

RESOLUTION NO. 2010-08-02

A RESOLUTION CLARIFYING WATER UTILITY
RULES AND REGULATIONS REGARDING THE USE OF FIRE HYDRANTS

WHEREAS, the City of Frankfort, Indiana (“City”) owns and operates a municipal utility (“Utility”) operated under the direction of the Utility Service Board (“USB”) which, among other things, produces, stores, delivers and furnishes water for fire protection purposes; and

WHEREAS, the USB has promulgated Rules and Regulations (the “Rules”) pursuant to Ind. Code § 8-1.5-3-4(a)(11) to protect its system and ensure the safe and continuous supply of water to customers; and

WHEREAS, the Rules prohibit the unauthorized use of the Utility’s water system, including connecting to fire hydrants; and

WHEREAS, the USB desires to clarify the Rules regarding the use of fire hydrants by fire departments and fire districts.

NOW, THEREFORE BE IT ORDAINED by the Utility Service Board of the City of Frankfort, Indiana:

Section 1. Rule 3 of the Rules shall be deleted and replaced with the following provision:

**3. CITY APPROVAL REQUIRED FOR CONNECTION,
USE OF WATERWORKS PROPERTY.**

It shall be unlawful for any person to lay any water service pipe and attach it to any pipe, hydrant, or fixture of the Utility, make any connection whatsoever to the mains or pipes of the waterworks, do or perform any plumbing work whatever in or about any water pipe or fixture belonging to or owned by the Utility, or turn on and use water from the Utility after the use thereof has been shut off without first having obtained permission from the Utility. For purposes of this Rule, any person who is employed by or volunteers for an organization supported with tax dollars whose purpose is to protect the public from or extinguish fires (a “Fire Department”) shall be permitted to connect to a fire hydrant for purposes of protecting property within the corporate limits of the City or, for properties outside the City’s corporate limits, within two thousand 2,000 feet of the property. A Fire Department that connects to a fire hydrant for other purposes shall be authorized to connect to the Utility if the Fire Department pays

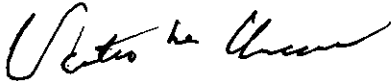
the Utility for the estimated water used in accordance with the Use and Service Rates charged by the Utility for water service.

All service rendered by Utility shall be solely for the uses and premises designated by the prospective customer at the time service is requested and subject to, and in accordance with, these rules and regulations and the Utility's rate schedules. A customer shall not sell or give away water to anyone not specifically included in its agreement with the Utility for service.

Section 2. Severability. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.


Section 3. Effective Date. This Ordinance shall be in full force and effect after its passage and publication and hearings as required by law. The change in fire hydrant user fees described herein shall be effective upon the first day of the first month following the effective date of this Ordinance.

ADOPTED this 2nd DAY OF August, 2010.



President, Utility Service Board, City of Frankfort, Indiana

ATTEST:



Secretary, Frankfort Utility Service Board