developer or his agent must submit with his application for water service a copy of the preliminary plat of the development showing street names, addresses and stub out locations for all properties.

11.11.2 Prior to installation of the water Meter for a living unit, all of the internal plumbing must be installed to the point of connection with the Meter set-up hardware.

11.11.3 Prior to installation of the water Meter for a living unit, a solid brass or plastic tag must be installed and made a permanent part of the Meter set-up hardware. This tag shall be installed on the Meter yoke and must identify the address of the unit to be served with water.

11.11.4 The developer or his agent must coordinate with the Utility to schedule a time to set the meter. Representatives of both the developer and the Utility must be present to verify the address tag is correct for each Meter setup. This verification must also be done each time an address is changed.

11.11.5 Once a water Meter is installed for a particular living unit, it shall not be moved from its original service location. If a water Meter is moved for any reason and the Utility must return it to its original service address or correct any mistakes in billing, then the developer/responsible person will be charged for all time relating to these corrections including service calls and office time.

11.11.6 All Meter set-up hardware shall be installed according to the requirements and instructions of the Utility. The Meter pit shall be installed in a vertical, upright position and the Meter set-up hardware located within the pit shall be fully accessible to the Meter technicians using ordinary maintenance tools.

11.12 Apartment Meter Installations. All apartment buildings and complexes shall be evaluated on a case-by-case basis to determine the appropriate Meter installation. This determination will be made by the Utility Engineering Department.

11.13 Fire Service Connection. All Fire Service Connections shall be metered.

SECTION 12 SPECIAL CONTRACTS FOR WATER OR SEWER EXTENSIONS

12.1 Conditions for Special Contracts. In some instances where:

12.1.1 The requested water main or sewer main is of such length and the prospective revenue to be generated by it makes it doubtful whether the revenue from the extension might pay a fair return on the investment involved in such extensions, or

12.1.2 It is expected that demand will not be of such permanency as to warrant the capital expenditure involved, or

12.1.3 There are industrial installations requiring extensive water and/or sewer Utility investment and the demand for service is expected to be slight or irregular or of unknown quantity, or

12.1.4 In any other abnormal or out of the ordinary circumstances.

12.2 Special Contracts. The Utility and the party or parties requesting such extension may enter into a special contract establishing the terms and conditions upon which such extension will be made. The Utility may then choose to have the document recorded with the Monroe County Recorder.

12.2.1 The Board will approve all Special Contracts.

SECTION 13 EXTENSION OF WATER AND SEWER MAINS CONSTRUCTED BY THE UTILITY TO RESIDENTIAL DEVELOPMENT

13.1 General Requirements. This section is intended to apply to extensions that serve predominantly residential additions other than apartment developments. The Board will determine individual plans for financing the extensions necessary to serve apartment complexes, mobile home parks and commercial and industrial additions on a case-by-case basis.

13.1.1 The Utility will annually determine, from its records for the prior year, the average annual residential water and wastewater usage and service charges.

13.1.2 Upon written request for service by a prospective Customer, or group of Customers located in the same neighborhood, the Utility will make a determination if the prospective service area is within the jurisdiction of the Utility. If the area is not within the Utility's jurisdiction, a referral will be made to the appropriate sewer district. If it is determined that the Utility has jurisdiction, the Utility will do a preliminary layout to determine, at the Utility's discretion, what water or sewer main size is required, what properties, and how many residential units may be served by the extension.

13.1.3 Utility staff will require a representative of the neighborhood to carry a petition requesting service. If 60% or more of the Customers who could be served by the water or sewer main extension sign the petition, the Utility will prepare the required engineering plans and construction cost estimates.

13.1.4 The Utility staff will determine the three year estimated annual revenue from the proposed Customer(s) by multiplying the average annual residential water or sewer charges, times the number of prospective Customers, times three.

13.2 Free Extensions. The Utility shall extend a water or sewer main free of charge to provide water or sewer service if the estimated cost of such installation is less than three times the estimated annual water or sewer revenue from the proposed Customer, or Customers.

13.3 Extensions above Free Limit. If the cost of the extension required is greater than three times the estimated annual water or sewer revenue from the proposed Customer, or Customers, the following procedures will be used:

13.3.1 Estimated Cost. The Estimated cost per residential unit will be calculated by dividing the estimated cost of the project by the number of residential units that may be served. If, at the Utility's discretion, it is determined that the cost per residential unit is excessive, the Utility may choose to stop the project. If the overall scope of the project is of such magnitude that it is determined that the Utility's budget cannot cover the cost of the project, then the Utility may choose to stop or substantially delay the project.

- 13.3.2 Letter to Customer. If the cost per residential unit is found to be reasonable and the magnitude of the cost for the overall project fits the Utility’s budget constraints, a letter will be sent to the prospective Customer(s). This letter will show the estimated cost per residential unit. Prospective Customer(s) desiring to connect to the proposed water or sewer main will be required to provide a deposit and sign a contract agreeing to connect to the extension within one year of its completion, and pay the final cost per residential unit of the extension. When it is determined how the project can fit and be prioritized in the list of projects that may already be waiting for initiation, an estimated date will be set as the time to receive deposits. The amount of deposit will be 20% of the estimated cost per residential unit. The staff may adjust the amount of the deposit to meet the specific needs of the project. As soon as 60% of the residential units pay the deposits and sign the contract, Utility will proceed with the extension by the use of its own employees, or release the plans for bids and award the contract.
- 13.3.3 Determination of Cost. At the completion of the project, the total cost of the project will be determined. The final residential unit cost will be determined by dividing the total cost of the project by the total number of residential units that may be served.
- 13.3.4 Requirement to Pay. All Customers who connect to the new water or sewer main extension within one year of the completion of the project will be required to pay the final residential unit cost of the project, less any credits that may be available. Customers who connect to the new water or sewer main extension after one year of the completion of the project will be required to pay the final residential unit cost of the project times the Construction Cost Index Factor, less any credits that may be available. At no time will the payment be less than the final residential unit cost less any credits that may be available.
- 13.3.5 Credits. The Customers who connect to the new water or sewer main extension within three years of its completion will be given the following credit:
- first year - three years average water or sewer revenue
second year - two years average water or sewer revenue
third year - one year average water or sewer revenue
- 13.3.6 Construction Cost Index Factor. The Engineering News Record Construction Cost Index will be established for each project at the time construction is complete. The Construction Cost Index Factor will be calculated as follows:
- $$\frac{\text{Construction Cost Index for month that Customer applies for service}}{\text{Construction Cost Index for month project is completed}} = \text{Factor}$$
- 13.3.7 Payment Schedule Customers have a choice of paying their final residential unit cost less any deposit and/or credit at one time, or paying the amount due on monthly water or sewer bills over a three (3) year period at an interest rate that will be determined periodically by the Board. Default on this payment will be subject to the same rules

that apply to basic service charges. The staff may adjust the pay back period to meet the specific needs of the project.

13.3.8 Project Summary. A project summary sheet will be kept on file in the Utility Engineering Department that lists the residential unit number, property address, property owner, date of payment of the final residential unit cost, total cost to each individual owner, date of project completion, Engineering News Record Construction Cost Index (CCI) for the month that the project was completed, and method of payment. Each time a new water or sewer service application is made, the address will be searched against these project addresses to determine what cost for service applies.

13.4 Utility Oversizing Reimbursements. If, for the Utility's future plans, a water or sewer line larger than the one required for the extension is needed, the Utility will pay for the increase in cost. This increase in cost will be determined as follows. The cost of pipe and appurtenances will be determined for the proposed line and for the line required by the Utility. The Utility will pay this difference in cost plus twenty percent (20%). In no case will the cost of the proposed line be less than the cost to install a 6 inch water line or an 8 inch sewer line.

13.5 Layout of Utility Lines. The Utility shall use good engineering practices in determining the route for all water and sewer main extensions. The utility lines shall be installed so that the infrastructure can be properly maintained by modern excavation and/or cleaning equipment. Manholes, valves, and appurtenances shall be easily accessible. The water and sewer mains shall be extended to the end of the property being developed or served in each direction. Landscape plans shall be submitted prior to the acceptance of the utility plan. Uncertified plans shall be submitted by the developer or site engineer for comments by the Utility staff prior to obtaining bids for construction. Any change or extension to the plans must be approved by the Utility prior to commencing work. Verbal agreements are non binding on the Utility.

13.6 Water Mains. The water mains shall be sized to provide a level of fire protection appropriate to the nature of the development.

