

BARGERSVILLE ORDINANCE NO. 2016-28

**AN ORDINANCE OF THE TOWN OF BARGERSVILLE, INDIANA,
ESTABLISHING SEWER USE REGULATIONS,
RATES AND CHARGES, FEES AND OTHER MATTERS**

An ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system(s); and providing penalties for violations thereof.

Be it ordained and enacted by the Town Council of the Town of Bargersville, Indiana:

ARTICLE I
Definitions

Unless the context specifically indicates otherwise, the following words or terms, when used in this Ordinance and whether or not capitalized, shall have the meanings hereinafter designated:

Sec. 1 "Act" - The Federal Water Pollution Control Act, also referred to as the Clean Water Act, as amended, 33. U.S.C. 1251, et seq.

Sec. 2 "ASTM" - American Society for Testing Materials.

Sec. 3 "Authority" - The Town of Bargersville, Indiana, or its representative thereof.

Sec. 4 "BOD5 or Biochemical Oxygen Demand" - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade in terms of milligrams per liter (mg/l).

Sec. 5 "Building Drain" — that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the building wall.

Sec. 6 "Building Sewer" - the extension from the building drain to the public sewer or other place of disposal, also referred to as a house connection or service connection.

Sec. 7 "Town" — the area within the corporate boundaries of the Town of Bargersville, Indiana, as presently established or as amended by ordinance or other legal actions at a future time. The term "Town" when used herein may also be used to refer to the Town Council and its authorized representative.

Sec. 8 "Chemical Oxygen Demand (COD)" - the quantity of oxygen utilized in the chemical oxidation of organic matter as determined by standard laboratory procedures, and as expressed in terms of milligrams per liter (mg/l).

Sec. 9 "Compatible Pollutant" - biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the NPDES Permit if the treatment facilities are designed to treat such pollutants to a degree, which complies with effluent concentration limits imposed by the permit.

Sec. 10 "Control Manhole" — a structure specially constructed for the purpose of measuring flow and sampling of wastes.

Sec. 11 "Easement" — an acquired legal right for the specific use of land owned by others.

Sec. 12 "Equivalent Domestic Unit" or "EDU" — the amount of water used by an average single family residence. An EDU for a standard single-family residential unit is three hundred ten (310) gallons per day (gpd).

Sec. 13 "Fecal Coliform" — any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

Sec. 14 "15 Year Law Fee" or "15 YLF" — a payment pursuant to IC 36-9-22-2 and especially subsection (b) thereof (as it may be amended and any replacement or similar statute).

Sec. 15 "Floatable Oil" - oil, fat, or grease in a physical state, such that it will separate by gravity from wastewater.

Sec. 16 "Force Main Availability Fee" or "FMAF" - the charge to a User for a new or additional connection to the Town's POTW which is charged to assist in the construction of force mains which are or will become part of the Town's POTW.

Sec. 17 "Garbage" - animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.

Sec. 18 "Incompatible Pollutant" — any pollutant that is not defined as a compatible pollutant (Sec. 9) including non-biodegradable dissolved solids.

Sec. 19 "Industry" - any nongovernmental or nonresidential user of a POTW which is identified in the Standard Industrial Classification Manual, latest edition, which is categorized in Divisions A, B, D, E and I.

Sec. 20 "Industrial Waste" — gaseous, liquid, and solid wastes resulting from industrial or manufacturing processes, trade or business, or from the development,

recovery, and processing of natural resources, as distinct from residential or domestic strength wastes.

Sec. 21 "Infiltration" — water entering a POTW (including building drains and pipes) from the ground through such means as defective pipes, pipe joints, connections, and manhole walls.

Sec. 22 "Infiltration/Inflow" or "I/I" - the total quantity of water from both infiltration and inflow.

Sec. 23 "Inflow" - water other than wastewater that enters a POTW (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, yard and area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers, catch basins, surface runoff, street wash waters or drainage.

Sec. 24 "Interference" - the inhibition or disruption of the Town's POTW processes or operations which causes or significantly contributes to a violation of any requirement of the Town's NPDES and/or SDS Permit.

Sec. 25 "IDEM" — Indiana Department of Environmental Management.

Sec. 26 "National Categorical Pretreatment Standards" - federal regulations establishing pretreatment standards for introduction of pollutants in POTWs which are determined to be not susceptible to treatment by such facilities or would interfere with the operation of such facilities, pursuant to Section 307(b) of the Act.

Sec. 27 "National Pollutant Discharge Elimination System (NPDES) Permit" — a permit issued by the IDEM, setting limits on pollutants that a permittee may legally discharge into navigable waters of the United States pursuant to Sections 402 and 405 of the Act.

Sec. 28 "Natural Outlet" - any outlet, including storm sewers and combined sewers, which overflow into a watercourse, pond, ditch, lake or other body of surface water or ground water.

Sec. 29 "Non-contact Cooling Water" — the water discharged from any uses such as air conditioning, cooling or refrigeration, or during which the only pollutant added, is heat.

Sec. 30 "Normal Domestic Strength Waste" — wastewater that is primarily introduced by residential users with a BOD5 concentration not greater than 200 mg/l and a suspended solids (TSS) concentration not greater than 250 mg/l.

Sec. 31 "Person" — any individual, firm, company, partnership, association, society, corporation, limited liability company or group.

Sec. 32 "pH" - the logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.

Sec. 33 "Pretreatment" - the treatment of wastewater from industrial sources prior to the introduction of the waste effluent into a POTW (See Sec. 24).

Sec. 34 "Properly Shredded Garbage" - the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than 1/2 inch (1.27 cm) in any dimension.

