

BARGERSVILLE WATER COMPANY
RULE 1988 - 1

A RULE PROVIDING FOR THE CONSERVATION AND RATIONING
OF WATER FURNISHED BY THE BARGERSVILLE WATER COMPANY

WHEREAS, the Town of Bargersville, Indiana, through its Board of Trustees, owns and operates a municipal water utility, commonly known as the Bargersville Water Company, which provides water to the residents of the Town of Bargersville and certain areas of Johnson County, Indiana, near Bargersville; and

WHEREAS, from time to time climatic and other conditions, both natural and man-made, may arise or occur which cause a temporary shortage of water; and

WHEREAS, such conditions may affect the Town's ability to provide either an adequate supply of water or the Town may be unable to maintain adequate water pressure in the water system; and

WHEREAS, in such event it is imperative to the well-being of the customers of the Town that the use of water not essential to the health, welfare and safety of the Town and its customers be restricted;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Town of Bargersville:

SECTION 1. Definitions. For the purposes of this Rule the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (A) "Town" is the Town of Bargersville, Indiana.
- (B) "Board" is the Board of Trustees of the Town of Bargersville, Indiana.
- (C) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.
- (D) "Water" is water from the municipal water system.
- (E) "User" is the person, firm, partnership, association, corporation, company or organization in whose name the Bargersville Water Company maintains water service.
- (F) "Municipal water system" is the Bargersville Water Company.
- (G) "Superintendent" is the Utilities Superintendent appointed by the Board, the Assistant Utilities

Superintendent and/or the designees of either of them.

SECTION 2. Application of Rule. The provisions of this Rule shall apply to all persons now or hereafter connected to the municipal water system.

SECTION 3. Levels of Conservation.

- (A) Level 1. Voluntary Conservation
- (B) Level 2. Prohibited Use
- (C) Level 3. Rationing

SECTION 4. Declaration of need for water conservation. Upon determining that the municipal water system is in imminent danger of a shortage of water or is experiencing a shortage of water, is unable to maintain adequate water pressure in the system, the water demands of the system exceed the ability to service those demands, major malfunctions or breakdowns of equipment have occurred or other circumstances have caused an actual or imminent danger to the water supply, the Superintendent shall declare a water conservation emergency and establish the level of conservation appropriate to the then existing circumstances. The level of conservation so declared shall remain in effect until the Superintendent declares otherwise. No level of conservation shall remain in effect more than one hundred twenty (120) days without the consent of the Board of Trustees.

SECTION 5. Notice. Notice of Level 1 shall be by publication in a newspaper of general circulation in the Town and in Johnson County and may also be by such other means as the Superintendent may deem appropriate. Notice of Level 2 and Level 3 shall be by first class United States Mail or other door-to-door distribution to the current address of users of the municipal water system as then maintained by the Bargersville Water Company. Notice of Level 1 shall be effective upon publication. Notice of Level 2 and Level 3 shall be deemed effective at noon of the third day after depositing same in the United States Mail or the conclusion of door-to-door distribution, whichever is sooner.

SECTION 6. Level 1 - Voluntary Conservation. Level 1 - Voluntary Conservation shall be comprised of the following:

- (A) Requesting that the users engage in a conscious effort to reduce water consumption by practicing such voluntary water conservation techniques as will be helpful in managing of the then existing water shortage or crisis.
- (B) Suggesting reasonable and meaningful actions that users can take which will be beneficial to the alleviation of the then existing water shortage or crisis.

In the case of Voluntary Conservation, users of water may also be requested to voluntarily cease one or more of the following water uses:

- (1) Sprinkling, watering or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables or any other vegetation.
- (2) Washing of automobiles, trucks, trailers, trailer houses, railroad cars or any other type of mobile equipment.
- (3) Cleaning of outdoor surfaces such as sidewalks, driveways, filling station aprons, porches and other outdoor surfaces.
- (4) Washing and cleaning of any business equipment or machinery.
- (5) Operation of ornamental fountains.
- (6) Swimming pools and wading pools not employing a filter and recirculating system.
- (7) Knowingly allowing leakage through defective plumbing.
- (8) Other non-essential uses of water as determined by the Superintendent.

SECTION 7. Level 2 - Prohibited Use. Level 2 - Prohibited Use shall be comprised of the following:

- (A) Users of water shall be prohibited from the water uses listed in Section 6 (1) - (8).
- (B) Any user found violating any prohibited use shall be served by the Board with a written notice stating the nature of the violation and providing a reasonable time limit of not less than three (3) days for the satisfactory correction thereof. Offenders shall within the period of time stated in such notice permanently cease all violations.
- (C) Any user who shall continue any violation beyond the time limit provided for shall be notified and the Bargasville Water Company will install a flow-limiting device in the meter which shall provide for a flow of 3 gallons per minute at 40 psi. This device shall remain installed until such time as the Board determines that the treatment facilities have the capability of sustaining the water demand required. Tampering with the flow-metering device will subject the user to the discontinuance of water service.

SECTION 8. Level 3 - Rationing. Level 3 - Rationing shall be comprised of the following:

- (A) Each residential user's consumption shall be limited to not more than one hundred seventy-five (175) gallons of water per day.
- (B) Apartment buildings or apartment or multi-family

complexes with a single water meter shall be limited to a total consumption not to exceed one hundred seventy-five (175) gallons of water per day per dwelling unit.

- (C) Business, commercial and industrial users shall be limited to sixty-five percent (65%) of the volume of water used during the corresponding month of the preceding year. Business, commercial or industrial users that were not in business and operating and connected to the municipal water system more than one year prior to the declaration of Level 3 - Rationing shall be restricted to sixty-five percent (65%) of the average monthly volume of water used during the number of months such business, commercial or industrial user was in business and operating and connected to the municipal water system.
- (D) Water uses listed in Section 6 (1) - (8) shall be prohibited.
- (E) Water users who exceed the above volume limitations shall be subject to a fine of Two Hundred Dollars (\$200.00).
- (F) In addition to the other penalties and provisions provided herein, users of water violating this section shall be subject to immediate termination of water service by the Bargersville Water Company.

SECTION 9. Exceptions. The following shall not be subject to the limitations imposed by Section 8:

- (A) Health care providers.
- (B) The Superintendent shall have the authority to permit a reasonable use of water in any case necessary to maintain adequate health and sanitation standards.
- (C) The provisions of Section 8 shall not apply to those businesses and industries declared by resolution of the Board to be necessary for the public health, safety and welfare.

SECTION 10. Enforcement.

- (A) Every employee of the Bargersville Water Company shall, in connection with his or her duties, diligently enforce the provisions of this Rule.
- (B) The Superintendent shall have the authority to enforce the provisions of this Rule by the discontinuance of water service to any user or users in the event of violation of this Rule.
- (C) Upon declaring a water conservation emergency, the Superintendent, depending upon the circumstances then existing, may invoke standards and restrictions less stringent than those established by Sections 7 and 8 of this Rule.

SECTION 11. Effective Date. This Rule shall be in full force and effect from and after its passage by the Board and publication.

Passed and adopted by the Board of Trustees of the TOWN OF BARGERSVILLE, INDIANA on the 12th day of July, 1988.

BOARD OF TRUSTEES OF THE TOWN
OF BARGERSVILLE, INDIANA d/b/a
BARGERSVILLE WATER COMPANY

John Wray

John Schellinger

David E Weber

Charlotte Sykes

Charles Wessner

ATTEST:

Beverly Seitz
Clerk-Treasurer
Town of Bargersville