

3 AN ORDINANCE AMENDING CHAPTER 51 OF THE
4 FORT WAYNE, INDIANA CODE OF ORDINANCES

5 WHEREAS, on July 8, 2022, the City of Fort Wayne, Indiana (“City”) closed on a
6 transaction (the “Transaction”) pursuant to which the City acquired all of the assets of
7 the Allen County Regional Water and Sewer District (“District”); and

8 WHEREAS, as a result of the Transaction, the customers of the District became
9 sewer customers of the City, and the City acquired the right to provide sewer service
10 within the District’s territorial boundaries; and

11 WHEREAS, many of the customers who were formerly served by the District
12 have individual grinder pump stations that pump waste from the customer’s property to
13 the public sewer mains located in the right-of-way; and

14 WHEREAS, the grinder pump stations are owned by the customers; and

15 WHEREAS, over time, the components of a grinder pump station can fail,
16 necessitating their repair or replacement; and

17 WHEREAS, to assist eligible customers when their grinder pump stations
18 experience a malfunction, the City desires to offer on-call repair services, with
19 competitive fixed fees, that such customers can utilize; and

20 WHEREAS, the City also desires to offer optional service plans that include
21 various benefits such as annual inspection/testing of the grinder pump station and
22 reduced costs for service repairs/replacements for eligible customers; and

23 WHEREAS, the City’s on-call services and service plans are entirely optional
24 and are intended to offer eligible customers with certain types of grinder pumps a
25 convenient one-stop solution when their grinder pumps malfunction; and

26 WHEREAS, Customers are still free to hire a vendor of their own choosing for
27 any necessary maintenance or repair of their grinder pump stations and related
28 components; and

29 WHEREAS, the Common Council believes it is in the best interest of the City
30 and eligible customers with certain types of grinder pump stations that the City offer the
optional services described above.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE, INDIANA:**

SECTION 1. That Section 51.078 titled “GRINDER PUMP SERVICE
CHARGES AND SERVICE PLANS” is added to the Fort Wayne Code of Ordinances as
a NEW Section to read as follows:

§ 51.078 GRINDER PUMP SERVICE CHARGES AND SERVICE PLANS.

(A) *Purpose.* The purpose of this Section is to provide eligible customers who own certain types of grinder pump stations within the City's sewer service territory with fixed-cost options for maintenance, repair, and replacement of the grinder pump stations and their components.

(B) *Performance of Work.* Maintenance and repair services offered under this Section may be provided by the City's own work force or by a City-procured vendor.

(C) *Fees for On-Call Services.* There are hereby established the following fixed-fees for on-call repair and replacement services for certain types of grinder pump stations and their components:

Service Description	Price
Service Call-During Business Hours	\$140.00
Service Call-After Business Hours	\$240.00
Replace Capacitors ¹	\$49.00
Replace Fuses ¹	\$35.00
Replace Breakers (Type 1) ¹	\$65.00
Replace Breakers (Type 2) ¹	\$112.00
Replace Breakers (Type 3) ¹	\$294.00
Replace Motor Starters (Type 1) ¹	\$104.00
Replace Motor Starters (Type 2) ¹	\$168.00
Grinder Station Pumping ¹	\$180.00

¹ This fee is in addition to the applicable Service Call Charge. However, only one Service Call Charge per visit will be assessed. Multiple services can be performed during one Service Call.

(D) *Optional Service Plans.* In addition to on-call repair services, there are hereby established the following optional service plans in which eligible customers may elect to enroll:

Service Plan	Terms/Benefits	Price
City Utilities Care Plus – 5 Yr. Warranty – New Pumps	<ul style="list-style-type: none"> - 5 year warranty on new pumps - Customer pays Service Call charge for each visit - 50% off repairs/replacement (excluding pump) - 70% off pump replacement 	\$950.00/one-time charge OR \$20.00/mo. (for full 5 year term) - Customer elects payment plan at the time of enrollment
City Utilities Service Plus – Extended Warranty – All Pumps	<ul style="list-style-type: none"> - Annual service visit including pump test, electrical testing, and grinder pump station tank included - One additional Service Call/yr. at no charge - 20% off repairs/replacement (excluding pump) - 50% off pump replacement 	\$425.00/yr. OR \$36.00/mo. - Customer elects payment plan at the time of enrollment
City Utilities Service Basic – Extended Warranty – All Pumps	<ul style="list-style-type: none"> - Annual service visit including pump test and electrical testing included - Service Calls for \$100.00 	\$200.00/yr. OR \$17.00/mo. - Customer elects payment plan at the time of