Sec. 35 "POTW" (Publicly Owned Treatment Works) - the wastewater facilities of the Town of Bartersville including but not limited to the collection, pumping and treatment facilities necessary to collect, transport and treat wastewater.

Sec. 36 "Process Water" - water that comes in contact with any raw material, product, by-product, or waste during any production or industrial process.

Sec. 37 "Sewage" - the spent water of a community. The preferred term is wastewater.

Sec. 38 "Sewer" - a pipe or conduit that carries wastewater or drainage water.

a. "Collection Sewer" - a sewer whose primary purpose is to collect wastewater from individual point source discharges and connections.

b. "Combined Sewer" - a sewer intended to serve as a sanitary sewer and a storm sewer.

c. "Force Main" - a pipe in which wastewater is carried under pressure.

d. "Interceptor Sewer" - a sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.

e. "Private Sewer" - a sewer which is not owned and maintained by the Town of Bartersville.

f. "Public Sewer" - a sewer owned, maintained and controlled by the Town of Bartersville.

g. "Sanitary Sewer" - a sewer intended to carry only liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters which are not admitted intentionally.

h. "Storm Sewer" or "Storm Drain" - a drain or sewer intended to carry storm waters, surface runoff, ground water, sub-surface water, street wash water, drainage, and unpolluted water from any source.

Sec. 39 "Sewer Availability Fee" or "SAF" - the charge to a User for a new or additional connection to the POTW which is charged in return for the Town making available to such User the POTW to pick up, transport and treat the sewage of such User.

Sec. 40 "Sewer Connection Fee" or "SCF" (also sometimes known as a "tap-on" or "hook-on" fee) - the charge to a User for a new or additional connection to the Town's POTW and which is charged as a part of the pro rata cost of construction of all local and/or lateral sewer lines adequate to serve the property of the connecting User and for the cost of providing a connection to the POTW.

Sec. 41 "Service area" - the area inside the Town limits of the Town of Bargersville and the area outside the Town limits, which is served by Bargersville's POTW.

Sec. 42 "Shall" is mandatory; "May" is permissive.

Sec. 43 "Significant Industrial User" - any industrial user of the POTW which has a discharge flow (1) in excess of 25,000 gallons per average work day, or (2) has exceeded five percent (5%) of the total flow received at the treatment facility, or (3) whose waste contains a toxic pollutant in toxic amounts pursuant to Section 307(a) of the Act, or (4) whose discharge has a significant effect, either singly or in combination with other contributing industries, on the wastewater disposal system, the quality of sludge, the system's effluent quality, or emissions generated by the treatment system.

Sec. 44 "Slug" - any discharge of water or wastewater which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average 24-hour concentration of flows during normal operation, and shall adversely affect the collection and/or performance of the POTW.

Sec. 45 "Suspended Solids (SS) or Total Suspended Solids (TSS)" - the total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater", latest edition, and referred to as non-filterable residue.

Sec. 46 "Toxic Pollutant" - the concentration of any pollutant or combination of pollutants, which upon exposure to or assimilation into any organism will cause adverse effects, as defined in standards issued pursuant to Section 307(a) of the Act.

Sec. 47 "Unpolluted Water" - water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality

standards, and would not be benefited by discharge to the POTW. (See "Non-contact Cooling Water", Sec. 27.)

Sec. 48 "User" - any person who discharges or causes or permits the discharge of wastewater into the POTW.

Sec. 49 "Utilities Administrator" — the Bargersville Utilities Administrator or a deputy, agent or representative thereof.

Sec. 50 "Wastewater" — the spent water of a community and referred to as sewage. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface water and storm water that may be present.

Sec. 51 "Wastewater Supervisor" – the person in charge of the day to day physical management of the POTW. The Wastewater Supervisor reports to the Utilities Administrator.

Sec. 52 "Wastewater Treatment Works" or "Treatment Works" - an arrangement of any devices, facilities, structures, equipment, or processes owned or used by the Town for the purpose of the transmission, storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage or industrial wastewater, or structures necessary to recycle or reuse water including interceptor sewers, outfall sewers, collection sewers, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled water supply such as standby treatment units and clear well facilities; and any works including land which is an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

Sec. 53 "Watercourse" - a natural or artificial channel for the passage of water, either continuously or intermittently.

Sec. 54 "WEF" - the Water Environment Federation.

ARTICLE II

Control by the Utilities Administrator

Sec. 1 The Utilities Administrator shall have control and general supervision of all of the POTW and service connections thereto in the Town and service areas outside the Town, and shall be responsible for administering the provisions of this Ordinance to the end that a proper and efficient POTW is maintained.

ARTICLE III
Violations of Ordinance; Required Connections to POTW

Sec. 1 It shall be a violation of this Ordinance for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Town, or in any area under its jurisdiction, any human or animal excrement, garbage or objectionable waste.

Sec. 2 It shall be a violation of this Ordinance to discharge to any natural outlet any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance and the Town's NPDES Permit.

Sec. 3 Except as provided hereinafter, it shall be a violation of this Ordinance to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

Sec. 4 Subject to the exemptions provided in IC 36-9-23-30.1, the owner of any property producing sewage or similar waste, which is within the Town or its service area, may be required at the owners' expense to install a suitable service connection to the Town's POTW and to discontinue the use of privies, cesspools, septic tanks and similar structures if (a) there is an available sanitary sewer within three hundred (300) feet of the property line of the affected property and (b) the Town has given notice by certified mail to the property owner at the address of the property at least ninety (90) days before the date specified for connection in the notice.