PART II
WATER UTILITY RULES AND REGULATIONS

SECTION 14 MAINTENANCE OF FIRE LINES

14.1 Private Or Internal Fire Protection Systems. Private or internal fire protection systems shall be isolated from domestic service in a manner acceptable to the Utilities Engineering staff and consistent with the Utilities' standard specifications. Minimum requirements for fire protection systems installed on or after 1/1/95 shall be a backflow preventer as approved by the Utilities Engineer.

14.2 Fire Line and Meter Pit. The fire line and meter pit shall be privately owned and maintained by the Customer from the point of the tap on the City water main. The meter pit shall be as close to the City water main as possible. In cases where there is no domestic service on the fire line and the detector check assembly is greater than 50 feet from the City water main, a second check valve, set in a manhole or Meter pit, will be required near the tap off the City water main.

14.3 Optional Domestic Service. With the permission of the Utility, domestic service may be taken off the fire line. The Optional Domestic Service connection shall be made prior to the check valve assembly. The Optional Domestic Service Meter may be set in the fire line pit or in a separate domestic pit. This Optional Domestic Service will be the responsibility of the Customer. Parts used shall be approved by the Utility.

14.4 Fire Line Design. All fire lines shall be designed for the intended use given the conditions existing in the City water main at the point of the tap while maintaining the current Great Lakes-Upper Mississippi River Board of State Public Health and Environmental Managers standards of 20 pounds per square inch (psi) at ground elevation at all points in the system under all flow conditions. Design calculations and supplemental information, as requested on the application form, shall be submitted for review prior to tapping of the City water main. For design review calculations, the conditions in the City water main shall be adjusted such that it is assumed that the water tanks are 20 feet below overflow elevation.

14.5 Applicable Codes. All applicable Federal, State and local Codes and Regulations must be followed.

14.6 Fees For Private Fire Protection. Fees for private fire protection will be billed according to the current approved rates. These lines are to be used only for fire protection. Any use other than fire protection will be billed according to the current approved rates and may lead to disconnection of this service. Any outstanding past due charges for private fire protection may be transferred to another service and may lead to disconnection of the fire protection service or any other service connection of that customer.

SECTION 15 MAINTENANCE OF SERVICE LINES

15.1 Utility Service Lines. The Utility shall locate the Utility Service Line and run it to the Meter location in the safest, most convenient, and satisfactory location as determined by the Utility. Upon request by the Customer before the installation is made, the Utility Service Line location may be changed, if feasible, at the discretion of the Utility. The Utility will be responsible for maintaining the Utility Service Line.

15.2 Customer Service Lines. The Customer will install the Customer Service line from the Meter to the point of use. The Customer will be responsible for maintaining the Customer Service Line.

15.3 Relocation of Customer Service Lines. When the Utility determines that a Customer Service Line must be relocated, the Customer will receive written notification and will be informed that the following procedure has been established by the Utilities Service Board covering reimbursement for relocation:

15.3.1 The Customer shall submit two estimates for the work to the Utility Engineer before the work is started.

15.3.2 After the Engineer has reviewed and approved the estimates, a Customer will be eligible for a reimbursement up to an amount determined by the Board. CBU will not pay any tax on this bill. CBU will advise the customer of the approved amount.

15.3.3 A plumbing permit must be obtained from the appropriate governmental building official(s) before the work is started. The Utility will not move a Meter and no check can be issued until it has received a copy of the permit(s). Failure to obtain the permit(s) by the contractor or owner prior to the start of construction may require re-excavation of the water line for inspection.

15.3.4 After receipt of the final inspection notice from the appropriate governmental building official(s) and notification by the Customer that the work is completed, proof of payment to the contractor will be verified.

15.3.5 Work must be completed within sixty (60) days of the Engineer's notification and approval to qualify for reimbursement.

15.3.6 All applicable Federal, State and local Codes and Regulations must be followed.

SECTION 16 MAINTENANCE OF WATER SUPPLY

16.1 Interference with Utility Property. All persons are forbidden to cover or in any way interfere with any Meter, curb box, curb stop, valve, hydrant or any other structure necessary for Utility use. Those who do so interfere shall be held responsible for any and all damage.

16.2 "Turn On" and "Turn Off". All persons are forbidden to turn the water on or off at the curb stop, Meter or any other valve in the water distribution system. The Utility shall furnish turn on, turn off and valve-related service to all Customers as may be requested at a fee as shown in the Rate Schedule. The Customer shall supply a turn-on and turn-off valve for all Meters located inside the structure.

16.3 Back Pressure. In all cases where water pipes are connected to boilers or other hot water fixtures that are likely to cause a back pressure, a back-flow preventer must be placed in the line. The Customer shall be liable for all damage caused to Meters, Service Lines, water mains, or any other portion of the water distribution system by back pressure.

16.4 Fire Lines and Hydrants. All pipes or water lines placed in or about a building or structure for fire protection shall be used exclusively for fire protection. Temporary connections to fire hydrants for industrial or any other use or purpose shall not be permitted, except as approved by the Director.

16.5 Access To Property. After proper identification to the Customer, Utility representatives shall have free access to all parts of the premises to which water is delivered, for the purpose of inspection and examination of all pipes and fixtures. Said inspection and examination shall occur at reasonable hours. If the Customer has not requested the inspection, written notice shall be given 24 hours in advance. Advance written notice is not required in a situation judged to be an emergency by the Utilities. Denial of access by the Customer or agent may result in a petition to the Monroe County Court for a right of entry.

16.6 Other Water Supply Systems. When the Utility water distribution system is connected to any auxiliary water supply, water tank, fire protection sprinkler system, cross connections, cisterns, or any water systems not under the supervision of the Utility, such connections shall be made in accordance with all other regulatory standards governing such water supply systems, including but not limited to regulations regarding backflow prevention. The Utility shall have authority to enforce these regulations in the appropriate manner, including the discontinuation of Utility service to non-complying Customers.

16.7 Private Use of Public Water. No person, except those authorized by the Utility, shall take water from any public or private hydrant or faucet or in any way use or take water, supplied by the Utility, for private use without paying for the same and receiving a receipt.

SECTION 17 CROSS CONNECTION

17.1 General Requirements. No installation of potable water supply piping shall be made in such a manner that it will be possible for used, unclean, polluted, or contaminated water, mixtures, or substances to enter any portion of such piping from any tank, receptacle, equipment, or plumbing fixture by reason of backsiphonage, or any other cause, either during normal use and operation or when any such tank, receptacle, equipment, or plumbing fixture is flooded, or subject to pressure in excess of the pressure in the hot or cold water piping.

17.2 Prohibited Connections. No person shall make a connection or allow one to exist between pipes or conduits carrying domestic water supplied by any public or private water service system, and any pipes, conduits or fixtures containing or carrying water from any other source or containing or carrying water which has been used for any purpose whatsoever, or any piping carrying chemicals, liquids, gases, or any substances, unless there is provided an approved backflow preventer. The approval of both the Indiana Department of Environmental Management and CBU must be obtained before any connection is made between the domestic supply and any contaminated, polluted, or auxiliary water system.

17.3 Prohibited Plumbing Fixtures. No plumbing fixture, device, or construction shall be installed or maintained or shall be connected to any domestic water supply, when such installation or connection may provide a possibility of polluting such water supply or may provide a cross connection between a distributing system of water for drinking and domestic purposes and water which may become contaminated by such plumbing fixture device or construction unless there is provided an approved backflow preventer.

17.4 Prohibited Piping Connection. No water piping supplied by any private water supply system or industrial piping system shall be connected to the public water supply without the approval of the Utility and the Indiana Department of Environmental Management.

17.5 Utility Determination of Need for Backflow Preventers. To ensure that the proper precautions are taken, Utility shall determine the degree of hazard to the public water system following guidelines developed by the Indiana Department of Environmental Management. When it is determined that a backflow preventer is required for the protection of the public water system, the Customer will be required to install an approved backflow preventer at each service connection at his expense, to properly repair and maintain such device or devices, and to keep adequate records of each test and subsequent maintenance and repair.

17.5.1 The extent of cross connection control protection must be commensurate with the degree of hazard present. The best known protection is the air gap separation when properly maintained or the reduced pressure principle backflow device since both offer a high degree of reliability.

17.6 Customer Responsibility for Backflow Prevention. The consumer shall have the responsibility of preventing pollutants and contaminants from entering the public potable water system. The Customer shall be liable for all damage caused to Meters, Service Lines, mains or any other portion of the water distribution system by back pressure. The Customer's responsibility starts

at the point of delivery from the public water supply and includes all water conditioning equipment and piping. The Customer shall be required to maintain each backflow preventer in good working condition and shall provide the necessary inspection to assure that the device is operating properly.

