

Town of Greenville  
P.O. Box 188  
Greenville, In. 47124

**SPECIAL MEETING NOTICE**  
**FOR THE TOWN OF GREENVILLE**

**OPEN SESSION FOR PUBLIC INFORMATION:**

**SUBJECT: REVIEW AND CONSIDERATION FOR PASSAGE OF THE FOLLOWING TOWN ORDINANCES.**

**THE GREENVILLE TOWN BOARD ENCOURAGES ALL CITIZENS OF THE TOWN TO ATTEND THIS SPECIAL MEETING FOR THE REVIEW OF PROPOSED ORDINANCES. ANY ORDINANCES NOT READ OR VOTED ON, WILL BE OPEN TO THE PUBLIC IN ADDITIONAL MEETINGS.**

**2009-R-024 FIRST READING**  
**2009-R-025 FIRST READING**  
**2009-R-026 FIRST READING**  
**2009-R-027 FIRST READING**  
**2009-R-028 FIRST READING**  
**2009-R-029 FIRST READING**



**DATE: 05-26-2009**

**TIME: 7:00 P.M.**

**NOTICE POSTED BY THE GREENVILLE TOWN BOARD 05-21-2009**



**TALBOTTE RICHARDSON**  
**PRESIDENT GREENVILLE TOWN COUNCIL**

Posted with O'Bannon Publishing Co., Inc. 05-21-2009 per request.

Minutes of Greenville Town Council  
Special Meeting – May 26, 2009

The Council met for a special meeting to consider the passage of several town ordinances. President Talbotte Richardson called the special meeting to order at the Town Hall at 7:00 PM. Councilpersons present were Randal Johnes, Patti Hayes, James Pearce and Talbotte Richardson, along with Clerk Jack Travillian.

Resolution 2009-R-024 RESOLUTION CONCERNING THE VALIDATION OF PREVIOUSLY APPROVED OPERATING PROCEDURE – FOR THE GREENVILLE MUNICIPAL WATER UTILITY LOCATED WITHIN THE TOWN OF GREENVILLE, INDIANA CORPORATE LIMITS - The Resolution was read and discussion was held. After reading a motion was made by T. Richardson and seconded by R. Johnes to accept the resolution. Motion passed 4-0.

Resolution 2009-R-025 RESOLUTION CONCERNING THE VALIDATION OF PREVIOUSLY APPROVED OPERATING PROCEDURE – FOR THE GREENVILLE MUNICIPAL WATER UTILITY LOCATED WITHIN THE TOWN OF GREENVILLE, INDIANA CORPORATE LIMITS - The resolution was read and discussion was held. After reading R. Johnes made motion to accept the ordinance and P. Hayes seconded. Motion passed 4-0.

Resolution 2009-T-026 RESOLUTION CONCERNING THE ESTABLISHMENT OF S.O.P. 06-08-09 FOR THE GREENVILLE MUNICIPAL WATER UTILITY LOCATED WITH IN THE TOWN OF GREENVILLE, INDIANA CORPORATE LIMITS - The resolution was read and discussion was held. After reading R. Johnes made motion to accept the ordinance and T. Richardson seconded. Motion passed 4-0.

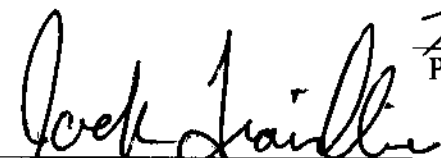
Ordinance 2009-T-027 ORDINANCE CONCERNING THE REGISTRATION OF RETAIL MERCHANT CERTIFICATES WITHIN THE TOWN OF GREENVILLE, INDIANA - Ordinance requiring recorded Retail Merchant Certificates was read and discussion was held. Councilman Pearce questioned the need for such extra demand on local businesses when the information is available online at the State of Indiana website. After first reading motion was made by R. Johnes and seconded by T. Richardson to accept the ordinance. Vote was as follows: FOR - R. Johnes, T. Richardson, and P. Hayes. AGAINST – J. Pearce


Ordinance 2009-R-028 ORDINANCE CONCERNING THE REGULATING OF LAND EXCAVATION WITHIN THE TOWN OF GREENVILLE, INDIANA - The Ordinance was read and discussion was held. The council unanimously voted to consider the ordinance. After first reading, motion was made by T. Richardson and seconded by R. Johnes to accept the ordinance. Motion passed 4-0. After second reading motion was made by R. Johnes and seconded by P. Hayes. Motion passed 4-0. Third reading P. Hayes made motion to accept the ordinance and T. Richardson seconded. Motion passed 4-0.