Sec. 5 The Town may apply to the Johnson Circuit or Superior Courts for an order to require a connection to its POTW pursuant to the preceding Section 4. Pursuant to IC 36-9-23-30(d), the court shall assess the cost of the action and reasonable attorney's fees of the Town against the property owner in such an action.

ARTICLE IV
Private Wastewater Disposal

Sec. 1 This Article is applicable (a) to property within the Town limits where the Town does not have an available sanitary sewer within three hundred (300) feet of the property line and (b) to property outside the Town limits but within the Town's service area where the Town does not have an available sanitary sewer within three hundred (300) feet of the property line and the Town has the authority to issue building permits.

Sec. 2 Prior to commencement of construction of a private wastewater disposal system on property subject to this Article, the owner shall first obtain a waiver from the Town Council and then obtain a written permit from the Johnson County Health Department. The application for such permit shall be made on a form furnished by the

Johnson County Health Department, which the owner shall supplement by any plans, specifications, and other information as are deemed necessary to the Town.

Sec. 3 A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Johnson County Health Department (or its authorized representative). The Johnson County Health Department (or its representative) shall be allowed to inspect the work at any stage of construction, and, in any event, the owner shall notify the Johnson County Health Department when work is ready for final inspection, and before any underground portions are covered.

Sec. 4 The type, capacities, location, and layout of a private wastewater disposal system shall comply with all state, county and Town requirements of regarding standards for individual sewage treatment systems. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Sec. 5 The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the Town.

Sec. 6 At such time as a public sewer becomes available to a property serviced by a private wastewater disposal system, the Town may require that the property connect to the public sewer as provided in Article III. If connection to a public sewer is required, then thirty (30) days after such connection all septic tanks, cesspools and similar private wastewater disposal systems shall be cleaned of sludge, the bottom shall be broken to permit drainage, and the tank or pit filled with suitable material.

Sec. 7 No provision of this Article shall be deemed to supersede any additional or different requirements that may be imposed by IDEM or the Indiana State Department of Health ("ISDH"). The provisions of this Article are subject to IC 36-9-23-30.1.

ARTICLE V

Building Sewers and Connections

Sec. 1 Any new connection(s) to the POTW shall be prohibited unless sufficient capacity is available in all downstream facilities including, but not limited to capacity for flow, BOD5, and suspended solids, as determined by the Utilities Administrator.

Sec. 2 No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any part of the POTW or appurtenance thereof without first obtaining a written permit from the Town.

Sec. 3 Applications for permits shall be made by the owner or his agent employed to do the work, and shall include the name of owner of the location, street number, how and by whom the location is occupied and where and how the connection is to be made. No connection shall drain beyond the property limits of the location.

Sec. 4 There shall be two (2) classes of building sewer permits: (a) for residential and commercial (nonindustrial) service, and (b) for service to industries producing industrial waste. In either case, the application shall be supplemented by any plans, specifications, or any other information considered pertinent in the judgment of the Town. Any industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

Sec. 5 All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify and hold harmless the Town from any loss or damage or claim thereof, including but not limited to costs and reasonable attorney's fees, that may be directly or indirectly occasioned by the installation and connection of the building sewer.

Sec. 6 A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered one building sewer. However, it is the responsibility of the owner of the rear building to obtain such easement and/or other permission from the owner of the front building as is necessary to connect to the building sewer of the front building. The Town is not responsible for obtaining such permission, and the Town does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection.

Sec. 7 Old building sewers may be used in connection with new buildings only when they are found, on examination and testing by the Utilities Administrator, to meet all requirements of this Ordinance.

Sec. 8 The size, slopes, alignment and materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of the State of Indiana Building and Plumbing Code and any other applicable rules and regulations of the Town. In the absence of code provisions, the materials, procedures and specifications set forth in the ASTM and WPCF Manual of Practice No. 9, shall apply.

Sec. 9 Whenever possible, the building sewer shall be brought to the building at an elevation at least two feet below ground level. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Sec. 10 No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or otherwise directly or indirectly to the POTW.

Sec. 11 The connection of the building sewer into the public sewer shall conform to the requirements of 327 IAC 3-6-8 and any applicable rules and regulations of the Town, or the procedures set forth in appropriate specifications of the ASTM. All such connections shall be made gastight and watertight, and verified by proper testing to prevent the inclusion of infiltration/inflow. The Town prior to installation must approve any deviation from the prescribed procedures and materials.

Sec. 12 The applicant for the building sewer permit shall notify the Town when the building sewer is ready for inspection and connection to the public sewer. The connection and inspection shall be made under the supervision of the Utilities Administrator.

Sec. 13 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard, and such is the responsibility of the applicant and of his contractors, employees or other persons performing such work. The Town does not undertake to supervise, inspect or be responsible for the safety of such excavations and installations, and the Town shall assume no duty in that regard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

Sec. 14 No person shall make a service connection with any public sewer unless licensed by the State of Indiana to perform such work, and no permit shall be granted to any person who is not so licensed.

Sec. 15 Any person desiring to make a service connection with public sewers shall contact the Town and provide satisfactory evidence that the applicant or his employee or contractor is licensed to perform such work.

ARTICLE VI Prohibited Acts

Sec. 1 No person shall discharge or cause to be discharged any unpolluted water such as storm water, ground water, roof runoff, surface drainage, or non-contact cooling water to any sanitary sewer.

Sec. 2 Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers or to a natural outlet approved by the Town and other regulatory agencies. Industrial cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet on approval of the Town and upon approval and the issuance of a discharge permit by IDEM.

