

FILED
APR 07 2015
CITY CLERK

GENERAL ORDINANCE NO. 6, 2015

AN ORDINANCE TO AMEND *TERRE HAUTE CITY CODE* CHAPTER 9, TO AMEND SECTION 9-112.

SECTION 1. That *Terre Haute City Code* Chapter 9, Sec. 9-112 Leak Adjustment is hereby amended by deletion of the stricken text and insertion of the underlined text as follows:

Sec. 9-112 Leak Adjustment.

Leak adjustments will be processed in one of two (2) methods:

a. Upon notification or receipt from water service provider of a water leak adjustment, City will credit sewer account in an amount equal to the total units credited by the water service provider.

ab. Any person subject to this Article may apply for a leak adjustment of the charges assessed against him if each of the following conditions is met:

1. Current account holder (or titled property owner) shall submit written notification to the City Controller's Office within sixty (60) days of the billing date when an excessive water use is posted of the need for a leak adjustment. City Controller shall document the account to reference the leak adjustment notification.

2. Current account holder (or titled property owner) shall submit a written request documentation to the City Controller within one hundred eighty (180) days of the billing date when the excessive use was posted;

3. Such written request documentation must contain a detailed description of how and where the leak occurred and be accompanied by a copy of the repair invoice;

4. No leak adjustment shall be considered until the leak has been identified and repaired;

5. No more than one (1) leak adjustment shall be granted per meter during any twelve (12) month period;

6. Current account holder must have at least six (6) months of normal/typical sewage account usage prior to evidence of leak usage at the specified location upon which to calculate an average billing statement; and

7. Only the highest single month of usage charge during the excess water usage shall be considered for adjustment.


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

ed. Upon determination that all conditions of Subsection ab. above have been satisfied, the City shall determine the amount of the leak adjustment and apply a credit to the sewer account. No refunds shall be issued by the City. (Gen. Ord. No. 3, 2011, 2-10-11)

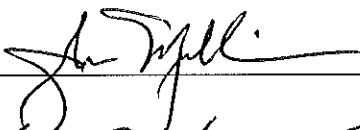
SECTION 2. All the provisions of any ordinances previously or now in existence and regulations which may be in conflict with this Ordinance are hereby repealed as of the date this Ordinance takes effect.

SECTION 3. If any section, subsection, paragraph, sentence, clause, phase or provision of this Ordinance is for any reason held to be invalid, ineffective or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this Ordinance shall remain in force and effect. The invalidity of any section, subsection, paragraph, sentence, clause, phase or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

SECTION 4. An emergency exists for the immediate taking effect of the Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and its approval by the Mayor and publication as required by law.

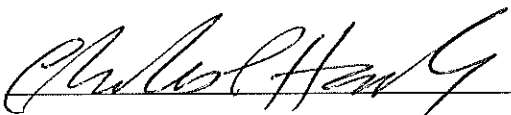
Introduced by:  Norman Loudermilk, Councilman

Passed in open Council this 14th day of May, 2015.

 John Mullican, President

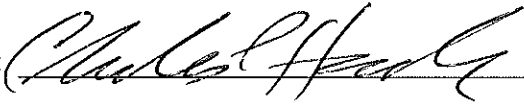
ATTEST:  Charles P. Hanley, City Clerk

Presented by me to the Mayor this 15th day of May, 2015.

 Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 15th day of MAY, 2015.

 Duke A. Bennett, Mayor

ATTEST:  Charles P. Hanley, City Clerk