Ordinance 2009-R-029 ORDINANCE CONCERNING PROHIBITING THE USE OF HEAVY CONSTRUCTION EQUIPMENT UPON THE STREETS, ALLEYS AND ROADWAYS WITHIN THE TOWN OF GREENVILLE, INDIANA - The Ordinance was read and discussion was held. The council unanimously voted to consider the ordinance. After first reading, motion was made by T. Richardson and seconded by R. Johnes to accept the ordinance. Motion passed 4-0. After second reading motion was made by T. Richardson and seconded by P. Hayes. Motion passed 4-0. Third reading P. Hayes made motion to accept the ordinance and T. Richardson seconded. Motion passed 4-0.

No further business coming before the Council the meeting was adjourned

ATTEST:

  
Clerk of the Council

  
Presiding Officer

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-029

**ORDINANCE CONCERNING PROHIBITING THE USE OF HEAVY  
CONSTRUCTION EQUIPMENT UPON THE STREETS, ALLEYS AND  
ROADWAYS WITHIN THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the town council for the Town of Greenville, Indiana, in the interest of preventing damage to streets, alleys and roadways, has deemed it necessary that the town develop an Ordinance which forbids the operation of heavy construction equipment upon the streets, alleys and roadways within the Corporate limits of the Town of Greenville;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

**Definition of Heavy Construction Equipment for the Purpose of this Ordinance**

Any type of construction equipment tracked, or tired that would cause damage to the streets, alleys and roadways. Such as but not limited to bull dozers, excavators, etc.

**Requirements of Compliance with this Ordinance:**

1. Persons or person wishing to excavate a property using heavy construction equipment may transport equipment to construction site using typical truck and trailer used to transport this type of equipment on the streets, alleys and roadways, but must unload equipment onto area to be excavated without using the streets, alleys and roadways of the Town of Greenville.
2. After the loading or unloading of such equipment the owner of truck and trailer used for transportation of the heavy construction equipment shall not park truck and trailer as to where it impedes the flow of traffic on the streets, alleys and roadways of the Town of Greenville.

**Exempted from this Ordinance**

1. The Greenville Water Utility and streets, alleys, roadway maintenance {grading, asphaltting, re-surfacing, replacing and installing culverts} performed by or on the behalf of the Town of Greenville.

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-029

Penalties

- 1) If failure to comply with this Ordinance will require Greenville Marshal's Department to obtain a court order to stop excavation using such heavy construction equipment operating on roadways, streets and alleys within the corporate limits of the Town of Greenville. A fine of five hundred dollars per day will occur for each day the violation continues after Marshal issuing the citation while obtaining a court order to stop the excavation. If levied fines are not paid within 30 days then a lien will be sought against person's property, who is the owner of the property being excavated in accordance with I.C. 36-1-6-2.
  
2. Persons or person who is the owner or owners of such property shall be responsible for any repair construction work required. Repairs to be completed within 14 days upon notice to correct any damage to roadways {streets, alleyways} caused by such heavy construction equipment, to the satisfaction of the Greenville Town Council. If the Town of Greenville Council deems it necessary to hire another party to perform such repairs, the owner or owners of such property shall be responsible for those costs. If levied costs are not paid within 30 days then a lien will be sought against person's property, who is the owner of the property where heavy construction equipment was used in accordance with I.C. 36-1-6-2.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE  
26th DAY OF MAY, 2009.

PRESIDENT OF THE TOWN  
COUNCIL OF GREENVILLE,  
INDIANA

  
TALBOTTE RICHARDSON,

  
JACK TRAVILLIAN,  
CLERK/TREASURER

PREPARED BY:  
TALBOTTE RICHARDSON

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-029

**IC 36-1-6-1**

**Application of  
chapter**

Sec. 1. This chapter applies to all municipal corporations having the power to adopt ordinances. *As added by Acts 1980, P.L.211, SEC. 1.*

**IC 36-1-6-2**

**Real property; action to bring compliance; expense as lien against property**

Sec. 2. (a) If a condition violating an ordinance of a municipal corporation exists on real property, employees or contractors of a municipal corporation may enter onto that property and take appropriate action to bring the property into compliance with the ordinance. However, before action to bring compliance may be taken, all persons holding a substantial interest in the property must be given a reasonable opportunity of at least ten (10) days but not more than sixty (60) days to bring the property into compliance. If the municipal corporation takes action to bring compliance, the expenses incurred by the municipal corporation to bring compliance constitute a lien against the property. The lien attaches when notice of the lien is recorded in the office of the county recorder in which the property is located. The lien is superior to all other liens except liens for taxes, in an amount that does not exceed:

(1) ten thousand dollars (\$10,000) for real property that:

(A) contains one (1) or more occupied or unoccupied single or double family dwellings or the appurtenances or additions to those dwellings; or

(B) is unimproved; or

(2) twenty thousand dollars (\$20,000) for all other real property not described in subdivision (1).