Sec. 3 No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a. Any 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 be injurious in any other way to the POTW or to the operation of the POTW. 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 sulfide.
- b. Solid or viscous substances which will cause obstruction to the flow in a sewer or other interference with the operation of the POTW such as, but not limited to, grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshing's, 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, wood treating residues, plastic, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.
- c. Any wastewater having a pH of less than 5.0 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the POTW.
- d. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to inhibit or disrupt any wastewater treatment process, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the POTW. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.

Sec. 4 The following described substances, materials, water, or wastes shall be limited in discharges to the POTW to concentrations or quantities which will not harm either the POTW and/or its treatment process, will not have an adverse effect on the receiving stream and/or soil, vegetation and ground water, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Utilities Administrator may set limitations lower than limitations established in the regulations below if, in the opinion of the Utilities Administrator, such severe limitations are necessary to meet the above objections. In forming his or her opinion as to the acceptability of wastes, the Utilities Administrator may give consideration to such factors as the quantity of subject waste in reaction to flows and velocities in the sewers, materials and construction of the sewers, nature of the sewage treatment process, the Town's NPDES permit, capacity of the sewage treatment plant, degree of treat ability of wastes in the sewage treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer, which shall not be violated without approval of the Utilities Administrator, are as follows:

- a. Any wastewater having a temperature greater than 150 degrees F (65.6 degrees C), or causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding 104 degrees F (40

degrees C), or having heat in amounts which will inhibit biological activity in the wastewater treatment works resulting in interference therein.

b. Any wastewater containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees F and 150 degrees F (0 degrees C and 65.6 degrees C); and any wastewater containing oil and grease concentrations of mineral origin of greater than 100 mg/l, whether emulsified or not.

c. Any quantities or flow, concentrations, or both which constitute a slug as defined herein.

d. Any garbage not properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food on the premises or when served by caterers.

e. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life, or are sufficient to prevent entry into the sewers for their maintenance and repair.

f. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.

g. Non-contact cooling water or unpolluted storm drainage, or ground water.

h. Wastewater containing inert suspended solids (including, but not limited to, Fullers earth, lime slurries, and lime residues) or has dissolved solids (including, but not limited to, sodium chloride and sodium sulfate) in such quantities that would cause disruption with the wastewater disposal system

i. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Utilities Administrator in compliance with applicable state or federal regulations.

j. Any waters or wastes containing the following substances to such degree that any such material received in the composite wastewater at the wastewater treatment works in excess of the following limits for such materials:

<u>Waste or Chemical</u>	<u>Daily Maximum Concentration (mg/l)</u>	<u>30-Day Average Concentration (mg/l)</u>
Arsenic	-prohibited	

Cadmium	1.2	0.5
Copper	4.5	1.8
Cyanide	0.8	0.23
Lead	0.6	0.3
Mercury	-prohibited	
Nickel	4.1	1.8
Silver	0.1	0.1
Total Chromium	7.0	2.5
Zinc	4.2	1.8
Total Heavy Metals (Copper, Chromium, Nickel, Zinc)	10.5	5.0

Phenolic compounds which cannot be removed by Town's wastewater treatment system.

k. Any wastewater, which creates conditions at or near the wastewater disposal system, which violates any statute, rule, regulation, or ordinance of any regulatory agency, or state or federal regulatory body.

l. Any waters or wastes containing BOD5 or suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment works, except as may be permitted by specific written agreement subject to the provisions of Section 16 of this Article.

Sec. 5 If any waters or wastes are discharged or are proposed to be discharged to the public sewers which contain substances or possess the characteristics enumerated in Section 4 of this Article, and/or which in the judgment of the Utilities Administrator may have a deleterious effect upon the POTW, processes, or equipment; receiving water and/or soil, vegetation, and ground water; or which otherwise create a hazard to life or constitute a public nuisance, the Town may:

- a. Reject the wastes,
- b. Require pretreatment to an acceptable condition for discharge to the public sewers, pursuant to Section 307(b) of the Act and all addenda thereof,
- c. Require control over the quantities and rates of discharge, and/or,
- d. Require payment to cover the added costs of handling, treating, and disposing of wastes not covered by existing taxes or sewer service charges. Any wastewater containing in excess of 210 mg/l of CBOD5 or 240mg/l total suspended solids Or 40 mg/l ammonia N or 500 mg/l COD will be surcharged as high strength Wastewater as provided for in the current Sewer Rate Ordinance. The issuance of Surcharges for treating high strength wastewater shall not be construed as acceptance of high strength wastewater for treatment by the Town. The Town reserves the right and authority to prohibit the discharge of high strength wastewater when such wastewaters

cause or are reasonably expected to cause POTW upsets, overloading or damage to the POTW.

If the Town permits the pretreatment or equalization of waste flows, the design, installation, and maintenance of the facilities and equipment shall be made at the owner's expense, and shall be subject to the review and approval of the Town pursuant to the requirements of the IDEM.

Sec. 6 No user shall increase the use of process water or, in any manner, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in Sections 3 and 4 of this Article, or contained in the National Categorical Pretreatment Standards or any state requirements.

Sec. 7 Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation at the expense of the owner.

Sec. 8 Grease, oil, and sand interceptors shall be provided when, in the opinion of the Utilities Administrator, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 4(b), any flammable wastes as specified in Section 3(a), sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of the type to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal of the captured materials by appropriate means, and shall maintain a record of dates and means of disposal, which are subject to review by the Utilities Administrator. A currently licensed waste disposal firm must perform any removal and hauling of the collected materials not performed by the owner's personnel.

