

**THE LAKELAND REGIONAL SEWER DISTRICT**

ORDINANCE NO. 2015-07

AN ORDINANCE GOVERNING THE MANNER BY WHICH CAMPGROUNDS WITHIN THE DISTRICT'S SERVICE AREAS MAY ELECT TO BE BILLED PURSUANT TO I.C. 13-26-11-2(b).

WHEREAS, I.C. 13-26-11-2 governs the manner in which regional sewer districts shall charge campgrounds that elect to be billed on the basis of metered flows; and

WHEREAS, the Lakeland Regional Sewer District ("District") wishes to comply with the provisions of I.C. 13-26-11-2, as amended, without unnecessarily imposing costs of a campground owner's election to be billed on the basis of metered flows upon users other than campgrounds;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Board of Trustees of the District, as follows:

1. Pursuant to I.C. 13-26-11-2(b), the owner of a campground that is billed at a flat rate may elect to be billed on the basis of flows measured by one or more sewage flow meters.
2. The owner of a campground electing to be billed on the basis of metered flow (hereinafter "the Owner") shall be charged pursuant to rates and charges established in compliance with I.C. 13-26-11-1 *et seq.* and any amendments thereto.
3. The District shall not bill the Owner on the basis of metered flow until such time as sufficient historical flow data has been collected to accurately and reasonably approximate metered rates and charges or until such time as the District and the Owner may agree. Until such time as the District shall begin to bill the Owner on the basis of metered flow, the District shall continue to charge and the Owner shall continue to pay the flat rate established for campgrounds in the service area where the campground is located.
4. Pursuant to I.C. 13-26-11-2(b), in addition to the amount charged each month under

the provisions of Paragraph 2, the District may also charge the Owner each month for any other costs of providing sanitary sewage collection and treatment service to the campground, including, but not limited to, installation and operation of oversized pipe or unique equipment or excessive biochemical oxygen demand.

5. The Owner shall notify the District in writing of his or her election and intent to measure flows by meter.

6. The Owner shall, at his or her expense, purchase, install, own, operate, maintain, repair, and/or replace as many sewage flow meters as the District, by its agents or employees, shall prescribe in order to ensure the completeness and accuracy of the measurements. Said meters shall be of the type, size, and calibration specified by the District and shall be placed on the campground property in such places and in such manners as the District shall prescribe.

Measurements taken by meters not authorized and approved by the District or by meters placed on the campground property in places or manners not authorized and approved by the District shall not be considered in determining the Owner's charges and shall be grounds for the District to reject the Owner's election to be billed on the basis of metered flows.

7. If a meter does not operate continuously and properly during any measurement period, the Owner shall state in writing, under the penalties for perjury, the following:

- a. The period or periods of time the meter did not operate continuously and properly;
- b. For each period of time in which the meter did not operate continuously and properly, the reason or reasons why the meter did not operate continuously and properly; and
- c. For each period of time in which the meter did not operate continuously and properly, the measure or measures the Owner took to make the meter or meters

operate continuously and properly.

If a meter does not operate continuously and properly during any measurement period, the District, at its discretion, may bill the Owner on the basis of historical data or of reasonable approximations or extrapolations from data obtained during periods when the meter operated continuously and properly.

8. Should the District determine that it is necessary to take samples of the sewage discharged by a campground in order to measure the strength and character of the sewage for the purpose of imposing a surcharge as allowed by I.C. 13-26-11-2(b) or for the any other purpose associated with the safe and efficient operation of a sanitary sewage collection, transmission, and/or treatment system, the Owner, at the Owner's expense, shall purchase and install such equipment, appliances, and facilities as are necessary to accomplish the sampling.

9. By electing to be billed on the basis of metered flow, the Owner authorizes the District, by its agents or employees, to enter his or her property at any time for any purpose necessary to ensure the completeness and accuracy of the measurements taken by the meters, including, but not limited to, determining any and all points of discharge, inspecting the meter or meters located on the campground property, monitoring the operation of the meter or meters, examining the data produced by any meter, or sampling discharges.

10. By electing to be billed on the basis of metered flow, the Owner agrees to provide to the District at any time the District requests records or information in writing related to the occupancy of the campground, including, but not limited to, the number of persons occupying any campsite at any given time, the occupancy of the campground as a whole at any given time, the total number of campsites made available to the public, the number of campsites occupied by permanent structures or structures that are not removed from the sites during periods when the

campground is closed, and the number, type, and size of sewage-producing facilities, including, but not limited to, dumping stations, holding tanks, individual connections between a campsite and a collection line, shower facilities, swimming pools, restrooms, and stores or other commercial enterprises.

11. By electing to be billed on the basis of metered flow, the Owner agrees to pay to the District any and all costs associated with the District's amendment of its rate structure as a result of the Owner's election, including, but not limited to, the personnel costs associated with inspecting and monitoring the installation and operation of a meter or meters, costs associated with sampling the strength and character of waste from the campground, legal and financial consultant's fees associated with revision of the District's rate structure, publication and other costs of notification associated with amendments to the District's rate ordinances, costs associated with reprogramming the District's billing system, and any and all administrative costs.

12. The owner of each and every campground that is served by the District who elects to be billed not on the basis of metered flows but on the basis of the District's flat rate shall on or before the first day of each calendar year file with the District a written certified statement, subject to the penalties for perjury, stating the number of campsites said owner will make available for use by the public in that calendar year. Said owner shall be billed pursuant to applicable rate ordinance for the number of campsites so certified to the District. Said owner authorizes the District, by its agents or employees, to enter the campground property at any time to verify that the number of campsites actually made available to the public is the same as that stated in the owner's certified statement.

13. This ordinance shall take effect upon promulgation according to law.

ALL OF WHICH IS DULY ORDAINED THIS 3<sup>rd</sup> DAY OF December, 2015.

LAKELAND REGIONAL SEWER  
DISTRICT BOARD OF TRUSTEES

James R. Haney

Robert L. Mancini Jr.

John B. McLaughlin

Mark L. ...

James A. ...

Rudolph ...

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ATTEST:

James A. ...