(b) The municipal corporation may issue a bill to the owner of the real property for the costs incurred by the municipal corporation in bringing the property into compliance with the ordinance, including administrative costs and removal costs.

(c) A bill issued under subsection (b) is delinquent if the owner of the real property fails to pay the bill within thirty (30) days after the date of the issuance of the bill.

(d) Whenever a municipal corporation determines it necessary, the officer charged with the collection of fees and penalties for the municipal corporation shall prepare:

(1) a list of delinquent fees and penalties that are enforceable under this section, including:

(A) the name or names of the owner or owners of each lot or parcel of real property on which fees are delinquent;

(B) a description of the premises, as shown on the records of the county auditor; and

(C) the amount of the delinquent fees and the penalty; or

(2) an instrument for each lot or parcel of real property on which the fees are delinquent.

(e) The officer shall record a copy of each list or each instrument with the county recorder, who shall

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-029

charge a fee for recording the list or instrument under the fee schedule established in IC 36-2-7-10. (f) The amount of a lien shall be placed on the tax duplicate by the auditor. The total amount, including any accrued interest, shall be collected in the same manner as delinquent

taxes are collected and shall be disbursed to the general fund of the municipal corporation.

(g) A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before conveyance to the subsequent owner. If the property is conveyed before the lien is recorded, the municipal corporation shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not later than fifteen (15) days after the date of the notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be considered a bad debt loss.

(h) The municipal corporation shall release:

- (1) liens filed with the county recorder after the recorded date of conveyance of the property; and
- (2) delinquent fees incurred by the seller;

upon receipt of a written demand from the purchaser or a representative of the title insurance company or the title insurance company's agent that issued a title insurance policy to the purchaser. The demand must state that the delinquent fees were not incurred by the purchaser as a user, lessee, or previous owner and that the purchaser has not been paid by the seller for the delinquent fees.

(i) The county auditor shall remove the fees, penalties, and service charges that were not recorded before a recorded conveyance to a subsequent owner upon receipt of a copy of the written demand under subsection (h).

*As added by Acts 1980, P.L.211, SEC.1. Amended by P.L. 50-2002, SEC.1; P.L.144-2003, SEC.1; P.L.177-2003, SEC.2; P.L.131-2005, SEC.5; P.L.88-2006, SEC.1; P.L.194-2007, SEC. 8.*

C 34-28-5

Chapter 5. Infraction and Ordinance Violation Enforcement Proceedings

**IC 34-28-5-1**

**Prosecution in name of state or municipality; rules; limitations; burden of proof; deferral programs; agreement for community restitution or service**

Sec. 1. (a) An action to enforce a statute defining an infraction shall be brought in the name of the state of Indiana by the prosecuting attorney for the judicial circuit in which the infraction allegedly took place. However, if the infraction allegedly took place on a public highway (as defined in IC 9-25-2-4) that runs on and along a common boundary shared by two (2) or more judicial circuits, a prosecuting attorney for any judicial circuit sharing the common boundary may bring the action.

(b) An action to enforce an ordinance shall be brought in the name of the municipal corporation. The municipal corporation need not prove that it or the ordinance is valid unless validity is controverted by affidavit.

(c) Actions under this chapter (or IC 34-4-32 before its repeal):

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-029

- (1) shall be conducted in accordance with the Indiana Rules of Trial Procedure; and
- (2) must be brought within two (2) years after the alleged conduct or violation occurred.

(d)The plaintiff in an action under this chapter must prove the commission of an infraction or defendant

pay under section 4(e) of this chapter for the ordinance violation if the defendant fails to perform the

community restitution or service provided for in the agreement as approved by the court; and

(B) are recorded in a written instrument signed by the defendant and the attorney for the municipal corporation;

(3) the agreement is filed in the court where the judgment was entered; and

(4) the court approves the agreement.