Sec. 9 Where required by the Town, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure, or control manhole, with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastes. Such structure shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Town. The structure shall be installed by the owner at his expense and shall be maintained by the owner to be safe but nevertheless accessible for inspection at all times.

Sec. 10 The owner of any property serviced by a building sewer carrying industrial wastes may, at the discretion of the Town, be required to provide laboratory measurements, tests, or analyses of waters or wastes to illustrate compliance with this Ordinance and any special conditions for discharge established by the Town or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated by the Town. The industry must supply a complete analysis of the

constituents of the wastewater discharge to assure that compliance with Federal, State and local standards is being met. The owner shall report the results of measurements and laboratory analyses to the Town at such times and in such manner as prescribed by the Town. The owner shall bear the expense of all measurements, analyses, and reporting required by the Town. At such times as deemed necessary, the Town reserves the right to take measurements and samples for analysis by an independent laboratory.

Sec. 11 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis subject to approval by the Utilities Administrator.

Sec. 12 Where required by the Town, the owner of any property serviced by a sanitary sewer shall provide protection from an accidental discharge of prohibited materials or other substances regulated by this Ordinance. Where necessary, facilities to prevent accidental discharges of prohibited materials shall be provided and maintained at the owner's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Utilities Administrator and Wastewater Supervisor for review and approval prior to construction of the facility. Review and approval of such plans and operating procedures shall not relieve any user from the responsibility to modify the user's facility as necessary to meet the requirements of this Ordinance. Users shall notify the Utilities Administrator and Wastewater Supervisor immediately upon having a slug or accidental discharge of substances of wastewater in violation of this Ordinance to enable countermeasures to attempt to be taken by the Utilities Administrator and/or Wastewater Supervisor to minimize damage to the wastewater treatment works. Such notification will not relieve any user of any liability for any expense, loss or damage to the POTW or treatment process, or for any fines imposed on the Town on account thereof under any State and Federal law. Employees shall insure that all employees who may cause or discover such a discharge are advised of the emergency notification procedure.

Sec. 13 No person, having charge of any building or other premises which drains into the public sewer, shall permit any substance or matter which may form a deposit or obstruction to flow or pass into the public sewer. Within 90 days after receipt of written notice from the Town, the owner shall install a suitable and sufficient catch basin or waste trap, or if one already exists, shall clean out, repair or alter the same, and perform such other work, as the Utilities Administrator and/or Wastewater Supervisor may deem necessary. Upon the owner's refusal or neglect to install a catch basin or waste trap or to clean out, repair, or alter the same after the period of 120 days, the Utilities Administrator and/or Wastewater Supervisor may cause such work to be completed at the expense of the owner or representative thereof.

Sec. 14 Whenever any service connection becomes clogged, obstructed, broken or out of order, or detrimental to the use of the public sewer, or unfit for the purpose of drainage, the owner shall repair or cause such work to be done as the Utilities Administrator and/ or Wastewater Supervisor may direct. Each day after seven (7) days that a person neglects or fails to so act shall constitute a separate violation of this section, and the Utilities Supervisor may then cause the work to be done, and recover from such owner or agent the expense thereof by an action in the name of the Town.

Sec. 15 The owner or operator of any motor vehicle washing or servicing facility shall provide and maintain in serviceable condition, at all times, a catch basin or waste trap in the building drain system to prevent grease, oil, dirt or any mineral deposit from entering the POTW.

Sec. 16 No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment, which is part of the wastewater facilities.

Sec. 17 In addition to any penalties that may be imposed for violation of any provision of this Ordinance, the Town may assess against any person the cost of repairing or restoring any part of the POTW damaged as a result of the discharge of prohibited wastes by such person, and may collect such assessment as an additional charge for the use of the POTW or in any other manner deemed appropriate by the Town.

Sec. 18 No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore by the industrial concern, providing that National Categorical Pretreatment Standards and the Town's NPDES and/or State Disposal System Permit limitations are not violated.

ARTICLE VII

User Rate Schedule for Charges; Availability and Connection Fees

Sec. 1 Rates and Charges. For the use of and the services rendered by the POTW, rates and charges shall be collected from the owner or user of each and every lot, parcel of real estate or building that is connected with the Town's sanitary sewage system or otherwise discharges sanitary sewage, industrial waste, water or other liquids, either directly or indirectly, into the sanitary sewer system of the Town of Bartersville, which rates and charges are payable as hereinafter provided and shall be in an amount determinable as follows:

A. The sewage rates and charges shall be computed on a base charge/flow charge system related to the quantity of water used on or in the premises subject to such use, and shall be composed of (1) a monthly base charge, based on the water meter size

and (2) a gallonage charge per 1,000 gallons, all subject to an overall monthly minimum charge, except as otherwise provided in this ordinance. Sewage service rates, based upon these factors, shall be as follows:

Monthly Base Charge		Per Month
5/8 – 3/4	inch meter	\$10.86
1	inch meter	\$23.25
1 1/2	inch meter	\$50.44
2	inch meter	\$85.00
3	inch meter	\$192.13
4	inch meter	\$332.19
6	inch meter	\$752.40
8	inch meter	\$1,338.22
10	inch meter	\$2,088.82

Sewer monthly flow rate (all consumption)	Rate Per 1,000 Gallons
Each 1,000 gallons	\$8.25

B. Notwithstanding Section A, the minimum charge per month for sewage service for any user, whether a metered water consumer or a user who is not a water user, is \$27.37.

C. For the services rendered to the Town of Bargersville, the Town shall be subject to the same rates and charges as hereinbefore provided, or to charges and rates established in harmony therewith.