17.7 Inspection of Possible Cross Connections. It shall be the obligation of the Utility to cause inspections to be made of all properties served by the public water system where cross connections with the public water system are deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Utility.

17.8 Access To Property. After proper identification to the Customer, Utility representatives shall have free access to all parts of the premises to which water is delivered, for the purpose of inspection and examination of all pipes and fixtures. Said inspection and examination shall occur at reasonable hours. If the Customer has not requested the inspection, written notice shall be given 24 hours in advance. Advance written notice is not required in a situation judged to be an emergency by the Utilities. Denial of access by the Customer or agent may result in a petition to the Monroe County Court for a right of entry.

17.9 Right To Request Plumbing Information. On request, the owner, lessee, or occupant of any property so served shall furnish to the Utility or City or County Plumbing Inspector any pertinent information regarding the piping system or systems on such property. The refusal of access or refusal of requested pertinent information shall be deemed evidence of the presence of cross connections.

17.10 Termination of Service for Cross Connection Violation. The Utility shall terminate water service to any property where any connection in violation of this section exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be terminated only after reasonable notice is served on the owner, lessee, or occupants of the property or premises where a violation is found or suspected to exist. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this section.

17.11 Termination of Service for Cross Connection Violation Without Notice. If it is deemed by the Utility that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the Director of Utilities and delivered to the Customer's premises, service may be immediately discontinued. The Customer shall have an opportunity for hearing within 10 days of such emergency discontinuance.

17.12 Installation of Backflow Preventer. All consumers using toxic or hazardous liquids, all hospitals, mortuaries, wastewater treatment plants, laboratories, and all other hazardous users shall install and maintain an approved backflow preventer in the main water line serving the premises. The backflow preventer must be installed in an easily accessible location not subject to flooding or freezing.

17.13 BOCA National Plumbing Code with Indiana Amendments and City of Bloomington Plumbing Ordinances. This section does not supersede the BOCA National Plumbing Code with

Indiana Amendments or the City of Bloomington plumbing ordinances, but is supplementary to them.

**SECTION 18 EXTENSIONS OF WATER MAINS FOR RESIDENTIAL DEVELOPMENT
CONSTRUCTED BY DEVELOPER OR PROSPECTIVE CUSTOMER(S)**

18.1 General Requirements. The Board shall allow the extensions of water main(s) and related facilities that shall be paid for by a developer or prospective Customer(s). A developer, prospective Customer, or group of prospective Customers in the same neighborhood may apply for extension of water main(s), related facilities, and the connection of Customers as follows:

18.2 Application. An application shall be made in writing to the Utility. The application shall include plans and specifications for the proposed extension of water main(s), and show the area that will be served by the extension. No application will be approved until the Utility has received notice that the developer or customer has obtained proper approval of the appropriate Planning agency.

18.3 Start Of Work. Work shall not begin on the proposed water main extension(s) until the application is approved by the Utility, and no changes to the plans and specifications of the extension(s) may be made without the written approval of the Utility.

18.4 Utility Oversizing Reimbursements. If, for the Utility's future plans, a water main larger than the one required for the extension is needed, the Utility will pay for the increase in cost. This increase in cost will be determined as follows. The cost of pipe and appurtenances will be determined for the proposed water line and for the water line required by the Utility. The Utility will pay this difference in cost plus twenty percent (20%). In no case will the cost of the proposed line be less than the cost to install a 6-inch line.

18.5 Easements.

18.5.1 All easements showing the location of water main construction shall be filed with the Utilities Engineer. Prior to the commencement of any construction, the developer must record an easement covering all water, sanitary, and storm infrastructure to be placed on the property. This easement shall be a blanket easement for the property, which shall be superseded by the recorded final plat showing permanent utility easements at the exact locations.

18.5.2 No construction shall be permitted over water main(s) or easements. This includes trees, shrubbery, fences, walls, and signs.

18.6 Inspection.

18.6.1 All construction of water main extensions shall be approved and inspected by the Utility according to the Utility standards. During the course of the construction, the Utility shall have the right to inspect the work in progress and may order the applicant to comply with the approved plans and specifications.

18.6.2 No fee shall be charged for inspections done during normal working hours. Inspections conducted after working hours shall be subject to a fee as provided in the Rate Schedule.

18.7 Certification of Acceptance. Upon the completion of the line extensions according to the plans and specifications, a final inspection must be scheduled by the owner, developer, or contractor at a time agreeable to the Utility Engineer. Following satisfactory completion of a final walk through inspection and submittal of final plat with easements and addresses, the Utility Engineer shall then certify its acceptance.

18.8 Addressed Plat for Extension. Before or at the time of the final walk-through, the developer must provide a final recorded and addressed plat that shows the stub out location for each lot served.

18.9 Ownership of Extensions. The legal ownership of all extensions, appurtenances, and easements, on a form acceptable to the Utility and executed by the applicant, must be properly vested in the Utility prior to any users being connected to the main(s).

18.10 Right to Refuse Ownership of Water System. The Utility reserves the right not to accept a water system as part of the public water system.

18.11 Layout of Utility Lines. The Utility shall use good engineering practices in determining the route for all water main extensions. The utility lines shall be installed so that the infrastructure can be properly maintained by modern excavating and/or cleaning equipment. Manholes and valves shall be easily accessible. The water mains shall be extended in each direction to the end of the property being developed or served. Uncertified plans shall be submitted by the developer or site engineer for comments by the Utility staff prior to obtaining bids for construction. Any change or addition to the plans must be approved by the Utility prior to commencing work. Verbal agreements are non-binding on the Utility.

18.11.1 Landscape plans shall be approved by the City Planning Department and submitted to the City Utilities, prior to the acceptance of the Utility plan.

18.12 Free Extensions. The Utility shall extend a water main free of charge to provide water service if the estimated cost of such installation is less than three times the estimated annual water revenue from the proposed Customer, or Customers.

18.13 Extensions Above Free Limit. If the cost of the extension required is greater than three times the estimated annual water revenue from the proposed project, the Utilities Service Board may execute a contract with the Developer to return part of the revenue generated by the extension to the party that has paid for the extension.

18.14 Contract for Water Main Installation Credit. This contract may be entered into only after the Utility Engineer has certified the acceptance of the water extension, and the applicant has dedicated all rights, title and interests in the water extension, appurtenances, and easements on a form acceptable to the Utility.

No contract for repayment shall be executed by the Board until after the final approval of the plat has been given by the appropriate Planning Agency and the approved plat is recorded.

In no event shall the total of the sum paid to the applicant exceed the cost as certified by the Utility.

Payments made under this Contract shall be in lieu of any other payment to the applicant for connection to the water main(s) and the Board shall have the complete right to permit extensions and connections to the dedicated water main(s) by other parties without requiring or making payments to the applicant, other than those set out above.

18.14.1 Eligibility for Contract. Apartments, Commercial, and Industrial Customers are not eligible for contracts.

18.14.2 Time Limit for Contract Applications. Applications for Contracts must be submitted within one year of the Certification of Acceptance date.

18.14.3 Reduction of Contract for Oversizing. The total amount of construction cost shall be reduced by the amount of money paid for Oversizing.

18.14.4 Documentation Required For Contract. The developer will provide the following information prior to payment of any Contract.

18.14.4.1 The applicant shall provide a recorded addressed plat showing the area served by the extension, the number of lots, and the location of the stubout for each lot that will be served.

18.14.4.2 The applicant must submit the construction cost of the extension, excluding the cost of fire hydrants. The total shall be certified by the Utility on the basis of verified accounts and billings.

18.14.4.3 The applicant must submit the total length, size and material for all water lines covered in the contract.

18.15 Amount of Credit. The Developer may be paid an amount, as determined by the Utility, equal to the revenue generated by the following formula:

Number of lots served by the extension X (times) 60% X (times) average residential revenue X (times) three years

At the end of a five (5) year period, starting when the Contract is signed, or on the date when the first customer is connected to the extension, whichever is first, the developer or customer who paid for the extension may submit a request for additional credit. This request must be submitted within one (1) year prior to the end of the five (5) year period. The additional credit will be determined according to the following formula:

Number of lots served by the extension in excess of 60% X (times) average residential revenue X (times) three years

PART III
WASTEWATER UTILITY RULES AND REGULATIONS

SECTION 19 PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGES

19.1 General Prohibitions. It shall be unlawful to discharge within CBU jurisdiction, or in any area under the jurisdiction of said City, any sanitary wastewater, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of these Rules.