If a defendant fails to comply with an agreement approved by a court under this subsection, the court shall require the defendant to pay up to the amount of the judgment requested in the action under section 4(e) of this chapter as if the defendant had not entered into an agreement under this subsection. *As added by P.L 1-1998, SEC.24. Amended by P.L98-2000, SEC.12;P.L98-2004, SEC. 123; P.L 176-2005, SEC.24; P.L200-2005, SEC.*



TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-028

**ORDINANCE CONCERNING THE REGULATING OF LAND  
EXCAVATION WITHIN THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the town council for the Town of Greenville, Indiana, in the interest of preventing land erosion and water run off, has deemed it necessary that the Town develop an Ordinance which forbids excavation on real property within the Corporate limits of the Town of Greenville without prior Greenville Town Council approval;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

**Definition of Excavating for the Purpose of this Ordinance**

Excavating: 1. To make a hollow by removing the inner part; make a hole or cavity in; form into a hollow, as by digging. 2. To make {a hole, tunnel, etc.} by removing material. 3. To dig or scoop out, {earth, sand, etc.}. 4. To expose or lay bare by digging; unearth, hollow out.

**Requirements of Compliance with this Ordinance:**

1. Persons or person wishing to excavate a property must appear before the Greenville Town Council and present a clear and precise drawing plan for the area to be excavated before excavation can begin.
2. Plan shall address such topics as earth {land} erosion and water run off.
3. Plan shall indicate the purpose required for the excavation.
4. If property is for new construction the person or persons shall present a copy of those plans to the Greenville Town Council along with a plot plan for the location of such structure, it's dimensional location to adjoining properties, the proposed entry and exits from adjoining Greenville streets and alleyways.

**Exempted from this Ordinance**

1. Person or persons performing common yard maintenance such as planting trees, shrubs, seeding and re-seeding of grass, etc.
2. The Greenville Water Utility and streets, alleys and roadway maintenance performed by or on the behalf of the Town of Greenville.

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-028


Penalties

- 1) If failure to comply with this Ordinance will require Greenville Marshal's Department to obtain a court order to stop excavation. A fine of five hundred dollars per day will occur for each day the excavation continues after Marshal issuing the citation while obtaining a court order to stop the excavation. If levied fines are not paid within 30 days then a lien will be sought against person's property, who is the owner of the property being excavated in accordance with I.C. 36-1-6-2.
  
2. Persons or person who is the owner or owners of such property shall be responsible for any repair construction work required. Repairs to be completed within 14 days upon notice to correct any damage to roadway {streets, alleyways}, earth {land} erosion and water run off caused by such excavation to the satisfaction of the Greenville Town Council. If the Town of Greenville Council deems it necessary to hire another party to perform such repairs, the owner or owners of such property shall be responsible for those costs. If levied costs are not paid within 30 days then a lien will be sought against person's property, who is the owner of the property being excavated in accordance with I.C. 36-1-6-2.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE  
26th DAY OF MAY, 2009.

PRESIDENT OF THE TOWN  
COUNCIL OF GREENVILLE,  
INDIANA

  
TALBOTTE RICHARDSON,

  
JACK TRAVILLIAN,  
CLERK/TREASURER

PREPARED BY:  
TALBOTTE RICHARDSON

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-028

IC 36-1-6 Chapter Enforcement of Ordinances

**IC 36-1-6-1**  
**Application of**  
**chapter**

Sec. 1. This chapter applies to all municipal corporations having the power to adopt ordinances. *As added by Acts 1980, P.L.211, SEC. 1.*

**IC 36-1-6-2**

**Real property; action to bring compliance; expense as lien against property**

Sec. 2. (a) If a condition violating an ordinance of a municipal corporation exists on real property, employees or contractors of a municipal corporation may enter onto that property and take appropriate action to bring the property into compliance with the ordinance. However, before action to bring compliance may be taken, all persons holding a substantial interest in the property must be given a reasonable opportunity of at least ten (10) days but not more than sixty (60) days to bring the property into compliance. If the municipal corporation takes action to bring compliance, the expenses incurred by the municipal corporation to bring compliance constitute a lien against the property. The lien attaches when notice of the lien is recorded in the office of the county recorder in which the property is located. The lien is superior to all other liens except liens for taxes, in an amount that does not exceed:

(1) ten thousand dollars (\$10,000) for real property that:

(A) contains one (1) or more occupied or unoccupied single or double family dwellings or the appurtenances or additions to those dwellings; or

(B) is unimproved; or

(2) twenty thousand dollars (\$20,000) for all other real property not described in subdivision (1).

(b) The municipal corporation may issue a bill to the owner of the real property for the costs incurred by the municipal corporation in bringing the property into compliance with the ordinance, including administrative costs and removal costs.

(c) A bill issued under subsection (b) is delinquent if the owner of the real property fails to pay the bill within thirty (30) days after the date of the issuance of the bill.

(d) Whenever a municipal corporation determines it necessary, the officer charged with the collection of fees and penalties for the municipal corporation shall prepare:

(1) a list of delinquent fees and penalties that are enforceable under this section, including:

(A) the name or names of the owner or owners of each lot or parcel of real property on which fees are delinquent;

(B) a description of the premises, as shown on the records of the county auditor; and

(C) the amount of the delinquent fees and the penalty; or

(2) an instrument for each lot or parcel of real property on which the fees are delinquent.