D. In the event two or more residential lots, parcels of real estate or buildings discharging sewage, water or other liquids into the Town's POTW, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the minimum charge of the sewage rates and charges shall be multiplied by the number of residential lots, parcels of real estate or buildings served through the single water meter.

E. In the event two or more dwelling units, such as trailers, apartments or housekeeping rooms, discharging sewage, water or other liquids into the Town's POTW, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in such case, for billing purposes, the minimum charge of the sewage rates and charges shall be multiplied by the number of dwelling units. A dwelling unit shall be interpreted as a room or rooms or other living space or spaces, in which cooking facilities are provided.

F. Water which is used in the process of manufacture or for any other purpose, which does not discharge into the POTW shall be exempt from charges; provided,

however, that the property owner shall install the necessary meters to indicate the amount of water which does not discharge into a combined or sanitary sewer of the POTW of Town of Bargersville, which meter shall be subject to the approval of the Town.

G. In the event a lot, parcel of real estate or building discharging sanitary waste, water or other liquid into the POTW of the Town, either directly or indirectly, is not a user of water supplied by the Town, and the water used thereon or therein is not measured by a Town water meter or by a meter acceptable to the Town, then the amount of water used shall be otherwise measured or determined by the Town in order to determine the rate of charge provided for in this Ordinance, or the owner, or other interested party, at his own expense, may install and maintain a water meter or other water or sewage measuring device acceptable to the Town for said purpose, and the quantity of water used, as measured by said meter, shall be used to determine the sewage service charge and there shall be charged an amount determined by the sewage service rates as herein set forth.

H. In the event a lot, parcel of real estate or building discharges sewage in the form of industrial waste, either directly or indirectly, into the POTW of the Town, and the Town finds it is not practicable to attempt to measure such wastes by meter, it shall measure the same in such manner and by such method as it may find practical in the light of the conditions and attendant circumstances of the case in order to determine the rates and charges according to the corresponding rates provided in this ordinance. If the Town finds that it is practicable to attempt to measure such wastes by meter, then the owner of the property shall install and maintain a meter acceptable to the Town on ten (10) days' notice.

I. In order that the rates and charges may be justly and equitably adjusted to the service rendered, the Town shall have the right to base its charges not only on volume, but also on the strength and character of the sewage and wastes discharged, either directly or indirectly, into the Town's POTW in such manner and by such method as it may find practicable, in light of the conditions and attending circumstances of the case in order to determine the proper charges. Said charges shall, where deemed necessary, be adjusted on a flat rate basis by the month.

J. Such rates and charges shall be billed monthly and shall be due and payable on or before the last day of the calendar month next succeeding the day of billing; provided, however, that the first billing may be for a period of more or less than a full month, in order to make the monthly collection periods correspond with the water meter readings of the Town, depending upon the date the sewage works rates and charges go into effect.

K. The rates and charges may be billed to the tenant or tenants occupying the properties served, if requested in writing by the owner, but such billing shall not relieve the owner from liability in the event payment is not made by the tenant or tenants as herein required. The owners of properties served which are occupied by tenants shall

have the right to examine the collection records of the Town for the purpose of determining whether such rates and charges have been paid by such tenants, provided that such examination shall be made at the office in which the records are kept and during the hours that the office is open for business.

L. The Town of Bargersville is hereby authorized to make any adjustment in any charges billed to a metered user of water for any purpose where such water does not enter the sewer system of said Town.

M. Nonadditional metered residential users.

(1) This Section M applies only to nonadditional metered residential users of the POTW. "Nonadditional metered" means and refers to a residential user whose usage of the sewage works is billed entirely through one water meter and who has no additional water meter to bill for special or nonresidential uses, including but not limited to commercial or industrial uses, and lawn sprinkling, the filling of swimming pools and other uses that do not enter the sanitary sewer system.

(2) A residential user is a user of the sewage works whose premises or building is used primarily as a residence for one (1) or more persons, including all dwelling units. In the event a portion of the premises or building is used for commercial or industrial purposes or other nonresidential purposes, the owner shall have the privilege, at the owner's cost, of separating water service so that the residential portion of the premises or building is served through a separate meter, and in such case, the water usage as registered by the water meter serving such portion of the premises used for residential purposes shall qualify for the rates set pursuant to this Section M.

(3) In order that there will be no additional sewage charges to nonadditional metered residential users for water used in lawn sprinkling and other uses that do not enter the sewer system during the months of June, July, August and September of each year ("the summer months"), the monthly sewage billing for nonadditional metered residential users for each June, July, August and September in each year shall be determined as follows:

(a) The lower of (i) actual or estimated units of water used as billed by the Town pursuant to the normal rates provided in Article VII, Sections 1.A and B of this Ordinance as amended or (ii) $1.334 \times (\text{times})$ the Winter Average.

(b) The Winter Average shall be defined as the actual or estimated units of water used as billed by the municipal water utility during the preceding months of December, January, February, March and April divided by five (5).

(c) Nonadditional metered residential users without a Winter Average shall be billed the lower of (i) actual or estimated units of water used as billed by the Town pursuant to the normal rates provided in Article VII, Sections 1.A and B of this Ordinance as amended or (ii) the charge for five thousand (5,000) gallons of water $\times (\text{times}) 1.334$ of

the normal rates provided in (a) Article VII, Sections I.A and B.

N. Special adjustments.

(1) "Nonadditional metered" has the same meaning in this Article VII, Section 1.N as in Section 1.M.

