

ORDINANCE 2025-02-11-01

UTILITY & INFRASTRUCTURE EQUIPMENT TAMPERING

WHEREAS, the Town of Poseyville, Indiana (hereinafter referred to as “Poseyville”) owns and operates water, sewer, and gas utilities providing services to Poseyville and surrounding area:

WHEREAS, the Poseyville Town Council, (hereinafter referred to as “Council”) has the duty and authority to protect the infrastructure that is in use for the water and gas utilities:

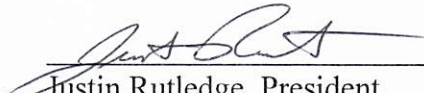
THEREFORE, the Council ordains as follows:

1. All meters that are in the Poseyville Municipal Utility systems are the property of the Town of Poseyville.
2. Only personnel that are authorized by the Town of Poseyville are allowed to access, operate, or perform repairs to meters, meter sets (meter pits, lids, curb boxes, etc.), or any other utility and/or infrastructure equipment.
3. No person, without specific authorization from the Town Utility Superintendent or the Town Council, shall open, enter, or in any way tamper with or disturb any metering or other equipment of the Town’s water, gas, and/or wastewater (sewer) utilities.
4. No person, without specific authorization from the Town Utility Superintendent or the Town Council, shall permit, direct, or allow another person to open, enter, or in any way tamper with or disturb any metering or other equipment of the Town’s water, gas, and/or wastewater (sewer) utilities that is on property that they own, reside in, or have any other interest in. This provision includes, but is not limited to, a homeowner or occupant of a residence who permits a company or individual, who does not have specific authorization, to tamper with or in any way disturb any metering or other utility equipment at their property.
5. Any person who violates this Ordinance shall be subject to a fine of \$500 for the first offense, and a fine of \$2000 for the second and every subsequent offense. For the purposes of this provision, offenses will be tracked by the person, not the property. This means that a person is guilty of a subsequent violation if that person violates this Ordinance two or more times at the same parcel/property or one time each at two or more parcels/properties.
6. In addition to any fine assessed per this Ordinance, a person in violation shall be responsible for any damages caused and shall pay to the Town the cost of any and all time, labor, materials, and

lost utility. The time and labor costs will be calculated using the hourly pay rate and number of hours devoted by each Town employee involved in responding to, acquiring materials for, performing repairs, and performing any administrative duties directly related to the violation. It is not a defense against paying these costs, that the work occurred during normal working hours of the Town employees.

7. For the purposes of this Ordinance, each occurrence shall constitute a separate offense. Also, each day that a violation is continued shall constitute a separate offense.
8. Any costs, including reasonable attorney fees, incurred by the Town for enforcement of this Ordinance, will be charged to the violator(s).
9. Any fines, fees, or other costs levied against a Town utility customer will be assessed on their next utility bill unless otherwise authorized by the Town Council.
10. Any fines, fees, or other costs levied against a person who is not a Town utility customer will be assessed by providing the person with a written record of the costs, payable within 30 days, unless otherwise authorized by the Town Council.

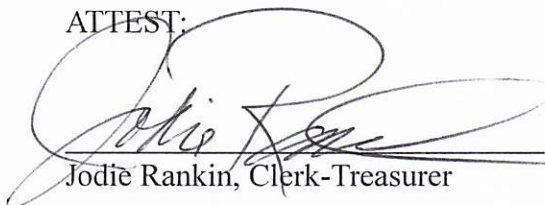
PASSED AND ADOPTED, this 11th day of February, 2025


Justin Rutledge, President


Randall Rankin, Member


Michael Baehl, Member

ATTEST:


Jodie Rankin, Clerk-Treasurer