(e) The officer shall record a copy of each list or each instrument with the county recorder, who shall

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-028

charge a fee for recording the list or instrument under the fee schedule established in IC 36-2-7-10. (f) The amount of a lien shall be placed on the tax duplicate by the auditor. The total amount, including any accrued interest, shall be collected in the same manner as delinquent

taxes are collected and shall be disbursed to the general fund of the municipal corporation.

(g) A fee is not enforceable as a lien against a subsequent owner of property unless the lien for the fee was recorded with the county recorder before conveyance to the subsequent owner. If the property is conveyed before the lien is recorded, the municipal corporation shall notify the person who owned the property at the time the fee became payable. The notice must inform the person that payment, including penalty fees for delinquencies, is due not later than fifteen (15) days after the date of the notice. If payment is not received within one hundred eighty (180) days after the date of the notice, the amount due may be considered a bad debt loss.

(h) The municipal corporation shall release:

- (1) liens filed with the county recorder after the recorded date of conveyance of the property; and
- (2) delinquent fees incurred by the seller;

upon receipt of a written demand from the purchaser or a representative of the title insurance company or the title insurance company's agent that issued a title insurance policy to the purchaser. The demand must state that the delinquent fees were not incurred by the purchaser as a user, lessee, or previous owner and that the purchaser has not been paid by the seller for the delinquent fees.

(i) The county auditor shall remove the fees, penalties, and service charges that were not recorded before a recorded conveyance to a subsequent owner upon receipt of a copy of the written demand under subsection (h).

*As added by Acts 1980, P.L.211, SEC.1. Amended by P.L. 50-2002, SEC.1; P.L.144-2003, SEC.1; P.L.177-2003, SEC.2; P.L.131-2005, SEC.5; P.L.88-2006, SEC.1; P.L.194-2007, SEC. 8.*

C 34-28-5

Chapter 5. Infraction and Ordinance Violation Enforcement Proceedings

**IC 34-28-5-1**

**Prosecution in name of state or municipality; rules; limitations; burden of proof; deferral programs; agreement for community restitution or service**

Sec. 1. (a) An action to enforce a statute defining an infraction shall be brought in the name of the state of Indiana by the prosecuting attorney for the judicial circuit in which the infraction allegedly took place. However, if the infraction allegedly took place on a public highway (as defined in IC 9-25-2-4) that runs on and along a common boundary shared by two (2) or more judicial circuits, a prosecuting attorney for any judicial circuit sharing the common boundary may bring the action.

(b) An action to enforce an ordinance shall be brought in the name of the municipal corporation. The municipal corporation need not prove that it or the ordinance is valid unless validity is controverted by affidavit.

(c) Actions under this chapter (or IC 34-4-32 before its repeal):

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-T-028

- (1) shall be conducted in accordance with the Indiana Rules of Trial Procedure; and
- (2) must be brought within two (2) years after the alleged conduct or violation occurred.

(d)The plaintiff in an action under this chapter must prove the commission of an infraction or defendant

pay under section 4(e) of this chapter for the ordinance violation if the defendant fails to perform the

community restitution or service provided for in the agreement as approved by the court; and

(B) are recorded in a written instrument signed by the defendant and the attorney for the municipal corporation;

(3) the agreement is filed in the court where the judgment was entered; and

(4) the court approves the agreement.

If a defendant fails to comply with an agreement approved by a court under this subsection, the court shall require the defendant to pay up to the amount of the judgment requested in the action under section 4(e) of this chapter as if the defendant had not entered into an agreement under this subsection. *As added by P.L 1-1998, SEC.24. Amended by P.L98-2000, SEC.12;P.L98-2004, SEC. 123; P.L 176-2005, SEC.24; P.L200-2005, SEC.*

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-R-026

**RESOLUTION CONCERNING THE ESTABLISHMENT OF  
S.O.P. 06-08-09 FOR THE GREENVILLE MUNICIPAL WATER UTILITY  
LOCATED WITH IN THE TOWN OF GREENVILLE, INDIANA  
CORPORATE LIMITS**

WHEREAS, the town council for the Town of Greenville, Indiana, in the interest of establishing a water leak adjustment policy for the Greenville Municipal Water Utility, has deemed it necessary that the Town develop a Resolution to adopt Greenville Municipal Water Utility S.O.P. 06-08-09;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

**Water Leak Adjustment Policy**

S.O.P. 06-08-09

**Eligibility for Leak Adjustment**

For the customers to be eligible for a leak adjustment the following determining factors must be met.