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	- 15% off repairs/replacement (including pump)	enrollment
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(E) *Eligibility; Establishment of Terms and Conditions.* The Board of Public Works is authorized to define the criteria for customers to be eligible for the on-call services and service plans described above. The Board of Public Works is further authorized to establish, supplement, and change certain terms and conditions related to the service options, including, without limitation, defining normal business hours for Service Calls, modifying the eligibility criteria for on-call services and enrollment in service plans, providing technical definitions on the services provided (e.g., defining what constitutes a Type 1, Type 2, and Type 3 breaker), and outlining procedures for work not specifically described above.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.



Council Member

APPROVED AS TO FORM AND LEGALITY



Malak Heiny, City Attorney

CHAPTER 51: SEWERS

Section

General Provisions

- 51.001 Definitions
- 51.002 Damage to city property prohibited
- 51.003 Dilution
- 51.004 Accidental discharges

Connections and Extensions

- 51.015 Requirements for connection to public sewers
- 51.016 Extensions of sewers outside corporate limits
- 51.017 Connections to sewerage system by certain properties outside corporate limits

Commercial and Industrial Wastes and Discharges

- 51.030 Prior approval for certain wastes
- 51.031 Pretreatment facilities; approval of proposed plans; operation
- 51.032 Federal pretreatment standards
- 51.033 Prohibited discharges and limitations
- 51.034 Responsibility for obstruction or damage to sewers
- 51.035 Submission of data on industrial waste, industrial waste discharge permits
- 51.036 Confidential information
- 51.036.5 User inventories from contributing municipalities
- 51.037 Control manholes
- 51.038 Grease and sand traps
- 51.039 Inspections; waste sampling
- 51.040 Waste analysis procedures and charges
- 51.041 Use of representative analysis

Private Sewage Disposal

- 51.050 Definitions
- 51.051 Sewage disposal
- 51.052 Construction requirements of private sewage disposal systems

- 51.053 Construction permit
- 51.054 Installers registration
- 51.055 Inspection
- 51.056 Maintenance and sampling
- 51.057 Economic hardship
- 51.058 Denial; suspension; revocation
- 51.059 Penalties

Sewer Rates and Charges

- 51.065 Charges based upon water usage/flat charges
- 51.066 Water obtained from sources other than city's water utility
- 51.067 Exempt water; general
- 51.068 Metering of sewage
- 51.068.5 Deposit to ensure payment of sewer fees; refunds; forfeitures; uses
- 51.069 Metered retail user charges
- 51.070 Flat retail user charges
- 51.071 Continuing surveillance sampling/waste evaluation charges
- 51.072 Strength of waste surcharge
- 51.073 Bulk waste charges
- 51.073.5 City Utilities Grease Cooperative
- 51.074 Other rates and charges
- 51.075 Monthly capital improvement surcharge
- 51.076 Area connection fees
- 51.077 Contract customers
- 51.078 Grinder pump service charges and service plans

Delinquent Accounts; Billing of Service Charges

- 51.090 Billing period
- 51.091 Liability for payment; examination of utility records
- 51.092 First billings
- 51.093 City subject to charge
- 51.094 Consolidation of accounts

- 51.095 Notice of capital surcharge
- 51.096 Delinquent accounts; penalties
- 51.097 Termination of water service due to delinquency
- 51.098 Termination of sewer service due to delinquency
- 51.099 Delinquent fees and penalties as liens; duplicates; collection
- 51.100 Collection through court action

Administration and Enforcement

- 51.110 Rules and regulations; Board of Works authority
- 51.111 Enforcement
- 51.112 Sewerage Works Improvement Fund

51.999 Penalty for violation

§ 51.078 GRINDER PUMP SERVICE CHARGES AND SERVICE PLANS.

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¹ This fee is in addition to the applicable Service Call Charge. However, only one Service Call Charge per visit will be assessed. Multiple services can be performed during one Service Call.

