

MEDARYVILLE TOWN COUNCIL

ORDINANCE NO. 2017-09-01

CREATING RULES, REGULATION, PROCEDURES AND FEE FOR CONNECTION TO TOWN'S STORMWATER SYSTEM

WHEREAS, the Town of Medaryville owns and operates a municipal storm sewer and drainage system (hereinafter referred to as "system"); and

WHEREAS, from time to time, the Town receives requests from Town residents wanting to connect their private properties to the Town's system; and

WHEREAS, the Town desires to establish rules, regulations, and procedures and a fee for Town residents to connect their private properties to the Town's system, so long as the Town deems said connection can be obtained without concern or incident to said system and/or public health, safety, and welfare and by contractors who are properly bonded and insured.

NOW, THEREFORE, BE IT ORDAINED by the Medaryville Town Council for Medaryville, Indiana as follows:

1. The aforementioned "Whereas" sections are set forth herein as fully incorporated herein.
2. **Connection Requests:** A town resident wanting to connect to the Town's system must make such requests in writing to the Town Council accompanied by detailed plans and drawings from contractor who would be performing said work, a detailed timeframe for commencement and completion of said project, and any other information as maybe requested by the Town.
3. **Granting or Denying Connection Requests:**
 - A. The Town Council, with input from the Town Maintenance Supervisor and Town Engineer, if any, has discretion whether or not to grant resident's request to connect their private properties to the Town's system. The Town Council shall consider the following factors when deciding whether to grant or deny said request:
 - 1.) Connection can be obtained without concern or incident to Town's system;
 - 2.) The Town's system can adequately handle said request;
 - 3.) Resident will hire the services of professional contractor, who is bonded and insured, to perform said work;
 - 4.) The health, safety, and welfare of the public;
 - 5.) Any input and/or requirements imposed by the Pulaski County Drainage Board and/or any other local, state, or federal agency; and
 - 6.) Any other information deemed relevant by Town Council.
 - B. If Town grants said request, the following shall apply:
 - 1.) The Town resident shall pay a connection fee in the amount of \$500.00, which said fee is non-refundable.
 - 2.) Town reserves the right at all times to revoke the granting of said request if any of the following exist: 1.) a continuing and substantial change in any of the factors listed above; 2.) unforeseen circumstances exist which pose a threat to the health, safety, and welfare of the public and/or the system, and/or 3.) if project is not maintained in the manner and timeframe as originally presented to Town.
 - 3.) The Town resident and the contractor employed by Town resident for project, shall both execute a waiver and indemnification agreement in favor of the Town prior to commencement of said project.
 - 4.) The Town resident and contractor shall be insured in amounts listed in the waiver and indemnification agreement, and the Town shall be named as an additional insured on such insurance. The Town resident and contractor must present a Certificate of Insurance to the Town, with all information as required by the waiver and indemnification agreement, prior to commencement of said project.
 - 5.) The Town resident and contractor must follow all rules, regulations, and orders of the Town Maintenance Supervisor for said project. In addition, the Town Maintenance Supervisor must be present and on-site immediately prior to the

- actual connection to the Town's system, and at all other times as designated by the Town Maintenance Supervisor.
- 6.) Contractor is responsible for making all necessary line location calls prior to commencement of work.
 - 7.) If Town grants Contractor permission to enter onto Town property, easements, and/or right-of-ways for purposes of the project, the Contractor is responsible at all times for restoring any and all Town property to its' original condition.

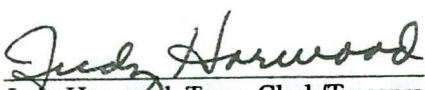
Passed by the Town Council of Medaryville, Indiana, this 20th day of September, 2017 by a vote of 3 YES to 0 NO.


Robert Schultz, President
Medaryville Town Council


Suzanna Wilcoxon, Member
Medaryville Town Council


Ray Saltsman, Member
Medaryville Town Council

ATTEST:


Judy Harwood, Town Clerk/Treasurer
Medaryville, Indiana