(2) The Town, acting through the Utilities Administrator, is hereby authorized to consider and act upon all requests for adjustments in sewer charges received from large volume water users such as swimming pool owners, persons using automatic sprinkler systems, persons experiencing major water leaks on their premises and other persons whose measured water use does not fairly reflect the amount of the sewage being introduced into the sewage system. The granting and amount of any adjustment is in the discretion of the utility.

(3) In the case of draining and/or refilling swimming pools, no adjustment shall be made unless the nonmetered user contacts the utility prior to draining and/or refilling his pool and makes arrangements for the adjustment. In the case of nonmetered users seeking adjustments on account of watering new sod or newly seeded lawns or newly repaired lawns, no adjustment shall be made unless the nonmetered user contacts the utility prior to watering and makes arrangements for the adjustment. In the cases of leaks in water lines where the leak does not cause or allow water to enter the sewage system, the granting in the amount of any adjustment may be conditioned upon, among other things, prompt repair of such leaks. [

Sec. 2 Availability and Connection Fees.

A. No connection to the Town's POTW shall be allowed until a permit is obtained and payment of Sewer Availability Fee, Force Main Availability Fee and Sewer Connection Fee have been made to the Town, except as provided in Subsection O (7) below.

B. Sewer Availability Fee (or SAF). For a standard single-family residence which is not part of a subdivision and for any user which is not residential and which also is not part of a commercial subdivision, the SAF is charged and paid at the time of connection to the Town's POTW. For a subdivision, residential or commercial, the developer shall pay one-half (1/2) of the SAF for each lot in the subdivision to the Town at the time of the execution of a Sewer Service Agreement. For a subdivision, residential or commercial, the other one-half (1/2) of the SAF shall be paid to the Town by the lot owner at or before the issuance of a building permit.

C. Force Main Availability Fee (or FMAF). For a standard single-family residence which is not part of a subdivision and for any user which is not residential and which also is not part of a commercial subdivision, the FMAF is charged and paid at the time of connection to the Town's POTW. For a subdivision, residential or commercial, the developer shall pay all of the FMAF for each lot in the subdivision to the Town at the time of the execution of a Sewer Service Agreement.

D. Sewer Connection Fee (of SCF). The SCF is paid at the time of connection to the Town's POTW.

E. The Sewer Availability Fee is hereby established in the amount of Two Thousand Five Hundred Fifty Dollars (\$2,550.00) per standard single-family residential unit.

The Force Main Availability Fee is hereby established in the amount of Two Hundred Fifty Dollars (\$250.00) per standard single-family residential unit.

F. The SAF and FMAF for users which are not standard single-family residential units shall be based on equivalent domestic units ("EDUs"). (For example, if it is determined that a user which is not a standard single-family residential unit will use 2 EDUs per day, the SAF for such user shall be Five Thousand One Hundred Dollars (\$5,100.00) and the FMAF shall be Five Hundred Dollars (\$500.00).) See the Table below. SAFs and FMAFs are not computed in fractions and are rounded up.

For purposes of determining the estimated average flow in gallons per day for users other than a standard single-family residence and for purposes of calculating the SAP and FMAF, the number of EDUs for a user, other than a standard single-family residence, shall be determined according to the table below, which estimated flow shall be divided by 310 gpd to derive the number of EDUs and to calculate the resulting SAP and FMAF:

TABLE FOR ESTIMATING WASTEWATER FLOWS

<u>TYPE OF ESTABLISHMENT</u>	<u>ESTIMATED FLOW</u> (Gallons per day)
Agricultural Labor Camp	50 per occupant
Airport	3 per passenger plus 20 per employee
Apartment	200 per one bedroom 300 per two bedroom 350 per three bedroom
Assembly Hall	3 per seat
Bar (without food service)	10 per seat
Beauty Salon	35 per customer
Bowling Alley	
With bar and/or food	125 per lane
Without food service	75 per lane
Bus Station	3 per passenger
Campground	
Organizational	
With flush toilets	40 per camper
Without flush toilets	20 per camper

Recreational	
With individual sewer connection (independent)	100 per campsite
Without individual sewer connection (dependent)	50 per campsite
Church	
With kitchen	5 per sanctuary seat
Without kitchen	3 per sanctuary seat
Condominiums	200 per one-bedroom 300 per two-bedroom 350 per three-bedroom
Correctional Facilities	120 per inmate
Day Care Center	20 per person
Dentist	750 per chair plus 75 per employee
Factory	
With showers	35 per employee
Without showers	20 per employee
Food Service Operations	
Cocktail Lounge Restaurant	35 per seat
(not 24 hour) Restaurant,	35 per seat
24 hour	50 per seat
Restaurant, 24 hour along	70 per seat
interstate	
Tavern	35 per seat
Curb Service (drive-in)	50 per car space
Hospital, medical facilities	200 per bed
Hotel	100 per room
Kennels	20 per animal enclosure
Mental Health Facility	100 per patient
Mobile Home Park	200 per lot
Motel	100 per room
Nursing Home	100 per bed
Office Building	20 per employee
Outpatient Surgical Center Area	50 per patient
School	5 per visitor
Elementary	15 per pupil
Secondary	25 per pupil
Service Station (Gas Station)	400 per restroom
Shopping Center	0.1 per square foot of floor space, plus

Swimming Pool Bathhouse	20 per employee
Theater	10 per swimmer
Drive-in	5 per car space
Inside building	5 per seat

If there is no appropriate estimated flow classification listed above, then the Utility Utilities Administrator shall determine the estimated average flows based upon good engineering judgment and such reasonable information as may be available.