19.2 Prohibitions on Wastewater Discharges. No person shall discharge or deposit or cause or allow to be discharged or deposited into the wastewater treatment system any wastewater which contains the following:

19.2.1 Wax, grease or oil concentrations of more than 150 mg/l (milligrams/liter) whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32 degrees F and 150 degrees F (0 degrees C and 65 degrees C) at the point of discharge into the system.

19.2.2 Explosive Mixtures. Liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or to be injurious in any other way to the water or wastewater treatment system or personnel. At no time shall two successive readings on an explosion hazard Meter, at the point of discharge into the sewer system, be more than five percent (5%), nor any single reading over 10 percent (10%) of the Lower Explosive Limit (L.E.L.) of the Meter. Prohibited materials include, but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

19.2.3 Noxious Materials. Noxious or malodorous solids, liquids or gases, which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into a sewer for its maintenance and repair.

19.2.4 Improperly Shredded Garbage. Garbage that has not been ground to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half (½) inch in any dimension.

19.2.5 Radioactive Wastes. Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the wastewater facilities or personnel operating the system.

19.2.6 Solid Or Viscous Wastes. Solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to,

grease, unground garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances.

- 19.2.7 Excessive Discharge Rate. Wastewater at a flow rate or containing such concentrations or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of quantities or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.
- 19.2.8 Toxic Substances. Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to the Act (see definitions) and chemical elements or compounds, phenols or other taste-or-odor-producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system, or that will pass through the system. These standards are subject to change.
- 19.2.9 Unpolluted Waters. Any unpolluted water including, but not limited to, water of stormwater origin, which will increase the hydraulic load on the treatment system.
- 19.2.10 Discolored Material. Wastes with objectionable color not removable by the treatment process.
- 19.2.11 Corrosive Material. Any waste which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a pH value in the range of (6.0) to (9.0) standard units. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acidic products.
- 19.2.12 Temperature Greater Than 150°F. Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) F or sixty-five degrees (65°) C.
- 19.2.13 Unusual B.O.D. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant.
- 19.2.14 Slugs. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- 19.2.15 Stormwater. Any stormwater, surface water, ground water, roof runoff (whether directly or indirectly), foundation drainage, yard drains or other sub-surface drainage to any sanitary sewer.

19.2.16 Roof Runoff. Roof runoff shall be brought to the surface according to the specifications of the City Engineering Dept. Roof runoff must be controlled and directed so that it will not inflow or infiltrate into foundation backfill media or drains (unless adequately and visibly piped to daylight), or into sanitary lateral backfill media or drains. Splash plates or downspout extensions shall be adequate to assure clear passage onto the lawn and away from the foundations. Upon thirty days notice, the Utility may require:

19.2.16.1 Proof that roof runoff does not flow or infiltrate into foundation backfill media or drains, or into sanitary lateral backfill media.

19.2.16.2 Modifications to the roof run off system to assure that passage to the sanitary sewer is not possible.

19.2.17 Site Development. Site development grading shall not direct surface waters to flow over sanitary sewer laterals or mains or toward building foundations. Site grading shall direct surface water away from sanitary sewer laterals to the extent that is reasonable.

19.3 Limitations on Wastewater Discharges. No person shall discharge or convey, or permit or allow to be discharged or conveyed, to a public sewer any wastewater containing pollutants of such character or quantity that will:

19.3.1 Not be susceptible to treatment or interfere with the process or efficiency of the treatment system;

19.3.2 Constitute a hazard to human or animal life, or to the stream or water course receiving the treatment plant effluent;

19.3.3 Violate pretreatment standards established by CBU, the State of Indiana, or USEPA;

19.3.4 Cause the treatment plant to violate its NPDES permit or applicable receiving water standards.

19.3.5 Except as approved by the Director, only wastewater from Monroe County and contiguous counties shall be accepted for treatment at CBU facilities.

19.4 Mandatory Connections. All wastewater sources located on property that is adjacent to an easement or public roadway in which a public sewer is located, shall be connected to the public sewer. This connection shall take place within three (3) years of the effective date of these rules or three (3) years from the construction of any new sewer.

19.5 Abatement of Privies or Septic Systems. No septic system or outside privy shall be installed or constructed where a sanitary sewer is adjacent or available to any property unless such septic system or outside privy is consistent with City, County, or Indiana State Health Department regulations.

19.6 Special Agreements. Nothing in this section shall be construed as preventing any special agreement or arrangement between the Utility and any user or potential user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable.

19.7 Septage. Septage shall only be accepted for treatment by the Utility at a site designated by the Director. Septage will be accepted only as long as the treatment processes and final effluent are not adversely affected. All septic haulers must provide the Utility with the names, addresses, and septage volumes from all of their customers whose septage is brought for treatment. Fees will be charged per the current rate schedule.

19.7.1 Permits. All septage haulers must have on file at the Utility a current State of Indiana wastewater management permit and wastewater management vehicle license to deliver septage to our facilities.

19.7.1.1 Recreational Vehicles. Recreational vehicles and vehicles under special agreements are exempt from this requirement. Recreational vehicles with tanks under 150 gallons may discharge free of charge.

19.7.2 Commercial Restaurants and Food Processors. Commercial restaurants and other food-processing facilities' septage will be approved only after the specific facilities are approved by the Utility. This approval will be accomplished only after the Utility has reviewed and approved the restaurant's grease management program. The status of this approval may be reviewed and subsequently revised at any time at the discretion of the Director.

19.7.3 Oil Separation Tanks. Septage from oil separation tanks or similar catchments at service stations, gas stations, auto repair facilities or other facilities that generate petroleum-based discharges shall not be accepted by the Utility. Direct discharge into sanitary sewers is prohibited.

19.7.4 Septage Outside of Monroe County. Septage generated outside of Monroe County shall be required to pay a surcharge fee to dump at Utility treatment facilities as outlined in the wastewater rate schedule. Loads that are mixed with septage from Monroe County and another county shall be charged at the out-of-county rate.

19.8 Personal Use of Biosolids. Any person who takes biosolids, or has biosolids delivered to him, in any form, from any wastewater treatment plant serving the Utility, does so at his own risk.

SECTION 20 INDUSTRIAL WASTEWATER MONITORING AND REPORTING

20.1 Discharge Reports.

- 20.1.1 Every significant industrial user shall file a periodic discharge report at such intervals as are designated by the Director. The Director may require any other users discharging or proposing to discharge into the treatment system to file such periodic report.
- 20.1.2 The discharge report shall include, but not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants, or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. In addition to discharge reports, the Director may require information in the form of self monitoring reports.
- 20.1.3 The Director may require that any pretreatment process regulated by these rules be operated under the supervision of an operator certified by IDEM.

20.2 Records and Monitoring.

- 20.2.1 All industrial users who discharge or propose to discharge wastewaters to the wastewater treatment system shall maintain such records of production and related factors, effluent flow, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this Ordinance and any applicable State or Federal pretreatment standards or requirements.
- 20.2.2 The Director shall also make such records available upon request. All such records relating to compliance with pretreatment standards shall be made available to officials of the U.S. Environmental Protection Agency and/or the Indiana Department of Environmental Management upon demand.
- 20.2.3 The owner or operator of any property discharging industrial wastes into the wastewater treatment system shall install at his own cost and expense suitable monitoring equipment to permit the accurate sampling of the waste stream. At the discretion of the Director, industrial and/or commercial dischargers may be required to install a sampling point for the purposes referenced above. Such equipment shall be maintained in proper working order and kept safe and accessible at all times. The Utility may perform these services, if requested by the Customer and approved by the Director, at the price shown in the Rate Schedule.
- 20.2.4 The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Director may approve such a facility being constructed in public street or sidewalk area, or inside user's premises, with the

approval of the public agency having jurisdiction over such street or sidewalk. The equipment shall be located so that it will not be obstructed.

20.2.5 When more than one user can discharge into a common sewer or when there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Director may require installation of separate monitoring equipment for each user.

20.2.6 Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Director's requirements and all applicable construction standards and specifications.

20.3 Inspection, Sampling and Analysis.

20.3.1 Compliance Determination. Compliance determinations may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples shall be taken as determined necessary by the Director to meet the needs of specific circumstances.

20.3.2 Sampling Frequency. Sampling of industrial wastewater for the purpose of compliance determination will be done at such intervals as the Director may designate. However, it is the intention of the Director to conduct compliance sampling or to cause such sampling to be conducted for all major contributing industries at least once each calendar year.

SECTION 21 CONTROL OF PROHIBITED WASTES

21.1 Regulatory Actions. If wastewaters containing any prohibited substance are discharged or proposed to be discharged into the sewer system of the City or to any sewer system tributary thereto, the Director may take any action necessary to:

21.1.1 Prohibit the discharge of such wastewater.

21.1.2 Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with these rules.