- A customer's leak is determined as a loss of water which exceeds by 100% of the customer's average water usage for the preceding six months.
- That the customer upon discovering the leak or becoming aware of the leak notified the water utility within (15) fifteen business working days.
- That the customer has not had a previous water leak adjustment within the past (12) twelve months.
- That the customer upon discovering the leak or becoming aware of the leak, immediately had the leak repaired.

**Ineligibility for Leak Adjustment**

- Leaks not meeting the above requirements or unexplained leaks/usages will not be eligible for an adjustment.
- No leak adjustments will be approved on service lines within (12) twelve months of installation or reinstallation of a service line.
- Homes that have irrigation systems shall not be eligible for leak adjustments, unless it can be shown that the leak did not occur on/in the irrigation system.

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-R-026

Responsibility of the Customer

- The customer is responsible for contacting the water office concerning the leak and providing necessary documentation of leak repairs.
- The customer is also responsible for contacting the office to request the proposed adjustment, the proposed adjusted amounts and certify to the office manager whether or not the customer chooses to accept the adjustment.
- NO ADJUSTMENTS WILL BE AUTOMATICALLY APPLIED

Administrative Procedure of a Leak Adjustment Request

A leak adjustment request shall be administratively as follows.

- The water superintendent may approve the adjustment. In the absence of the superintendent, the office manager may approve the adjustment.
- If the superintendent or Office Manager refuses the adjustment and the customer is not satisfied, then he/she may request that the matter be taken before the Town Council Members. The council will conduct an informal hearing and shall in its discretion make a determination.

Computation of Leak Adjustment

If the customer meets all the requirements and the adjustment is approved, it shall be computed as follows.

- The customers previous (6) six months water usages bills shall be added together and divided by (6) six resulting in an average usage. The customer shall be charged the prevailing rate for the average bill. (The gallon usage of the calculated average bill will be deducted from the leakage total.)
- All water loss usage (overage) above the determined (6) six months average will be paid at the lowest cost per 1000 gallons rate as specified on the current approved rate schedule.
- Taxes will be charged where applicable.

Extraordinary Leak Adjustment

- In the event that a customer has a water leak of 100,000 gallons or more, the same computations of a leak adjustment as stated above will apply with the exception of the water loss usage (overage). It will be paid at \$1.00 less than the lowest cost per 1000 gallons rate as specified on the current approved rate schedule.

Payment of Adjusted Bill

- The customer shall pay the adjusted bill within the normal time period bills are due, after that date, the bill shall be handled the same as any other delinquent bill.
- If the customer is financially unable to pay the adjusted bill, the water superintendent may approve a payment plan.

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-R-026

Payment of Unadjusted Bill

- The customer, after denial of a leak adjustment by the Utility shall pay the unadjusted bill within the normal time period bills are due.
- If the customer is financially unable to pay the unadjusted bill the water superintendent may approve a payment plan.

Penalties due to delinquent payment will not be adjusted off per Indiana State Board of Accounts, unless approved by the Town Council.

After passing of this resolution Greenville Municipal water Utility S.O.P. 05-03-01 dated May 12<sup>th</sup>, 2003 shall be voided.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE  
26th DAY OF MAY, 2009.

PRESIDENT OF THE GREENVILLE  
WATER UTILITY AND THE TOWN  
COUNCIL OF GREENVILLE, INDIANA

  
TALBOTTE RICHARDSON,

  
JACK TRAVILLIAN,  
CLERK/TREASURER

PREPARED BY:  
RANDAL JOHNES



S.O.P. 05-03-01

**STANDARD OPERATING PROCEDURE - GREENVILLE MUN. WATER UTILITY**

The procedure for customer water leak adjustments are as follows:

A customer's leak is determined as a loss of water which exceeds by <sup>100% corrected by Council 9/11/06</sup> 50% of the customer's average water usage for the preceding six (6) months.

After a six (6) month average has been determined the customer will pay the six (6) month average according to the current rate schedule.

All water loss above the determined six (6) months average use will be paid at the lowest rate as specified on the present approved rate schedule.

A customer is allowed one (1) leak adjustments per a twelve (12) month period.

In order for the customer to claim the adjustment he/she must present to the Utility proof of leak repair by means of a parts receipt or an invoice from a contractor that made the repair.

Requests for adjustments must be submitted within (6) months of a leak to the Utility Superintendent.

All money adjustments are to be approved by the Greenville Town Council.

Effective the 12<sup>th</sup> day of MAY 2003.