G. The SAF and FMAF are not applicable to and shall not be charged for any new (first) connection to a single-family residential unit which had been constructed and was existing within the Town limits on October 1, 1994, but they shall be applicable to and charged for any additional (second or subsequent) connection to such an existing single-family residential unit. The FMAF is not applicable to and shall not be charged for any connection in which (a) the developer has constructed or otherwise paid for a force main which connects with the Town's wastewater treatment plant, (b) the developer has dedicated the force main to the Town and (c) the force main has been accepted by the Town.

H. The Town Council may from time to time change the amount of the SAF and/or FMAF.

I. The Sewer Connection Fee is hereby established in the amount of Two Hundred Fifty Dollars (\$250.00) per single-family residential unit.

J. The SCF for users which are not single-family residential units shall be the same as single-family residential units unless the Town, in its sole discretion, through the Utilities Administrator, determines that such fee is either significantly more or less than appropriate as a result of the proposed user's circumstances and, therefore, establishes a different amount of such Fee for such user based upon the estimated use and type of connection by such user.

K. The SCF shall be paid in full before the new or additional connection is made to the Town's sewage system."

L. The Town Council may from time to time change the amount of the SCF.

Sec. 3. The rates and charges fixed herein shall be extended to and cover any additional premises hereinafter served, without the necessity of any hearing or notice. If any service rate or charge hereby established shall not be paid within thirty (30) days after the same is due, a statement therefor shall be placed in the hands of the Town Attorney, and it shall be the duty of the Town Attorney to institute a civil action in the name of the Town of Bartersville to recover the amount thereof, together with a penalty of ten per cent (10%) and a reasonable attorney's fee, as provided by law.

Sec. 4 The rates and charges established by this ordinance shall be collected by the Town. The Town of Bargersville shall make and enforce such rules and regulations as may be deemed necessary for the safe, economical and efficient management of the Town's POTW, including the sewerage system, regulator chambers, pumping stations and sewage treatment plant, for the construction and use of house sewers and connections to the POTW, and for the regulation, collection, rebating and refunding of such rates and charges.

ARTICLE VIII Powers and Authority of Inspectors

Sec. 1 The Utilities Administrator and other duly authorized employees and representatives of the Town shall be permitted to enter all properties for the purpose of inspection, observations, measurement, sampling, and testing pertinent to the discharges to the Town's sewer system in accordance with the provisions of this ordinance.

Sec. 2 The Utilities Administrator and other duly authorized employees and representatives of the Town are authorized to obtain information concerning industrial processes which have a direct bearing on the type and source of discharge to the POTW. An industry may withhold information considered confidential however; the industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

ARTICLE IX Penalties

Sec. 1 Any person found to be violating any provision of this Ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Sec. 2 Any person who shall continue any violation beyond the time limit provided for in Section 1 of this Article, shall be fined in the amount not exceeding \$250 for each violation. Each day in which any such violation occurs shall be deemed as a separate offense.

Sec. 3 Any person violating any of the provisions of this Ordinance, in addition to the amount payable pursuant to the preceding Section 2, shall be liable to the Town for any expense, loss, or damage occasioned by the Town by reason of such violation, including but not limited to reasonable attorney's fees and costs.

ARTICLE X
Effective Date

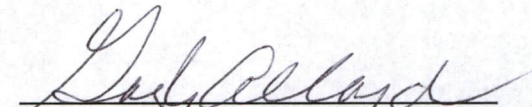
Sec. 1 This Ordinance is in part a restatement and combination of Ordinances 1963-2, 1994-10, 2003-5, and 2011-15. The rates and charges fixed by Article VII, Section 1 of this Ordinance are already in effect. The fees fixed by Article VII, Section 2 of this Ordinance take effect upon passage of this Ordinance.

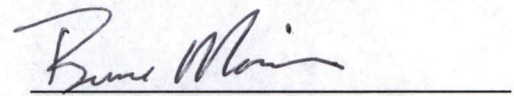
Sec. 2 The sections and subdivisions of this Ordinance shall be deemed to be separate and several, and if any part hereof shall be declared to be unenforceable or of no force and effect, the same shall not affect any other part hereof.

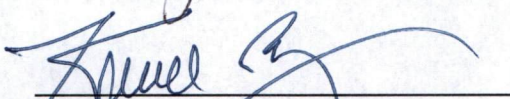
Sec. 3 This Ordinance shall be in full force and effect from and after its passage, except for any provisions providing for fines or penalties, which provisions shall be in full force and effect from and after its passage and any publication as provided by law.

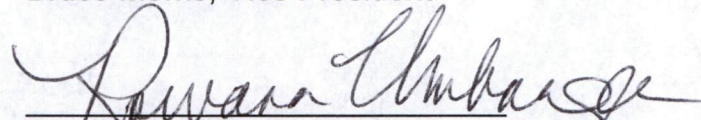
Passed and adopted by the Town Council of the Town of Bargersville, Indiana, this 17th day of November, 2016.

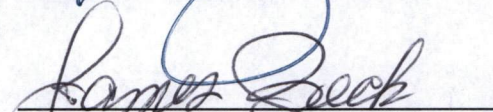
TOWN COUNCIL OF THE TOWN OF BARGERSVILLE, INDIANA


Gayle Allard, President

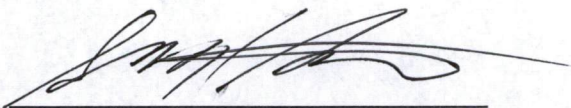

Bruce Morris, Vice President


Kenneth Zumstein, Member


Rowana Umbarger, Member


James Beck, Member

ATTEST:


Steve Longstreet, Clerk-Treasurer