

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 29- 2004

**AN ORDINANCE FOR THE REGULATION OF ACCESS TO TOWN WATER SUPPLY
AND PROHIBITING TAMPERING WITH WATER SYSTEM**

WHEREAS, it has been determined to be in the best interests of the Town of Plainfield to regulate access to the Town water supply and prohibit tampering with the Town water systems.

BE IT ORDAINED by the Town Council of the Town of Plainfield, Hendricks County, Indiana, that:

SECTION 1. PURPOSE

The purpose of the Ordinance is to establish regulations for access to the Town water supply; the use of water meters; to eliminate illegal access to the Town water supply by not using Proper Metering Devices owned by the Town; and to prohibit the tampering with the water system.

SECTION 2. DEFINITIONS

- A. "Town" shall mean the Town of Plainfield, Hendricks County, Indiana.
- B. "Town Water Supply" shall mean the water in any part of the Town Water System.
- C. "Town Water System" shall mean all pipes, lines, joints, tanks, hydrants, wells, water treatment plant and all related parts used to supply public water to users.
- D. "Proper Metering Devices" shall mean equipment owned by the Town to measure the water passing thru or out of the Town Water Supply.
- E. "Tampering With Water System" shall mean to turn any portion of the Town Water System on or off or otherwise change or damage it.
- F. "Jumper" shall mean any device or system used or intended to supply water from the Town Water Supply to any structure, person or entity without the use of a Proper Metering Device.

SECTION 3. REGULATION AND OPERATION

- A. No person shall install or cause to be installed any Jumper for the purpose of accessing water from the Town Water Supply that results in access to the such water without passing thru an operating Proper Metering Device.

- B. No person shall, without authority from the Town Water Department, turn on or off any portion of the Town Water System or otherwise change or damage the Town Water System.
- C. Upon discovery of a Jumper or any form of tampering with the Water System, the Plainfield Metropolitan Police Department shall be notified and shall issue a citation for violation of the Ordinance to the person or entity who has caused such violation and to the owner of the property where the violation occurred.
- D. The owner of the property where the violation of the Ordinance occurred shall be responsible for any and all fines, penalties and damages resulting from the violation.

SECTION 4. TERRITORIAL APPLICATION

This Ordinance shall apply to the entire Town Water System both inside and outside of the corporate limits of the Town.

SECTION 5. PENALTIES AND DAMAGES

- A. Any person who violates this Ordinance shall be fined not less than \$100.00 Dollars or more than \$300.00 for the first offense. For the second and all subsequent offences, the fine shall be not less than \$250.00 Dollars or more than \$1,000.00 for each offense. A separate offense shall be committed for each parcel of real estate owned by the owner on which a violation occurs.
- B. In addition to the penalty provided for in Subsection 5.A. above, any person violating this Ordinance may also be required to pay all damages to the town Water System as a result of said violation and for the value of the water used as a result of such violation.

SECTION 6. JURISDICTION

The Plainfield Town Court and the Circuit and Superior Courts of Hendricks County, Indiana, shall have jurisdiction for the enforcement of the Ordinance and the determination of any and all Penalties and Damages.

SECTION 7. SEVERANCE AND SAVINGS CLAUSE

If any section, provision, or part of this Ordinance is adjudged to be invalid, unenforceable or unconstitutional, such adjudication shall not affect the validity, enforceability or constitutionality of the Ordinance as a whole or any sections, provisions, or parts not adjudged invalid, unenforceable or unconstitutional.

SECTION 8. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its adoption by the Plainfield Town Council and any publication required by law.

THIS ORDINANCE is hereby passed and adopted this 29 day of December, 2004.

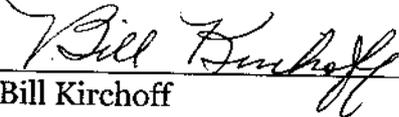
TOWN COUNCIL, TOWN OF
PLAINFIELD, HENDRICKS COUNTY,
INDIANA



Robin G. Brandgard

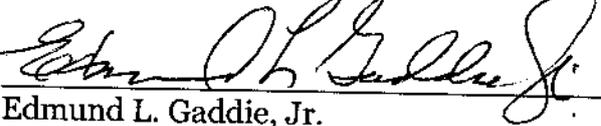


Kent McPhail



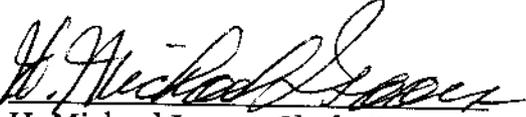
Bill Kirchoff

Daniel W. Fivecoat



Edmund L. Gaddie, Jr.

ATTESTED BY:



H. Michael Isaacs, Clerk-Treasurer
Town of Plainfield, Indiana

Advertise: Weekend Flyer January 06, 2005
January 13, 2005