  
Gary Patton  
Utility Superintendent

Approved by Greenville Town Council the 12<sup>th</sup> day of MAY 20 03

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-R-025

**RESOLUTION CONCERNING THE VALIDATION OF PREVIOUSLY  
APPROVED OPERATING PROCEDURE – FOR THE GREENVILLE  
MUNICIPAL WATER UTILITY LOCATED WITHIN THE TOWN OF  
GREENVILLE, INDIANA CORPORATE LIMITS**

WHEREAS, the town council for the Town of Greenville, Indiana, in the interest of compliance with I.C. 36-5-2-10 Sect. 10 item A and I.C. 36-5-2-10.2, has deemed it necessary that the Town develop a Resolution which validates Greenville Municipal Water Utility S.O.P. 01-14-08 Dated January 14<sup>th</sup>, 2008;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

S.O.P 01-14-08

**STANDARD OPERATING PROCEDURE – GREENVILLE MUN. WATER UTILITY**

The procedures for customer's delinquent accounts are as follows:

Each month the customers receive a bill that indicates their water consumption and charges for the month.

The payments are due on or before the 15<sup>th</sup> of the month, after the 15<sup>th</sup> of the month penalties are accrued.

If the account is not paid during the current billing cycle they receive another bill during the next billing cycle with the past due charges and current charges added together.

If the account is not paid on or before the 15<sup>th</sup> of the month, and they have a two month balance the customer receives a disconnect notice.

The disconnect notice provides the customer with the amount they owe and the date it must be paid to avoid being disconnected.

The customer at this point has the option to contact the Greenville Water Utility, prior to the disconnect date, to make payment arrangements.

Due to logistics of manually shutting off meters all customers on the disconnect list will be charged a reconnect fee, whether the meter has been manually shut-off or not.

The two-month balance along with the reconnect fee must be paid in full to re-establish water service.

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-R-025

Greenville water Utility has 24 hours to re-instate water service, to customers that have paid their bill in full. However, we re-instate water service, on the same business day if we receive the payment during our regular business hours, and have the work force to do so.

If a customer request water service to be re-instated after regular business hours, the decision will be made by the water superintendent and a charge of \$25.00 will be added to accommodate overtime hours it would take to re-instate service.

Effective the 15<sup>th</sup> day of January 2008

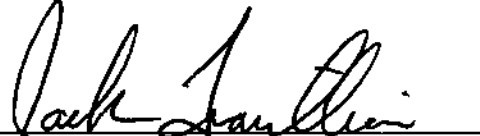
Gary Getrost  
Utility Superintendent

Approved by the Greenville Town Council the 14<sup>th</sup> day of January 2008

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE  
26th DAY OF MAY, 2009.

PRESIDENT OF THE GREENVILLE  
WATER UTILITY AND THE TOWN  
COUNCIL OF GREENVILLE, INDIANA

  
TALBOTTE RICHARDSON,

  
JACK TRAVILLIAN,  
CLERK/TREASURER

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-R-025

RANDAL JOHNES

**IC 36-5-2-10**

**Adoption of ordinance, order, or resolution; publication**

Sec. 10. (a) An ordinance, order, or resolution passed by the legislative body is considered adopted when it is signed by the executive. If required by statute, an adopted ordinance, order, or resolution must be promulgated or published before it takes effect.

(b) An ordinance prescribing a penalty for a violation must, before it takes effect, be published in the manner prescribed by IC 5-3-1, unless:

(1) it is published under IC 36-1-5; or

(2) it declares an emergency requiring its immediate effectiveness and is posted in:

(A) one (1) public place in each district in the town; or

(B) a number of public places in the town equal to the number of town legislative body members, if the town has abolished legislative body districts under section 4.1 of this chapter.

(c) This section does not apply to a zoning ordinance or amendment to a zoning ordinance, or a resolution approving a comprehensive plan, that is adopted under IC 36-7.

(d) An ordinance increasing a building permit fee on new development must:

(1) be published:

(A) one (1) time in accordance with IC 5-3-1; and

(B) not later than thirty (30) days after the ordinance is adopted by the legislative body in accordance with IC 5-3-1; and

(2) delay the implementation of the fee increase for ninety (90) days after the date the ordinance is published under subdivision (1).

*As added by Acts 1980, P.L.212, SEC.4. Amended by Acts 1980, P.L.73, SEC.18; P.L.335-1985, SEC.38; P.L.7-1990, SEC.64; P.L.100-2003, SEC.3.*

**IC 36-5-2-10.2**

**Recording of adopted ordinance; presumptive evidence**

Sec. 10.2. Within a reasonable time after an ordinance of the legislative body is adopted, the clerk-treasurer shall record it in a book kept for that purpose. The record must include:

(1) the signature of the executive;

(2) the attestation of the clerk-treasurer; and

(3) the date of each recorded item.