21.1.3 Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.

21.1.4 Require the person making, causing or allowing the discharge to pay any additional cost or expense incurred by the City for handling and treating excess loads imposed on the treatment process.

21.1.5 Achieve the purpose of these rules.

21.2 Submission of Plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment is required, plans, specifications and other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted to the Utilities Service Board for review and approval. Such approval shall not exempt the discharger or such facilities from compliance with any applicable code, ordinance, rule, regulation or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the Director.

21.3 Pretreatment Facilities Operations. If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his own cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, ordinances, and laws.

21.4 Admission to Property. Whenever it shall be necessary for the purposes of these rules and regulations, the Director, his agents or designees, upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purpose of (1) copying any records required to be kept under the provisions of this Ordinance, (2) inspecting any monitoring equipment or method, and (3) sampling any discharge of wastewater to the treatment works. The Director, his agents or designees, may enter upon the property at any hour under emergency circumstances.

21.5 Protection from Accidental Discharge. Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by these rules. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's

or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Director for review, shall be approved by him before operating the facility, and shall be submitted for review every two years. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of these rules.

21.6 Reporting of Accidental Discharge. If, for any reason, a facility does not comply with or will be unable to comply with any prohibition or limitations in these rules, the facility responsible for such discharge shall immediately notify the Director so that corrective action may be taken to protect the wastewater treatment system. In addition, a written report addressed to the Director detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge, and corrective action taken to prevent future discharges, shall be filed by the responsible user within five (5) days of the occurrence of the non-complying discharge.

SECTION 22 ENFORCEMENT PROCEDURES FOR INDUSTRIAL WASTES

22.1 Major Violations. Any discharge of conventional, non-conventional or toxic pollutants that affect the operation of the wastewater treatment plant shall be a major violation.

22.1.1 Notification of Violation. Whenever the Director finds that any person has violated or is violating these rules, or any prohibition, limitation or requirement contained herein, he may serve upon such person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days, for the satisfactory correction thereof.

22.1.2 Show Cause Hearing.

22.1.2.1 If the violation is not corrected by timely compliance, the Director may order any person who causes or allows an unauthorized discharge to show cause before the Utilities Service Board why service should not be terminated. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the Board regarding the violation, and directing the offending party to show cause before said authority why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.

22.1.2.2 The Board may itself conduct the hearing and take the evidence, or may designate any of its members or any officer or employee of the Utility to:

22.1.2.2.1 Issue in the name of the Board notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings.

22.1.2.2.2 Take the evidence.

22.1.2.2.3 Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Utilities Service Board for action thereon.

22.1.2.3 At any public hearing, testimony taken before the hearing authority or any person designated by it, must be under oath and recorded either electronically or stenographically. The recording will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

22.1.2.4 After the Board has reviewed the evidence, it may issue an order to the person responsible for the discharge directing that, following a specified time period, the sewer service is to be discontinued unless adequate treatment facilities,

devices or other related appurtenances shall have been installed, or existing treatment facilities, devices or other related appurtenances are properly operated, and such further orders and directives as are necessary and appropriate.

22.1.3 Legal Action. Any discharge in violation of the substantive provisions of these rules or an Order of the Board shall be considered a public nuisance. If any Person discharges wastewater, industrial wastes or other wastes into the wastewater treatment system contrary to the substantive provisions of these rules or any Order of the Board, the appropriate legal counsel shall commence an action for legal and/or equitable relief in the Monroe Circuit Court.

22.2 Other Violations.

22.2.1 Notification of Violation. Whenever the Director finds that any Person has violated or is violating any CBU rule or regulation, he may serve upon such Person a written notice stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days, for the satisfactory correction thereof.

22.2.2 Legal Action. If after thirty (30) days the person has not corrected the violation or has not made indication of a timely correction of the violation, the appropriate legal counsel shall commence an action for legal and/or equitable relief in the Monroe Circuit Court.

22.3 Penalties. Any Person who is found to have violated an Order of the Board or who willfully or negligently failed to comply with any provisions of these rules, and the orders, rules and regulations issued hereunder, shall be fined not less than One Dollar nor more than Twenty-five Hundred Dollars for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the Utility may recover reasonable attorney's fees, court costs, court reporters' fees, interest at the statutory rate on all amounts due until collected, and other expenses of litigation by appropriate suit at law against the person found to have violated these rules or the orders and regulations issued hereunder, and all reasonable costs of collection.

SECTION 23 SEWER MAIN CONNECTIONS AND CONSTRUCTION

23.1 General Construction Regulations.

- 23.1.1 All public sewer mains shall be no smaller than 8 inches in diameter.
- 23.1.2 No more than one (1) Customer shall be connected to a lateral sewer without written approval of the Utility.
- 23.1.3 The Utilities Engineer shall, from time to time, specify technical regulations concerning the construction of and connection to sewer mains.
- 23.1.4 The Utility is responsible for the proper operation and maintenance of the public sewers 8" or larger. The Utility's responsibility ends at the Building Sewer connection to the public sewer.
- 23.1.5 The Utility is not responsible for the proper operation or maintenance of Building Sewers at any point from the public sewer to the buildings.
- 23.1.6 The property owner is responsible for the cost, construction, and maintenance of the Building Sewer from the public sewer to the building

23.2 Easements.

- 23.2.1 All easements showing the location of sewer construction shall be filed with the Utilities Engineer prior to the commencement of any construction.
- 23.2.2 No construction shall be permitted over sewer easements. This includes trees, shrubbery, and signs.

23.3 Inspections.

- 23.3.1 All sewer construction of extensions shall be approved and inspected by the Utility Engineer according to the Utility Engineer's standards. During the course of the construction, the Utility shall have the right to inspect the work in progress and may order the applicant to comply with the approved plans and specifications.
- 23.3.2 No fee shall be charged for inspections done during normal working hours. Inspections conducted after working hours shall be subject to a fee as provided in the Rate Schedule.

23.4 Commercial or Residential Development. All developments which may at a later time, be subdivided, shall comply with all rules and regulations governing potential later use.

SECTION 24 GROWTH POLICIES PLAN

24.1. Growth Policies Plan. In developing a Sewer Service Area Map (“SSAM”), and in its decisions to extend sanitary sewer service, accept wastewater, or allow connection to an interceptor from proposed development, the Utility considered and will continue to consider the City of Bloomington Growth Policies Plan and the Monroe County Comprehensive Plan, as applicable and as provided in this Rule, as well as input from City and County governmental officials and non-governmental organizations and individuals.

24.2 Area A — Service Area. The SSAM will designate Area A as the area in which the Utility shall allow sewer connections. The Utilities Service Board hereby authorizes the Director of the Utility to make the decision as to whether a request for extension of sanitary sewer service shall be granted in Area A of the SSAM. Utility staff will determine what information is required from the applicant and advise as to what information is necessary to process the request. Any connection or extension must be in compliance with all applicable federal, state and local rules and regulations. Any request must be in compliance with provision 24.8.

24.3 Time for Processing Area A Requests. The Director and Utility Staff shall complete processing of all requests for sanitary sewer service in Area A within 30 days of receipt of all necessary materials. In the event changes are made in the proposal for sanitary sewer service received the Utility Staff, the 30 day period will run from the date that information regarding those changes is received. Applicants for sewer extensions within Area A may appeal the application of standards and specifications, rules and regulations, and service denial in area A to the Utilities Service Board.

24.4 Procedure for Appeal. The denial of a request for sewer extension in Area A may be appealed to the Board by filing a written appeal with the CBU Director’s Office within ten (10) working days of receipt of denial of the request. The appeal will be heard at the next regularly scheduled Board meeting for which it can be added to the agenda.

24.5 Area B — Exclusionary Area. The SSAM will designate all areas outside of Area A as Area B. Sanitary sewer service shall generally not be extended to Area B unless requests are made in writing to the Utilities Administration to be considered by the Utilities Service Board. The same application materials required for an Area A request shall be required for an Area B request. The Director of the Utility will notify the offices of the City and County Planning Departments and Plan Commissions, the Mayor, the City Common Council, the City Legal Department, the County Commissioners, the County Health Department, the County Drainage Board, and the County Legal Department, and any other party deemed appropriate, that an exemption to the prohibition on sewer service extensions into Area B is being considered, and will request input regarding the request for extending sewer service. Upon receiving said input, the request will first be heard by the appropriate

sub-committee of the Utilities Service Board, which will recommend approval or denial to the full board.