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<u>City Utilities Service Plus – Extended Warranty – All Pumps</u>	<ul style="list-style-type: none"> - <u>Annual service visit including pump test, electrical testing, and grinder pump station tank included</u> - <u>One additional Service Call/yr. at no charge</u> - <u>20% off repairs/replacement (excluding pump)</u> - <u>50% off pump replacement</u> 	<p><u>\$425.00/yr. OR \$36.00/mo.</u></p> <p>- <u>Customer elects payment plan at the time of enrollment</u></p>
<u>City Utilities Service Basic – Extended Warranty – All Pumps</u>	<ul style="list-style-type: none"> - <u>Annual service visit including pump test and electrical testing included</u> - <u>Service Calls for \$100.00</u> - <u>15% off repairs/replacement (including pump)</u> 	<p><u>\$200.00/yr. OR \$17.00/mo.</u></p> <p>- <u>Customer elects payment plan at the time of enrollment</u></p>

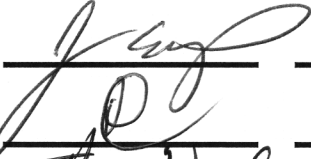
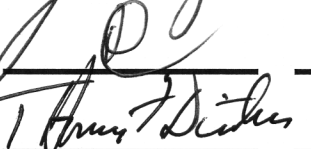
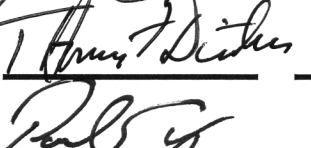
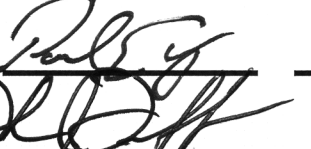
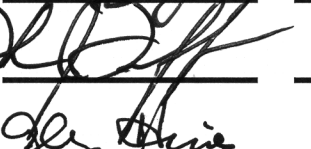
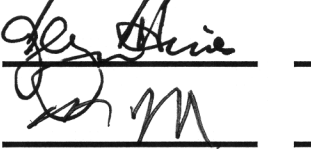
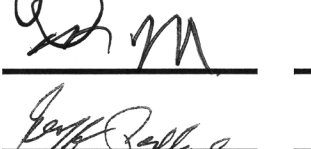
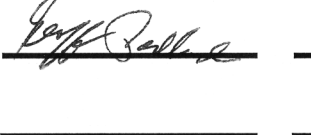
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BILL NO. G-22-11-29

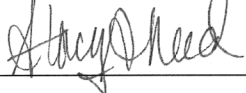
**REPORT OF COMMITTEE ON REGULATIONS
December 6, 2022**

Paul Ensley Chair
Tom Freistroffer Co-Chair
All Council Members

An Ordinance amending Chapter 51 of the Fort Wayne, Indiana Code of Ordinances

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
<u>ARP</u>			
<u>CHAMBERS</u>			
<u>DIDIER</u>			
<u>ENSLEY</u>			
<u>FREISTROFFER</u>			
<u>HINES</u>			
<u>JEHL</u>			
<u>PADDOCK</u>			
<u>TUCKER</u>			

STACY A. REED
DEPUTY CITY CLERK



Public Hearing Date: N/A

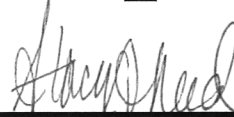
Read the first time in full and on motion by Councilperson Ensley.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Ensley, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: December 13, 2022

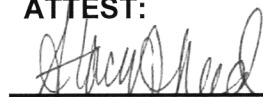


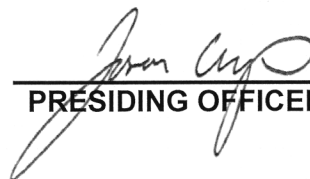
STACY A. REED, DEPUTY CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

General Ordinance No. G-22-11-29 on the 13th day of December, 2022

ATTEST:

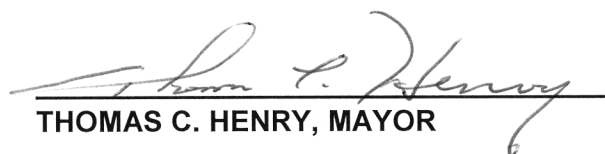

STACY A. REED
DEPUTY CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th of December 2022, at the hour of 9:25 o'clock A.M. E.S.T.


STACY A. REED, DEPUTY CITY CLERK

Approved and signed by me this 15TH day of December 2022, at the hour of 11:00 o'clock AM E.S.T.


THOMAS C. HENRY, MAYOR