The record or a certified copy of it constitutes presumptive evidence of the adoption of the ordinance.

*As added by Acts 1980, P.L.73, SEC.19.*

S.O.P. 1-14-08

### Standard Operating Procedure-Greenville Municipal Water Utility

The procedures for customer's delinquent accounts are as follows:

Each month the customers receive a bill that indicates their water consumption and charges for the month.

The payments are due on or before the 15<sup>th</sup> on the month, after the 15<sup>th</sup> of the month penalties are accrued.

If the account is not paid during the current billing cycle they receive another bill during the next billing cycle with the past due charges and current charges added together.

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The disconnect notice provides the customer with the amount they owe and the date it must be paid to avoid being disconnected.

The customer at this point has the option to contact the Greenville Water Utility, prior to the disconnect date, to make payment arrangements.

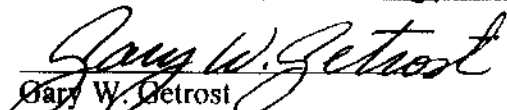
Due to logistics of manually shutting off meters all customers on the disconnect list will be charged a reconnect fee, whether the meter has been manually shut off or not.

The two-month balance along with the reconnect fee must be paid in full to re-establish water service.

Greenville Water Utility has 24hours to re-instate water service, to customers that have paid their bill in full. However, we re-instate water service on the same business day if we receive the payment during our regular business hours, and have the work force to do so.

If a customer request water service to be re-instated after regular business hours, the decision will be made by the water superintendent and a charge of \$25.00 will be added to accommodate overtime hours it would take to re-instate service.

Effective the 15<sup>th</sup> day of JANUARY, 2008

  
Gary W. Getrost  
Utility Superintendent

Approved by Greenville Town Council the 14<sup>th</sup> day of JANUARY 2008

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-R-024

**RESOLUTION CONCERNING THE VALIDATION OF PREVIOUSLY  
APPROVED OPERATING PROCEDURE – FOR THE GREENVILLE  
MUNICIPAL WATER UTILITY LOCATED WITHIN THE TOWN OF  
GREENVILLE, INDIANA CORPORATE LIMITS**

WHEREAS, the town council for the Town of Greenville, Indiana, in the interest of compliance with I.C. 36-5-2-10 Sect. 10 item A and I.C. 36-5-2-10.2, has deemed it necessary that the Town develop a Resolution which validates Greenville Municipal Water Utility S.O.P. 04-14-03 Dated April 14<sup>th</sup>, 2003;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

S.O.P 04-14-03

**STANDARD OPERATING PROCEDURE – GREENVILLE MUN. WATER UTILITY**

Changing Water Utilities Specifications concerning water main extensions:

Due to the continuing growth of this water system I am recommending to the Town Council that we change our current Utility Water Main Specifications.

All water main extensions shall be at least 8” in diameter. This also includes development of any kind.

At the present time, our specifications state that 6” water mains are acceptable.

This change should help present operational challenges as well as future undertakings.

Effective the 14<sup>th</sup> day of April 2003

Gary Getrost  
Utility Superintendent


Approved by the Greenville Town Council the 14<sup>th</sup> day of April 2003

TOWN OF GREENVILLE  
ORDINANCE NO. 2009-R-024

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE  
26th DAY OF MAY, 2009.

PRESIDENT OF THE GREENVILLE  
WATER UTILITY AND THE TOWN  
COUNCIL OF GREENVILLE, INDIANA

  
TALBOTTE RICHARDSON,

  
JACK TRAVILLIAN,  
CLERK/TREASURER

PREPARED BY:  
RANDAL JOHNES

S.O.P. 04-14-03

**STANDARD OPERATING PROCEDURE - GREENVILLE MUN. WATER UTILITY**

Changing Water Utilities Specifications concerning water main extensions:

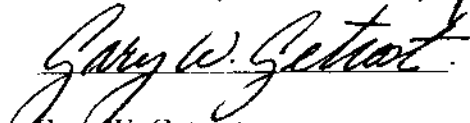
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At the present time, our specifications state that 6" water mains are acceptable.

This change should help present operational challenges as well as future undertakings.

Effective the 14th day of April 2003.



Gary W. Getrost  
Utility Superintendent

Approved by the Greenville Town Council the 14th day of April 2003



TOWN OF GREENVILLE  
ORDINANCE NO. 2009-R-024

**IC 36-5-2-10**

**Adoption of ordinance, order, or resolution; publication**

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