24.6 Time for Processing Area B Requests. Requests for service in Area B must be heard by the subcommittee of the Utilities Service Board for the first time within 30 working days from the date request for service is made to the Utilities Administration Office. Upon referral by the subcommittee, the Board will place the matter for hearing at the next regularly scheduled Board meeting for which it can be placed on the agenda.

24.7 Applicant's Obligation for Costs. Under no circumstances shall the Utility's approval of a request for permission to extend sanitary sewer service obligate it to construct or pay for the construction of any sanitary sewer extension or connection to the City's sanitary sewer collection system. All such costs are to be borne by the party requesting the extension or connection. The applicant for a sewer service extension must make any upgrades to the Utility collection systems that are required to accommodate the impact of the new connection.

24.8 Waiver of Right to Protest Annexation. Consistent with the provisions of Indiana law, no sanitary sewer extension shall be approved in either Area A outside of the municipal boundaries or in Area B unless the owner of the property to be served has waived or agreed to waive the right to remonstrate to annexation in a form and within the time frames required by the Corporation Counsel and City Controller.

**SECTION 25 EXTENSIONS OF WASTEWATER MAINS FOR RESIDENTIAL
DEVELOPMENT CONSTRUCTED BY DEVELOPER OR PROSPECTIVE CUSTOMER(S)**

25.1 General Requirements. The Board shall allow the extensions of sewers and related facilities that shall be paid for by a developer or prospective Customer(s) after the proper authorization to do so is granted by the appropriate Planning Department.

25.1.1 A developer, prospective Customer, or group of prospective Customers in the same neighborhood may apply for extension of wastewater mains, related facilities, and the connection of Customers thereto as outlined in this section.

25.2 Application for Sewer Extension. If the proposed development is in Area A, or after a "Finding of Appropriateness for Sewer Service Extension" is granted for Area B, a developer, prospective Customer, or group of prospective Customers in the same neighborhood may apply for extension of wastewater mains, related facilities, and the connection of Customers thereto. This application shall be made in writing to the Utility. The applicant shall submit plans and specifications for the proposed wastewater main extensions to the Utilities Engineer for approval. No changes may be made without the approval of the Engineer.

25.3 Utility Oversizing Reimbursements. If, for the Utility's future extension plans, a sewer larger than 8" is necessary, the Utility will pay for the increase in cost. This increase in cost will be determined as follows. The cost of pipe and appurtenances will be determined for the proposed line and for the line required by the Utility. The Utility will pay this difference in cost plus twenty percent (20%). In no case will the cost of the required line be less than the cost to install an 8-inch line.

25.4 Easements.

25.4.1 All easements showing the location of sewer main construction shall be filed with the Utility Engineer. Prior to the commencement of any construction, the developer must record an easement covering all water, sanitary, and storm infrastructure to be placed on the property. This easement shall be a blanket easement for the property, which shall be superseded by the recorded final plat showing permanent utility easements at their exact locations.

25.4.2 No construction shall be permitted over sewer easements. This includes trees, shrubbery, and signs.

25.5 Inspection.

25.5.1 All sewer main construction of extensions shall be approved and inspected by the Utility Engineer according to the Utility Engineer's standards. During the course of

the construction, the Utility shall have the right to inspect the work in progress and may order the applicant to comply with the approved plans and specifications.

25.5.2 No fee shall be charged for inspections done during normal working hours. Inspections conducted after working hours shall be subject to a fee as provided in the Rate Schedule.

25.6 Certification. Upon the completion of the line extensions according to the plans and specifications, a final inspection must be scheduled by the applicant or contractor at a time agreeable to the Utility Engineer. Following satisfactory completion of a final walk through inspection and submittal of final plat with easements and addresses, the Utility Engineer shall then certify completion and submit such certification to the City of Bloomington Engineering Department.

25.7 Addressed Plat for Extension. Before or at the time of the final walk-through, the applicant must provide a final recorded and addressed plat that shows the stubout location for each lot served.

25.8 Ownership of Extensions. The legal ownership of all extensions, appurtenances, and easements, on a form acceptable to the Utility and executed by the applicant, must be properly vested in the Utility prior to any users being connected thereto.

25.9 Right to Refuse Ownership of Sewer System. The Utility reserves the right to not accept sewer systems as public sewer systems.

25.10 Layout of Utility Lines. The Utility shall use good engineering practices in determining the route for all main extensions. The utility lines shall be installed so that the infrastructure can be properly maintained by modern excavation and/or cleaning equipment. Manholes and valves shall be easily accessible. The mains shall be extended in each direction to the end of the property being developed or served. Landscape plans shall be submitted prior to the acceptance of the utility plan. Uncertified plans shall be submitted by the developer or site engineer for comments by the Utility staff prior to obtaining bids for construction. Any change or extension to the plans must be approved by the Utility prior to commencing work. Verbal agreements are non-binding on the Utility.

25.11 Contract for Sewer Extension Credit. There will be no contracts for credit for sewer extensions.

SECTION 26 STORMWATER

26.1 Discharges:

26.1.1 Allowable discharges shall include:

- 26.1.1.1 Rainfall and resulting runoff.
- 26.1.1.2 Footer drains.
- 26.1.1.3 Roof drains and downspouts.
- 26.1.1.4 Naturally occurring Ground Water.

26.1.2 Prohibited discharges shall include:

- 26.1.2.1 Wastewater.
- 26.1.2.2 Discharge from oil/water separators.
- 26.1.2.3 Discharge from vehicle wash areas.
- 26.1.2.4 All items listed in Section 19.2 with the exception of those items listed as above as allowable.

26.2 Construction/Connection:

26.2.1 General

- 26.2.1.1 All public stormwater pipes shall be no smaller than 12” in diameter.
- 26.2.1.2 The Utility Engineer will, from time to time, make and publish design and construction specifications conforming to good engineering principles and practices and the best available information.
- 26.2.1.3 No one shall design, alter, change redirect or store stormwater runoff in such a manner to cause detriments to the system either up or downstream from proposed changes.
- 26.2.1.4 All construction of stormwater infrastructure to be maintained by the Utility and all connections to existing Utility infrastructure shall be in accordance with the latest edition of the *Construction Specifications for City of Bloomington Utilities Water, Wastewater and Stormwater Projects*.

26.3 Easements:

- 26.3.1 Before the Utility assumes responsibility of any stormwater infrastructure, a dedicated drainage easement showing the location of stormwater infrastructure shall be recorded with the Monroe County Recorder’s Office.
- 26.3.2 No other improvements or construction shall be permitted within a drainage easement without the written permission of the Utility, including but not limited to buildings, fences, trees, shrubs and signs.

26.4 Inspections:

26.4.1 All construction of stormwater extensions shall be inspected and approved by the Utility Engineer in accordance with the latest edition of *Construction Specifications for City of Bloomington Utilities Water, Wastewater and Stormwater Projects*. During the course of the construction, the Utility shall have the right to inspect the work in progress and may order the applicant to comply with the approved plans and specifications.

26.4.2 No fee shall be charged for inspections done during normal working hours. Inspections conducted after working hours shall be subject to a fee as provided in the Rate Schedule.

26.5 Certification: Upon the completion of any stormwater extensions, according to the approved plans and specifications, a final inspection must be scheduled by the applicant or contractor at a time agreeable to the Utility Engineer. Following satisfactory completion of the Final Walk Through Inspection, the Utility Engineer shall certify completion and submit such certification to the City of Bloomington Engineering Department.

26.6 Extension of services:

26.6.1 Plans for all extensions of mains and/or service shall be submitted to the Utility Engineer for approval prior to beginning construction. All plans shall be in accordance with the latest edition of the *Construction Specifications for City of Bloomington Utilities Water, Wastewater and Stormwater Projects* at the time of approval.

26.6.2 Approvals are valid for two years from the date of approval.

26.6.3 The Board shall have the authority, at its discretion, to review all stormwater projects.

26.6.4 Redevelopment:

26.6.4.1 These requirements address the runoff generated by the proposed development only, in that when an existing lot is redeveloped and the Utility requires infrastructure to serve the lot, the Utility will contribute funds towards the new infrastructure. These sites are predominantly impervious. In many cases either reduction of runoff rates in a conventional manner is not possible due to lack the space, or reduction in runoff rates cannot be accomplished by reducing the amount of impervious surface. Additionally the lack of adequate existing infrastructure is the primary cause for localized flooding. An example is a Downtown redevelopment projects.

