

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

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

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

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

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

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

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

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

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

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

WHEREAS, the Common Council believes it is in the best interest of the City 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:

<u>Service Description</u>	<u>Price</u>
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:

<u>Service Plan</u>	<u>Terms/Benefits</u>	<u>Price</u>
City Utilities Care Plus – 5 Yr. Warranty – New Pumps	- 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	- 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	- 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

	- 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
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- [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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<u>City Utilities Service Basic – Extended Warranty – All Pumps</u>	- <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>	<u>\$200.00/yr. OR \$17.00/mo.</u> - <u>Customer elects payment plan at the time of enrollment</u>

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