26.6.4.2 Process:

26.6.4.2.1 Developer is responsible for:

26.6.4.2.1.1 Transmitting the runoff generated by the site during the 10% AEP storm (10-year storm) to the nearest existing stormwater infrastructure. Note that the minimum pipe size accepted by the Utility for stormwater infrastructure is 12”.

26.6.4.2.1.2 Installing two structures (inlet, manhole, catch basin) in the ROW, one at the downstream end to facilitate connection to the existing system and one at the upstream end to facilitate connection from the site to the existing stormwater system.

- 26.6.4.2.1.3 Developing plans and profiles of the required improvements for review and approval by the Utility.
- 26.6.4.2.1.4 Installing additional improvements as required by the Utility.
- 26.6.4.2.2 The Utility will:
 - 26.6.4.2.2.1 Review and approve the plans and profile.
 - 26.6.4.2.2.2 Determine any oversizing necessary to serve the area.
 - 26.6.4.2.2.3 Pay for:
 - 26.6.4.2.2.3.1 Any pipe oversizing plus 20% percent.
 - 26.6.4.2.2.3.2 Any additional stormwater structures required by the Utility.
 - 26.6.4.2.2.3.3 Any improvements beyond 300 feet of the initial upstream structure in the ROW.
- 26.6.5 New Development:
 - 26.6.5.1 These projects are new development of virgin area.
 - 26.6.5.2 If the Utility requires system improvements based on the latest edition of the *Construction Specifications for City of Bloomington Utilities Water, Wastewater and Stormwater Projects*, City Ordinance, Planning Department determinations, etc., the Developer will install those improvements at the Developer's cost.

SECTION 27 SEVERABILITY

27.1 Severability. If any section, sentence or provision of these Rules and Regulations, or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of these Rules and Regulations which can be given effect without the invalid provision or application, and to this end the provisions of these Rules and Regulations are declared to be severable.

DEFINITIONS

“**AWWA**” shall mean the American Water Works Association.

“**Act**” is an act passed by the United States Congress to control water pollution: the Federal Water Pollution Control Act passed in 1972 (Public Law PL 92-500) as amended in 1977 (the clean Water Act, PL 95-217) and as amended in 1987 (the Water Quality Act, PL 100-4) and any subsequent rules.

“**Annual Exceedance Probability**” or “**AEP**” is the percent chance of an event being equaled or exceeded in any given year.

“**Backflow**” is a flow condition, induced by a differential in pressure, that causes the flow of water or other liquid into the distribution pipes of a potable water supply from any source or sources other than its intended source.

“**Backflow Preventer**” is a device installed in a water line that limits the flow of water to one direction for a water supply pipe to prevent the backflow of water into the water supply system from the connections on its outlet end.

“**Backflow Prevention**” is the use of a system or device such as a double gate, double check assembly, or air gap to separate a potable water system from a system of water of unknown quality or source. The device or system prevents water from flowing back into a protected system when the pressure in the protected system drops lower than in the system of unknown quality.

“**Backsiphonage**” is a form of backflow caused by a negative or subatmospheric pressure within a water system.

“**Best Management Practice**” or “**BMP**” is a schedule of activities, prohibitions or practices, maintenance procedures, and other management practices to prevent or reduce the pollution of Waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

“**Biochemical Oxygen Demand**” or “**BOD**” of wastewater, wastewater effluent, polluted waters or industrial wastes shall mean the quantity of dissolved oxygen in mg/L required during stabilization of the decomposable organic matter by aerobic biochemical action under standard laboratory procedures.

“**Biosolids**” are solids that can be beneficially reused.

“**Board**” is the “**Utilities Service Board (USB)**”.

“**Bypass Detector Meter**” is a device installed on a fire Service Line that shows any unauthorized use of a fire service connection. May also be referred to as a leak detector meter.

“**Check Valve**” means a valve that limits flow to one direction. A single check valve is not a backflow prevention device. That requires a double check assembly that can be tested for positive closing.

“**Chemical Oxygen Demand**” or “**COD**” is a measure of the oxygen-consuming capacity of inorganic and organic matter presented in wastewater. COD is expressed as the amount of oxygen consumed from a chemical oxidant in mg/L during a specific test. Results are not necessarily related to the Biochemical Oxygen Demand (BOD) because the chemical oxidant may react with substances that bacteria do not stabilize.

“**City**” shall mean the City of Bloomington, Indiana.

“**Commission**” is the “**Indiana Utility Regulatory Commission (IURC)**”.

“**Connection Charge**” is a charge for new Customers to connect to the water or sewer system

“**Cooling water**” is the water discharged from any use such as air conditioning, heating, cooling and refrigeration processes during which the only pollutant added to the water is heat. Cooling water that contacts any regulated industrial process or which contains corrosion inhibitors may be further regulated by the Board if it is discharged to the Wastewater Treatment System.

“**Corporation Stop**” is a valve that is affixed to a water main that permits water to flow from the main, also called Corporation Valve.

“**Cross Connection**” is any connection to a water system that may permit contaminants to enter the system.

“**Curb Box**” is a container for the curb stop.

“**Curb Stop**” is a valve usually located near the Customer's property line that controls the flow of water to the property - synonymous with curb valve.

“**Customer**” is any Person who contract(s) with the Utility for water or wastewater service and assume(s) responsibility for payment of services.

“**Customer charge**” means the charge levied on users of water and/or wastewater treatment works for the cost of operation and maintenance of such works including replacement expenditures.

“**Detector Check**” is a check valve that is used on a fire system and has a small bypass meter or indicator system that shows usage or that indicates that flow has passed through the check

“**Director**” means the Director of the Utility.

“**Disconnection**” shall mean the termination or discontinuation of Utility service.

“**EPA**” means the United States Environmental Protection Agency.

“**Effluent**” shall mean the water, together with any wastes that may be present, flowing out of a drain, sewer, receptacle or outlet.

“**Fire Line Service Charge**” is a fire line connection charge that is separate from the domestic water charge and is based on the cost of service for providing water to the fire line. Fire lines are normally not metered; therefore, the cost is proportioned out according to the size of the fire line itself.

“**Fire Protection Charges**” are the charges made to recover the cost of providing both public and private fire protection services to the community served by a utility. Such charges typically include the direct capital-related and maintenance costs for fire hydrants and private connections, as well as applicable indirect costs for supply, treatment, transmission, and distribution of water to the fire protection facilities.

“**Fire Service Connection**” is any privately owned pipe extending from a main to supply a sprinkler, standpipe, yard main, or other fire protection system that is designed to provide water only in case of a fire emergency. With permission of the Utility it may also have a domestic water tap.

“**Garbage**” means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from handling, storage, and sale of food.

“**Ground Water**” is water that has percolated through the soil surface and is contained by an impermeable layer (or aquiclude) and that flows to wells, spring, or other points of recovery.

“**Illegal connections**” shall mean connections to the water or sewer system that have not been approved by the Utility.

“**Indiana Utility Regulatory Commission (IURC)**” is the utility regulatory body of the State of Indiana, also referred to as the “IURC” and “Commission” and has jurisdiction over the Board with respect to rates, charges and other related matters only.

“**Meter**” is a device owned by the Utility which measures and records the volume of water delivered to a Customer's premises.

“**Combination Fire and Domestic Meter**” is a device owned by the Utility that includes a domestic meter to measure the domestic flow on the line, and also has an additional meter to allow higher flow for fire fighting capability.

“**Meter Pit**” is an underground receptacle used for the protection of water meters installed outside buildings and for facilitating access for reading.

“**Meter Vault**” is the box, tile or pit in which the water Meter is installed.

“Meter Setup Hardware” consists of two angle yoke valves and a yoke. The angle yoke valves serve as shut-offs, incoming and outgoing, that are connected to the water service pipes. Between the angle yoke valves is a yoke that cradles the meter itself. This hardware is housed normally in a plastic pit that has a metal ring and lid that is buried flush to the grade level. The proper depth of this set-up is 18 to 24 inches from the top of the meter to the top of the meter pit lid. This type of hardware is normally for services of 3/4 to 2 inches in size.

“National Pollutant Discharge Elimination System (NPDES)” means the program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone and the oceans pursuant to the Act.

“Outlet” shall mean any outlet, natural or constructed, which is the point of final discharge of wastewater or of treatment plant effluent into any watercourse, pond, ditch, lake or other body of surface or ground water.

“Person” means any individual, business, firm, company, partnership, limited liability company, corporation, association, group, or society and includes the State of Indiana, and agencies, districts, commissions and political subdivisions created by or pursuant to State law.

“pH” indicates whether the solution is acidic or alkaline. A pH of 7 is neutral; a pH of less than 7 is acidic; a pH of greater than 7 is alkaline.

“Pollutant” shall mean any substance that degrades the quality of water.

“Conventional Pollutant” means those pollutants designated by the Act to include BOD, total suspended solids, pH, fecal coliform, oil and grease and such additional pollutants which may be specified and controlled in the Utility's NPDES permits for its wastewater treatment works where said works have been designed and used to reduce or remove such pollutants.

“Non Conventional Pollutants” means all pollutants other than toxic or conventional according to the Act.

“Toxic Pollutant” means those pollutants so designated in the Act.

“Pretreatment” means application of physical, chemical and/or biological processes to reduce the amount of pollutants in, or alter the nature of the pollutant properties in, wastewater prior to discharging such wastewater into the publicly owned wastewater treatment system.

“Categorical Pretreatment Standards” means the industrial waste discharge standards developed by EPA that are applied to the effluent from any industry in any category anywhere in the United States that discharges to a wastewater treatment system. These are standards based on the technology available to treat the waste streams from the processes of the specific industrial category and normally are measured at the point of discharge from the regulated process. The Standards are listed in the Code of Federal Regulations.

“Local Pretreatment Standards” means the industrial effluent limits for conventional and toxic pollutants developed and promulgated by the Board and applied to the effluent from any industry that discharges to the publicly owned treatment works of the City.

“Pretreatment Standards” means all applicable Federal rules and regulations implementing the Act, as well as any non-conflicting state or local standards. In cases of conflicting standards or regulations, the more stringent shall be applied.

“Primary Sewer Main” shall mean the public sewer main that is required to transport wastewater from the property line of the Customer to the point of connection at the wastewater treatment works' existing sewer main.

“Receiving Stream” shall mean the water course, stream or body of water receiving the waters discharged from the wastewater treatment plant.

“Replacement Costs” means expenditures for obtaining and installing equipment or accessories that are necessary to maintain the capacity and performance during the service life of the water or wastewater treatment works.

“Residential User” means any single-family or double-family dwelling which is individually metered, which generates wastewater. This definition is for wastewater billing purposes only.

“Rules” shall mean Rules, Regulations and Standards of Service for the City of Bloomington Utilities as approved by the Utilities Services Board.

“Sanitary Wastewater” shall mean wastewater discharged from the sanitary conveniences of dwellings (including apartment houses, hotels and motels), office buildings, factories or institutions and which are free of stormwater, surface water and industrial wastes.

“Septage” shall mean the sludge produced in individual on-site wastewater disposal systems such as septic tanks and cesspools.

“Service” means the supplying or supplier of utilities, commodities, or other facilities that meet a public need, as water, electricity, communication or transportation.

“Water Service” is the supplying of water, by the Water Utility, to a Customer.

“Wastewater Service” is the collection of wastewater, by the Wastewater Utility, from a Customer.

“Service Connection” is a pipeline, with its appurtenances, that branches off or connects a water or sewer main with the Customer's premises.

“Service Line” is that portion of the pipe from the main to the Customer's premises through which water is delivered.

“Customer Service Line” is that portion of the service connection owned and maintained by the Customer - generally from the Meter, curb valve, or property line, whichever is closest to the water main, to the Customer's premises. This determination is made by the Utility.

“Utility Service Line” is that portion of the service connection owned and maintained by the Utility - generally from the main to the Meter, curb valve, or property line whichever is closest to the water main. This determination is made by the Utility.

“Optional Domestic Service” is that portion of the service connection owned and maintained by the Customer, which is taken off a Fire Line. This determination is made by the Utility.

“Sewage” shall mean the household and commercial wastewater that contains human waste. Distinguished from industrial wastewater.

“Sewer” shall mean a pipe or conduit for carrying wastewater or other waste liquids.

“Building (or House) Drain” shall mean that part of the lowest horizontal piping of a building drainage system that receives the discharge from soil, waste, and other drainage pipes inside the walls of the buildings.

“Building (or House) Sewer Lateral” shall mean the extension from the building drain to the public sewer or other place of disposal. Building Sewers are not maintained by the Utility - sometimes referred to as “Building Sewer” or “Lateral.”

“Main Sewer” shall mean the principal sewer to which branch sewers are tributary, and to which the house or building sewer is connected.

“Public Sewer” shall mean a common sewer controlled by the Utility, generally (8) eight inches or larger.

“Sanitary Sewer” shall mean a sewer that carries wastewater and to which all storm, surface and ground waters and unpolluted industrial wastewaters are not intentionally admitted.

“Storm Sewer” shall mean a sewer that carries storm and surface water drainage but excludes wastewater.

“Shall” is mandatory; **“may”** is permissible.

“Shut-Off Valve” is a valve that is maintained by the Utility between the Corporation Stop and the Meter, and which is used for turning water on and off. This is referred to as an Angle Yoke.

“Significant Industrial User” is any industrial user of the City's wastewater collection or treatment system whose wastewater flow exceeds (1) 25,000 gallons per day, or (2) contributes a process

waste stream which makes up five percent or more of the average dry weather hydraulic or organic (BOD<TSS) capacity of a treatment plant, or (3) whose flow contains toxic or nonconventional pollutants which must be routinely sampled and tested, or (4) has a reasonable potential, in the opinion of the USB or the Director of Utility to adversely affect the wastewater treatment system treatment plant (inhibition, pass-through of pollutants, sludge contamination, or endangerment of wastewater treatment system workers.) This definition is intended to include, but not be limited to any requirement of the Federal Pretreatment Guidelines as amended and/or adopted by the US. Congress and the U.S. Environmental Protection Agency from time to time.

“Slug” shall mean any discharge of water, wastewater or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.

“Special Customer Charge” shall mean the extra charges for sewerage service assessed Customers whose wastewater is of such a nature that it imposes upon the sewage works a burden greater than that covered by the basic service charge.

“Special Read Agreement” is an agreement between the Utility and the property owner or management company to automatically transfer service into the owner or management company’s name when a tenant discontinues service from the Utility.

“Standard Methods” shall mean the examination and analytical procedures set forth in the most recent edition of (1) “Standard Methods for the Examination of Water and Wastewater,” published jointly by the American Public Health Association, The American Water Works Association and the Water Environment Federation; or (2) “Annual Book of ASTM Standards,” published by American Society for Testing and Materials; or (3) “EPA Manual -- Methods of Chemical Analysis of Water and Wastes.”

“Stormwater” means any flow resulting from any form of natural precipitation.

“Stubout” means the location of the water service line or building sewers from the public main to the property line.

“Suspended Solids” shall mean those solids that either float on the surface or are in suspension in water, wastewater, or other liquid and which are removable by laboratory filtration on a glass fiber filter. Their concentration shall be expressed in mg/L.

“TSS” means total suspended solids.

“Tap” is a cutting of a water main that permits a valve to be affixed to the water main, or the cutting of a sewer to permit the attachment of a sewer lateral.

“Temporary Hydrant Meter” is a device owned by the Utility that is rented to individuals or companies to meter water usage on a temporary basis.

“Unpolluted Water” is water not containing any pollutants limited or prohibited by the effluent standards in effect, or water the discharge of which will not cause any violation of receiving water quality standards.

“User Classification” means a classification of users based on the Standard Industrial Classification (SIC) Manual prepared by the United States Office of Management and Budget.

“Utilities Service Board (USB)” is the policy-making body of the Utility that exercises control over the Utility through the Utility staff, referred to as the **“Board”** (USB).

“Utility” is the City of Bloomington, Indiana, Water and Wastewater Utilities Department, also referred to as the **“Municipal Utility.”**

“Wastewater” means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether pretreated or not, which are discharged into or permitted to enter the City's treatment works. The terms wastewater and sewage may be used interchangeably throughout these rules and regulations.

“Domestic Wastewater” means wastewater derived principally from dwellings, business buildings, institutions, and the like.

“Industrial Wastewater” means wastewater derived from industrial sources or processes.

“Wastewater Treatment System” or **“Wastewater Treatment Works”** means any devices, facilities, structures, equipment or works owned by the City for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment. The terms “sewage treatment facility,” “sewage plant,” “wastewater treatment plant” and “wastewater treatment facility” can be used interchangeably throughout these rules.

“Water Main” is a pipe through which potable water is distributed to the Service Lines and storage facilities of the Utility's water system. Water main may also be referred to herein as “main.”

“Watercourse” shall mean a channel in which a flow of water occurs either continuously or intermittently.

“Wholesale Water Company” is a company that purchases water from the Utility for purposes of resale.

Terms not otherwise defined herein shall be as adopted in the latest edition of The Drinking Water Dictionary published by the American Water Works Association.